

**Tax Map/Block/Parcel  
No. 45-6-369**

**Case 5431**

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

**APPLICANT:** Galen L. Roop  
33 W. George Street  
Westminster, Maryland 21157

**ATTORNEY:** Clark R. Shaffer

**REQUEST:** Conditional use for a two-family dwelling and variances to the non-conforming lot, if needed, from the minimum lot size requirement from 15,000 sq. ft. to 10,860 sq. ft., more or less, from the side yard setback of 12 ft. to 6 ft. and from the lot width requirement from 75 ft. to 60 ft.

**LOCATION:** The site is located at 33 West George Street, Westminster, MD 21757, on property zoned "R-10,000" Residential District in Election District 7.

**BASIS:** Code of Public Local Laws and Ordinances, Chapter 223-86 E and 223-89

**HEARING HELD:** August 27, 2008

**FINDINGS AND CONCLUSION**

On August 27, 2008, the Board of Zoning Appeals (the Board) convened to hear a conditional use request for a two-family dwelling and variances to the non-conforming lot, if needed, from the minimum lot size requirement from 15,000 sq. ft. to 10,860 sq. ft., more or less, from the side yard setback of 12 ft. to 6 ft. and from the lot width requirement from 75 ft. to 60 ft. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

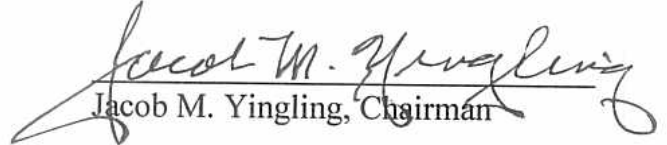
The subject property is a .25 acre (+/-) vacant lot in the "R-10,000" zone. The lot is non-conforming and was created in 1883. The Applicant wishes to erect a two-story duplex on the lot. The neighborhood is residential with some business uses.

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The duplex will include two off-street parking spaces for each unit. The property is served by public water and sewer. There are nine other duplexes in the neighborhood. There is a well-drilling business located near the rear of the property.

The Board found that the proposed use is consistent with other uses in the neighborhood and will complement the other properties in the area. This is infill development and an appropriate use of the property. The use will not generate noise, traffic, dust, or fumes greater here than elsewhere in the "R-10,000" zone. Accordingly, the conditional use was granted. In addition, the Board found that the lot is nonconforming and that the requested variances are therefore unnecessary.

9/17/08  
Date

  
Jacob M. Yingling, Chairman