Tax Map/Block/Parcel
No. 74 13 551

Building Permit/Zoning
Certificate

Case ZA-480

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	William Schaeffer 3903 Gamber Road Finksburg, MD 21048
REQUEST:	A variance reducing the minimum front yard requirement from 40 feet to about 30 feet for an addition
LOCATION:	6500 Marvin Avenue Eldersburg, MD 21784, E.D. 5
APPLICABLE REGULATIONS:	Article 10, Section 10.5, Article 15, Section 15.5; Zoning Ordinance 1E.
HEARING HELD:	October 6, 1999

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 of the minimum front yard requirement for an addition, are as follows:

This business sole income is from drive-in window or walk-up customers. When originally opened the business was only open from February to November. Being a business, selling ice cream, milkshakes and related items, that is seasonal or semi-seasonal closing during the winter months was practical. The walk-up window area was open except for a 3-4 foot roof overhang.**

As a result of a competitive type business opening only a few blocks away an economic impact has shown in the monthly receipts. The applicant finds it necessary to open year round to offset this economic hardship.

The current area for walk-up customers extends approximately 32 feet from the existing building. This consists of a counter on the exterior of the building, a macadam waiting area for lines of customers and a wooden fence that separates the walk-up area from the drive-in aisle.

The proposed addition would enclose this waiting area just short of the fence and would not encroach upon the drive-in aisle. A large portion of the business is already being conducted in this area and with the enclosed addition the overall use of the property will not change.

The property on which this business is located is peculiar to other commercial businesses along this stretch of Liberty Road as it sits at a much higher elevation than the roadbed and sets back 99 feet from the edge of Liberty Road or Md. Rt. 26. Approval to enclose this already utilized area will have no adverse effect on any adjoining properties or impact traffic patterns on Marvin Avenue or Md. Rt. 26.

NOTE:

Appeals of decisions made pursuant to Section 15.5 may be made to the Board of Zoning Appeals within thirty (30) days of the date of the Zoning Administrator decision in accordance with Section 17.4 of the Carroll County Zoning Ordinance 1E.

A decisions of the Zoning Administrator made pursuant to Section 15.5 is final, and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

**This business has no interior service counter or dining area.

October 15, 1999

Date

George L. Beisser

George L. Beisser
Zoning Administrator

cc: Zoning Enforcement

Code: D:\Official Decision Oct 6 1999 ZA480 Schaeffer Marvin Avenue.wpd