

Tax Map/Block/Parcel
No. 78-1-600

Building Permit/Zoning
Certificate No. 90-2692

Case 3430

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANTS: Ronald Medlar and Linda Medlar
239 Obrecht Road
Sykesville, Maryland 21784

REQUEST: A variance reducing the minimum setback line of
40 feet to about 26 feet for a proposed addition
to the existing dwelling

LOCATION: 239 Obrecht Road in Election District 14;
Harrison Acres subdivision, Section 2, and
Amended Lot 3A, recorded in Carroll County Plat
Records in book 21, page 36 and book 25, page
137 respectively

BASES: Article 66B, Section 5.04 of the Annotated Code
of Maryland; Article 5C, Section 5C.5; Article
15, Sections 15.1(b)1 and 3, and 15.5; Ordinance
1E. (The Carroll County Zoning Ordinance)

HEARING HELD: September 25, 1990

FINDINGS AND CONCLUSION

The application, testimony and evidence comprising the record of this case are hereby included by reference in this decision. Based on the record, the Board hereby authorizes the variance as requested. The pertinent findings determining the Board's decision include the facts that due to the orientation of the dwelling, an architectural side is immediately adjacent to the minimum building line for the front yard as established by the recorded plat; approximately one-half of the proposed addition, which will involve enlargement of the basement below the first floor level, will extend beyond the minimum building line with the closest point being approximately 26 feet from the front property line. Effectively, this is an architectural side yard, adjoining an actual side yard of the abutting lot; enlargement of the dwelling is architecturally compatible only as proposed; and, there is no indication that the enlargement will unduly affect the adjoining properties or public interest.

Case 3430 Decision
Page 2 of 2 pages

Attention is directed to the fact that the property is zoned "R-40,000" Residence District. Establishment of an apartment as a separate dwelling unit within single family homes constructed after December 14, 1977, is not permitted within this district.

However, a resident family may have not more than four roomers or boarders. In this case, use of the premises will continue to be that of a single family dwelling.

Sept. 27 1990
Date

John Totura
John Totura, Chairman

JDN/bmh/c3430dec
September 26, 1990