CARROLL COUNTY GOVERNMENT
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Office of Zoning Administration

Official Decision
Case ZA-1184
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Wal-Mart Real Estate Business Trust
REQUEST:	A variance from the required 1,410 parking spaces to 1,128 parking spaces; a reduction of 282 parking spaces.
LOCATION:	2212 Brodbeck Road, Hampstead, Maryland
MAP/BLOCK/PARCEL:	33/7/622
APPLICABLE REGULATIONS:	Code of Public Local Laws and Ordinances, Chapters 103-24 and 223-181.
HEARING HELD:	January 6, 2010

FINDINGS AND CONCLUSIONS

Based on the testimony and evidence presented at the hearing the variance is granted.

Facts which support the request for relief from the strict terms of the Ordinance, in this case, a variance for a reduction of the required 1,410 parking spaces to 1,128 parking spaces are as follows:

Space for the parking lot on the site is restricted by a storm water management pond to the rear of the lot and a forest conservation easement on the north side of the property.

A second consideration is that the Planned Business Center is divided into three distinctive shopping areas, each served by a separate parking lot, with little or no pedestrian traffic between them.

A third consideration is that if this building were a stand alone store, under the existing ordinance, a lower requirement of only 4 parking spaces per 1,000 square feet would be required. The proposed reduction would maintain 4.42 parking spaces per 1,000 square feet, which would exceed the required four parking spaces per 1,000 square feet for a stand alone store.

There is an excessive grade on the north side of the property that would require a large excavation and a large retaining wall.

Also presented at the hearing was a memo from the Bureau of Development Review expressing their view that they see no information supporting the request, but they do say they support the idea of less parking.

No neighbors were present at the hearing opposing the variance; therefore, the granting of this variance should have no adverse effect on any adjoining property owners.

Due to the above listed reasons, I find that there is a unique hardship which is caused by the property location and the topography, and not through an action or the owner.

This approval is valid for one year from the date of this decision.

Note: An appeal of a Decision made pursuant to Chapter 223-181.2 may be made to the Board of Zoning Appeals within thirty (30) days of the date of the Zoning Administrator's decision in accordance with Chapter 223-182 and 223-188 of the Code of Public Local Laws and Ordinances.

A decision of the Zoning Administrator made pursuant to Chapter 223-181 is final and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

January 13 2016
Date

Jay Voight
Zoning Administrator