

Case No. 3314

Tax Map No.: 37  
Block No.: 14  
Parcel No.: 219

OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY, MARYLAND

**APPLICANT:** Letty Grayson  
3437 Uniontown Road  
Westminster, Maryland 21157

**REQUEST:** Appeal of a Notice of Zoning Violation, that resulted from a ruling of the Historic District Commission

**LOCATION:** On the premises of 3437 Uniontown Road, on the south side of Uniontown Road, and approximately 400' east of Trevanion Road

**DATE HEARING HELD:** February 28, 1990

This is an appeal from the decision of the Historic District Commission requiring a door to remain intact after renovations on the west side addition of the main house located at 3437 Uniontown Road, Uniontown [Westminster], Maryland which is owned by Letty Grayson.

The main house was built in the early 1860's. The most notable change to the house was an addition built in the early 1900's and used as part of a feed store business. The addition is visible from the public right-of-way. It is for this reason that the construction work effecting it required review by the Historic District Commission. It should also be noted that the addition is not overly attractive or even entirely compatible with the main house. Its value is due to its representation of the historic evolution of the property. The addition's defining features included the subject door.

From the evidence, it is clear that the addition had deteriorated and required restoration. The record reflects that there was a great deal of miscommunication and misunderstanding from the commencement of the renovation between Ms. Grayson and the Historic District Commission. Regardless, the matter went before the Historic District Commission which, after a hearing, unanimously voted to require that the door be maintained as a feature of the exterior structure. Rather than appeal the decision, Ms. Grayson chose to ignore the Historic District Commission's decision and to renovate the structure eliminating the door, thereby precipitating the Carroll County Bureau of Zoning Enforcement's issuance of a Notice of Violation. The applicant then sought a hearing before the Board of Zoning Appeals of the Historic District Commission's decision. Although this procedure resulted in the matter being brought before this Board, the applicant should have more properly appealed the Historic District Commission's decision directly to this Board.

During the course of the hearing the applicant presented a substantial amount of evidence. The applicant raised concerns about the qualifications of the members of the Commission and potential conflicts of interests they may have had. We find the concerns to be totally without merit. She presented as evidence, a letter from Mr. Michael Day, a staff member of the Maryland Historical Trust, as evidence of the Historic District Commission's erroneous decision, but in fact, it supported the Board's decision. The applicant also alleged that the Board was arbitrary and capricious, citing the matter of Mr. and Mrs. Ted

Meyers. We find the Board's actions in that case to be proper. Although the Meyers removed a fifty year old addition, the restoration brought the structure back to its original state. Ms. Grayson also alleged that numerous other decisions were inconsistent with the Commission in her case. However, the examples cited were at best inconclusive.

Also submitted into evidence and challenged by the application was the Historic District Commission's decision. We find the decision lacking. There is no indication why the Commission decided as it did. This is further complicated by the fact that the Historic District Commission has not adopted design guidelines for acceptable rehabilitation, restoration, and new construction projects within the district.

There is no indication why this fifty year old structure gained value as a historic representation of the property. As such, the decision is cryptic. The Board recognizes the knowledge, expertise and special qualifications the members of the Commission possess. However, the Board is unable to rely on the expertise of the Commission because the bases of its decision is lacking. Accordingly, based on the lack of support that the door has historic value, the Board must **REVERSE** the decision of the Historic District Commission.

May 24, 1996  
Date:

  
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John Totura, Chairman