Tax Map/Block/Parcel
No. 41 21 414

Building Permit/Zoning
Certificate BP-01-1841

Case ZA-584

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Tom Riggin & Mike Stavlas Covenant Media 6607 Jacks Court Mt. Airy, Maryland 21771
REQUEST:	A variance to reduce the required distance of 800 Ft. to 650 Ft. between signs for construction of a double faced single pole outdoor advertising sign
LOCATION:	422 Hanover Pike Hampstead, Maryland 21074
APPLICABLE REGULATIONS:	Code of Public Local Laws and Ordinances, Chapters 223-139B(4) and 223-181
HEARING HELD:	July 11, 2001

FINDINGS & CONCLUSIONS

The Applicant requested a variance from the required distance of 800 feet to 650 feet between signs for construction of a double faced single pole outdoor advertising sign on property located at 422 Hanover Pike, Hampstead, in Election District 8. Case ZA-584 was heard at a public hearing on July 11, 2001 at 11:00 A.M. In attendance were Charles Layne, representing Covenant Media (and Applicant) and Tom Riggin, representing the property owner. No other parties were in attendance at the aforementioned public hearing.

At the beginning of the public hearing, Zoning Administrator, Max Bair, read from Section 223.181, which cited criteria on which variance requests may be granted, that being in cases where the strict compliance with the terms of the ordinance would result in practical difficulty or unreasonable hardship which have not been caused by an act of the Applicant or the applicants predecessors in title.

Testimony by the Applicant and the representative of the property owners indicated that the basis for their request was economic hardship, i.e., they (both) testified that revenue from the sign for which the variance is being requested would help pay the mortgage on the property which is zoned "IR - Industrial Restricted" but is presently being farmed. Lot configuration was mentioned during the hearing but not stressed as a hardship.

Also during the hearing, it was discovered that the distance between an existing outdoor advertising sign and the proposed site was 540 Ft.± not the 650 Ft. as advertised. Additionally, testimony was provided that an

approved outdoor sign site was within the same approximate distance from the proposed site as the aforementioned existing outdoor sign.

As a result of the testimony and exhibits presented during Case ZA-584 public hearing, the requested variance cannot be granted for the following reasons:

(1) The advertised request for a variance of 150 Ft. was significantly inaccurate;

(2) A variance from the approved outdoor sign site is needed; and

(3) The economic (financial) hardship argument for granting the variance is not criteria cited in the Zoning Ordinance that the Zoning Administrator can consider in granting a variance request.

NOTE:

Appeals of decision made pursuant to Chapter 223-183 may be made to the Board of Zoning Appeals within thirty (30) days of the date of the Zoning Administrators decision in accordance with Chapter 223-188 of the Code of Public Local Laws & Ordinances.

A decision of the Zoning Administrator made pursuant to Chapter 223-183 is final, and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

7/23/01

DATE

ROBERT A. BAIR
ZONING ADMINISTRATOR

cc: Zoning Enforcement