

**Tax Map/Block/Parcel  
No. 47-20-198**

**Case 5414**

**OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY, MARYLAND**

**APPLICANT:** Douglas Patterson  
2105 Carrollton Road  
Finksburg, MD 21048

**ATTORNEY:** n/a

**REQUEST:** An expansion of non-conforming use due to dimensional requirements and variances to the required rear setback of 50 ft. to 29 ft. and the required side setback of 50 ft. to 28 ft. for a proposed additional to the existing dwelling.

**LOCATION:** The site is located at 2105 Carrollton Road, Finksburg, on property zoned "C" Conservation District in Election District 4.

**BASIS:** Code of Public Local Laws and Ordinances, Section 223-9 and 223-37

**HEARING HELD:** May 27, 2008

**FINDINGS AND CONCLUSION**

On May 27, 2008, the Board of Zoning Appeals (the Board) convened to hear a request for an expansion of non-conforming use due to dimensional requirements and variances to the required rear setback of 50 ft. to 29 ft. and the required side setback of 50 ft. to 28 ft. for a proposed addition to the existing dwelling. The Board made the following findings and conclusion.

The Applicant purchased the subject property in July 2007. It includes a dwelling constructed in 1871 which is located very close to Carrollton Road. The house in its present location does not meet the applicable current dimensional and setback requirements.

The Applicant wishes to demolish most of the existing structure and replace it with a ranch-style home located farther from the road and to the right of the existing building. The lot is elongated and bisected by Carrollton Road. In addition, a stream runs through the rear of the property. The new residence will have a footprint of 36' x 40'. The property is served by private well and septic system. The new location is more desirable because it is farther from the road and the new home will be upgraded to reduce potential flooding.

**OFFICIAL DECISION**


**C5414**

**Page Two**

The lot is non-conforming and irregularly shaped, and is bisected by a public road. In addition, a stream runs through the rear of the lot. All of these are unique characteristics of the lot, such that a strict application of the current setback and dimensional requirements would result in unwarranted and unnecessary hardship. Thus, the requested variances to the rear yard setback of 50 feet to 29 feet and the side yard setback from 50 feet to 28 feet and to the current dimensional requirements are warranted and granted. In addition, the Board finds that the proposed expansion of the non-conforming residence is appropriate and the request is granted.

Date

6/18/08

  
Jacob M. Yingling, Chairman