CARROLL COUNTY GOVERNMENT
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Jay C. Voight
Zoning Administrator
Office of Zoning Administration

Official Decision
Case ZA-1257
Zoning Administration
Carroll County, Maryland

APPLICANT:	**David C. Jones, Sr. and Sylvia Rollins-Jones**
REQUEST:	**Variances to Allow Existing Dwelling to be Separated into Two (2) Lots**
LOCATION:	**Pine Knob Road, Eldersburg, MD**
MAP/BLOCK/PARCEL:	**68/81/566**
APPLICABLE REGULATIONS:	**Chapter 228-66**
HEARING HELD:	**December 1, 2010**

FINDINGS AND CONCLUSIONS

Based on the testimony and evidence presented at the hearing the variances are **granted**.

Facts which support the request for relief from the strict terms of the Ordinance, in this case, variances to allow existing dwellings to be separated into two (2) lots are as follows:

The property is currently one lot with two (2) houses on the property; one primary dwelling and one detached dwelling over a garage. The property is eligible to have an off-conveyance lot created. The primary structure was built in 1942 and the accessory dwelling was built in 1979, when it was possible to build living quarters on the property for family members. Currently under Chapter 103 of the Code of Public Local Laws and Ordinances, to create a buildable lot the proposed lot must meet all requirements for lot size setbacks and Health Department requirements. The proposed lots do not meet the requirements for lot size and setbacks, but do meet Health Department requirements. However, in 2009 the Commissioners of Carroll County adopted a section in Chapter 103, Development and Subdivision of Land, §103-2 Accessory Dwelling Units, allowing accessory dwelling units built prior to November 28, 2000 and occupied, to apply for a subdivision lot to separate the detached accessory dwelling unit. Due to the location of the existing dwellings and garages, a lot could not be created meeting the required setbacks. Therefore, by granting the variance requested in Exhibit "A" for the existing building, it will allow the applicant to separate the two dwellings into separate lots. The variances requested apply only to those buildings existing at the time of the hearing. All new structures shall comply with all setback requirements.

No neighbors were present at the hearing opposing the variance; therefore, the granting of these variances 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.

December 9 2010
Date

Jay C Voight
Jay C. Voight
Zoning Administrator

EXHIBIT A
DAVID JONES ZA CASE NO. 1257

VARIANCES AS FOLLOWS TO ALLOW EXISTING DWELLINGS TO BE SEPARATED INTO TWO (2) LOTS (NO NEW CONSTRUCTION IS BEING APPLIED FOR):

1. Lot Area-for off conveyance #2, from 40,000 sq. ft to 38,170 sq. ft. for a variance of 1830 sq. ft,

2. Lot Area-for the Remainder, from 40,000 sq. ft to 28,688 sq. ft, for a variance of 11,312 sq. ft, for remainder: from 20' to 17' for a variance of 3'

3. Side Yard set back for the Remainder from 20' to 17' for a variance of 3'

4. Front Yard Setback-for off conveyance No. 2, from 40' to 32', for a variance of 8'; for the remainder: from 40' to 17' for a variance of 23'

5. Lot width for Remainder from 150' to 130' for a variance of 20'.

6. For the garage on off conveyance No. 2, from the front yard setback of 40' to 23' for a variance of 17'.

7. For the garage on off conveyance No. 2, from the side yard setback of 20' to 17' for a variance of 3.'

All as per attached "Final Preliminary Plan of 2nd Off-Conveyance & Remainder, David C. Jones, Sr. & Sylvia L. Rollins-Jones", prepared by BPR, Inc.