Jay C. Voight, Zoning Administrator

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Office of Zoning Administration

Department of
Land Use, Planning, & Development
Carroll County Government
225 North Center Street
Westminster, Maryland 21157

Official Decision
Case ZA-1309
Zoning Administration
Carroll County, Maryland

APPLICANT:	Nicholas Proy
REQUEST:	A Professional Office within a Dwelling as an Accessory Use
LOCATION:	1573 Green Mill Road, Finksburg, MD 21048
MAP/BLOCK/PARCEL:	58/06/548
APPLICABLE REGULATIONS:	Chapter 223-64(O)
HEARING HELD:	September 7, 2011

FINDINGS AND CONCLUSIONS

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

Facts which support the request for relief from the strict terms of the Ordinance, in this case, an accessory use for a professional office within a dwelling are as follows:

The applicant proposes opening his law practice within his dwelling. He is proposing that he be allowed approximately six office visits a day. The applicant said that he also travels to his client's location; therefore, he would not be having six clients everyday.

We received quite a few letters from the applicants' neighbors opposing this request. Their concerns were that the applicant's driveway entrance was on a curve in the road where quite a few accidents have occurred. In addition, a concern was raised about congestion at the applicant's entrance due to the fact that another driveway entrance was across from it. I reviewed their concerns when I visited this site prior to the hearing. The applicant's entrance is approximately centered on a curve; however, the sight distance from the applicant's entrance either met with or exceeded the site distance requirements for a road with a speed limit of 25 mph. The neighbors who were in attendance were informed that their concern with speeding on Green Mill Road should be directed to either the Sheriffs Department or the Maryland State Police.

There are no obstructions blocking the view of someone leaving the applicant's driveway. The accidents that the neighbors are concerned about appear to have been caused by driver error, not by any use of the applicant's driveway entrance. The amount of traffic leaving the applicant's driveway should not cause any congestion, due to the fact that it is spread out over the day.

A concern was raised about clients parking along Green Mill Road. As a condition of approval, no parking is allowed by any of the applicants' clients along Green Mill Road.

To address concerns about backing out onto Green Mill Road, an area of the applicant's driveway will need to be expanded to provide an area for his clients to turn around and pull out onto Green Mill Road.

After listening to the concerns of all those present, I am approving the accessory use for a professional office in the applicant's dwelling. This decision only applies to the applicant and does not continue onto the next property 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 223-181 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.

Sept 14 2011
Date

Jay C Voight
Jay C. Voight
Zoning Administrator