Tax Map/Block/Parcel
No. 73-12-288

Building Permit/Zoning
Certificate 96-2556

Case ZA-268

OFFICIAL DECISION
ZONING ADMINISTRATOR
CARROLL COUNTY, MD.

APPLICANT: Jimmie & Ethel Wilson
6301 Luers Ave.
Sykesville, MD 21784

REQUEST: A variance reducing the minimum front yard requirement from 65 feet to about 11 feet and a reduction in the required 15 parking spaces to 14 for an addition of two service boys.

LOCATION: 6301 Luers Avenue, Sykesville, MD 21784

APPLICABLE REGULATIONS: Art. 4, Section 4.16; Article 10, Section 10.1, Article 14, Section 14.1(a)(2), Article 15, Section 15.5

HEARING HELD: August 7, 1996

FINDINGS AND CONCLUSION

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

Facts which support the request for relief from the strict terms of the Ordinance, in this case a 65 foot front yard requirement for an addition of two (2) service bays and reduction of the required 15 parking spaces to 14 are as follows:

In making this decision of denial the same direction given to the Board of Zoning Appeals under Article 17 was used, "the Board shall not grant a variance if to do so would violate the spirit and intent of the regulation, or cause or be likely to cause substantial injury to the public health, safety and general welfare."

Approval of the proposed plan with variances would further exasperate existing poor traffic and parking flow at this location, albeit Luers Avenue be determined a private or public road.

A commercial property directly accross Luers Avenue (on the West side) from the Wilson property employs head in parking which therein backs into Luers Avenue. Northbound traffic on Luers Avenue approaching the Wilson property enters this area around a slight curve with limited sight distance on a substantial portion of Luers Avenue (13 feet 5 inches).

Parking proposed to replace spaces displaced by the proposed addition would have traffic pulling out or backing out onto Luers Avenue into the previously noted substandard and limited sight distance portion.

Three driveway entrances, the existing driveway to the Wilsons commercial use, the proposed driveway for the five displaced parking spaces and the tenant house driveway, within 100 feet plus or minus is not conducive to the public health, safety and general welfare of persons traversing the road.

The applicant's Land Development Consultants testified that there were alternatives for this site proposed to the applicant and furthermore testimony by the applicant and presentation by his counsel were not convincing that practical difficulty or undue hardship exists.

DATE: 8/21/96

George L. Beisser

George Beisser, Acting Zoning Administrator

cc: Zoning Enforcement
Code: Case 268.D96