

Tax Map/Block/Parcel
No. 59-3-533

Building Permit/Zoning
Certificate No. 90-2921

Case 3440

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Hillandale, Inc.
c/o Christine L. Shipley
133 E. Main Street
Westminster, Maryland 21157

ATTORNEY: Charles M. Preston, Esq.
188 E. Main Street, P.O. Box 389
Westminster, Maryland 21157

REQUEST: A request to allow expansion of a nonconforming use, to wit: the addition of nine mobile home sites to an existing mobile home park classified as a nonconforming use

LOCATION: 2551 Baltimore Boulevard (Md. Rt. 140) in Election District 4

BASIS: Article 4, Section 4.3(a)(1); Ordinance 1E.
(The Carroll County Zoning Ordinance)

HEARINGS HELD: September 25, 1990; continued October 22, 1990, and May 24, 1991.

FINDINGS AND CONCLUSION

The application, testimony and evidence comprising the record of this case are hereby included by reference in this decision. The pertinent findings determining the Board's decision include the following facts:

On May 13, 1986, in Case 2499, the Board conditionally authorized enlargement of the mobile home park, classified as a nonconforming use, based on a plan for 33 mobile home sites. The request was in response to county government's interests in assisting displaced residents of another mobile home court that was being closed. However well-intentioned the county government and the applicant were, the effort was all but fruitless.

In the process of reviewing and approving the proposed plan for issuance of the required permits, the plan was amended substantially. The amended plan changed the service road from the T design to a rectangle, increased the length of the service road, and relocated 18 of the 33 mobile home sites.

Although the amended plan provided space for additional mobile home sites, as depicted by Applicant's Exhibit 1, the

agencies reviewing the plan lacked the authority to authorize the additional sites.

From the record of this case, the Board finds that the additional vehicular traffic that may be generated will not be noticeable; there is no probative evidence that the additional nine mobile home sites will unduly affect the value or use of adjoining properties, or the public interests; and, that authorization of the request is in accordance with the provisions of the zoning ordinance.

Furthermore, in reviewing the Board's decision in Case 2499 and comparing the circumstances then and now, the Board is convinced that if the original request had been for 42 mobile home sites as depicted by the amended plan, the Board would have authorized the request.

Therefore, the Board hereby authorizes the request.

May 30, 1991
Date

John Totura
John Totura, Chairman

JDN/bdc/C3440DEC
May 30, 1991