Tax Map/Block/Parcel
No. 46 14 100

Building Permit/Zoning
Certificate 98-2248

Case ZA-415

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Timothy Hopkins 419E Malcolm Drive Westminster, MD 21157
REQUEST:	A variance reducing the minimum side yard requirement from 10 feet to about 5 feet for an Office Building
LOCATION:	419E Malcolm Drive Election District 7
APPLICABLE REGULATIONS:	Article 11, Section 11.5, Article 15, Section 15.5
HEARING HELD:	September 2, 1998

FINDINGS & CONCLUSIONS

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

Facts which support the request for relief from the strict terms of the Ordinance, in this case a reduction in the minimum side yard requirement for an office building, are as follows:

The lot for which this variance application applies is an old recorded lot which is (75) seventy-five feet wide and (150) one hundred-fifty feet deep. Running from street frontage to the rear of the property is a (12) twelve foot right-of-way to a commercial property which has access from MD. RT. 97. That access is a right in and right out only from northbound Route 97 due to a center median. Southbound traffic on Route 97 either makes a U-turn at the Main Street Intersection or a left onto Old Westminster Pike and then a left utilizing the (12) twelve foot right-of-way through the Hopkins property. Traffic that cannot make the left turn from the Route 97 property then exits through the Hopkins property to Old Westminster Pike. Therefore this a frequently traveled right-of-way not a paper or inferred right-of-way.

County regulations require that in order to develop the Hopkins property the right-of-way must be widened to (20) twenty feet. This therefore reduces the buildable area for a structure drastically. The angle of the existing right-of-way perpetuates the reduction even more limiting the size of structure that can be built on the property. Topography also enters into the equation in siting the structure. A (6) six foot wood fence is to be erected the length of the property line where the variance reduction has been granted that will buffer the adjoining

property. Any landscaping that may be required by ordinances will also have to be planted.

The approval of this (5) five foot reduction to the minimum required side yard will have no adverse affect on any adjoining properties. The site plan for this project will be subject to all normal agency reviews and the Planning Commission.

September 17, 1998

Date

George L. Beisser
Zoning Administrator

cc: Zoning Enforcement

Code: C:\MyFiles\September98\ZA-415 Hopkins.wpd