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Jay C. Voight
Zoning Administrator
Office of Zoning Administration

Official Decision
Case ZA-1204
Zoning Administration
Carroll County, Maryland

APPLICANT:	**David S. Patton and Donald H. Patton**
REQUEST:	**Expansion of a non-conforming use to add a second story to an existing apartment building**
LOCATION:	**Lees Lane**
MAP/BLOCK/PARCEL:	**73/11/478**
APPLICABLE REGULATIONS:	**Chapters 223-9 and 223-181**
HEARING HELD:	**June 2, 2010**

FINDINGS AND CONCLUSIONS

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

Facts which support the request for relief from the strict terms of the Ordinance, in this case, an expansion of a non-conforming use are as follows:

The existing buildings consist of two single story buildings with four apartments in each and are in a deteriating state of repair. The owners of the buildings expressed a desire to remodel the units, but with the state that the buildings are in, it would cost more than the property is worth to do the work. To make the project economically feasible, the rent for the apartments would need to be raised to an amount beyond what the market could sustain. The owners propose to double the number of apartments by adding a second floor to each building. This will bring the cost more in line with the rent that can be charged. An additional benefit includes bringing the buildings up to the existing building codes. Additional work would be done on the site to make this property more appealing to the neighbors to include a new entrance and possibly relocating the dumpster pad. Comments received from the Bureau of Development Review, state the owners will need to go through the site plan process.

Neighbors were present at the hearing, and their concerns were brought to the attention of the owners and addressed by the owners. They expressed support for the request for an expansion of a non-conforming use; therefore, the granting of this expansion should have no adverse effect on any adjoining property owners.

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.

June 9 2010
Date

Jay C. Voight
Jay C. Voight
Zoning Administrator