CARROLL COUNTY GOVERNMENT
225 N. Center Street
Westminster, Maryland 21157
410-386-2980
Toll-free 1-888-302-8978
Fax 410-386-2451
TT 410-848-3017

Jay C. Voight
Zoning Administrator
Office of Zoning Administration

Official Decision
Case ZA-1238
Zoning Administration
Carroll County, Maryland

APPLICANT:	Mary Lightfoot
REQUEST:	Family Day Care as an Accessory Use
LOCATION:	509 Morelock Schoolhouse Road Westminster, MD 21158
MAP/BLOCK/PARCEL:	38/19/260
APPLICABLE REGULATIONS:	Chapters 223-72N and 223-181
HEARING HELD:	October 6, 2010

FINDINGS AND CONCLUSIONS

Based on the testimony and evidence presented at the hearing the accessory use is **denied.**

Facts which support the request for relief from the strict terms of the Ordinance, in this case, an accessory use for a family day care are as follows:

The applicant lives in a one story rancher with a fenced yard and a driveway that can handle arriving and departing children. Many neighbors of the applicant came to the meeting expressing their concerns about traffic on the driveway itself, being that the driveway is only 12 feet wide, and that to pass one another you must drive on other peoples property. The width of the driveway does meet County standard for use-in-common driveways, and the proposed use would not be a strain on the driveway.

However, the driveway entrance does not meet County standards for sight distance. County standards require 665 feet of sight distance on a roadway with a speed limit of 50 m.p.h. County employees, on a request from the Zoning Administrator, measured the sight distance and came up with the following measurements. Looking to the left as you exit, they measured a sight distance of 443 feet. While this does not meet standards, the Zoning Administrator's opinion is, you could still see vehicles coming from Westminster at a safe distance. However, when looking to the right, the County measured a sight distance of only 96 feet as you exit. This distance is exceedingly below County standards and having people who are not familiar with this entrance and pulling out onto Uniontown Road would be dangerous.

While the applicant's home may meet standards for a family day care, the dangerous entrance precludes approving a family day care; therefore, the accessory use for a family day care is denied.

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.

10/12/10
Date

Jay C Voight
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Zoning Administrator