Tax Map/Block/Parcel
No. 73 18 581

Building Permit/Zoning
Certificate BP-01-3950

Case ZA-619

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT: Faith Lutheran Church Inc.
1700 St. Andrews Way
Eldersburg, Maryland 21784

REQUEST: A variance from the required minimum setbacks of 100 Ft. to 75 Ft. along St. Andrews Way; 100 Ft. to 50 Ft. along Bonnie Brae Rd.;100 Ft. to 50 Ft. along Liberty RD (Rt. 26) for the citing of a modular classroom and development of a long term facility master plan

LOCATION: 1700 St. Andrews Way
Eldersburg, MD 21784

APPLICABLE REGULATIONS: Code of Public Local Laws and Ordinances, Chapters 223-82 and 223-181

HEARING HELD: January 8, 2002

FINDINGS & CONCLUSIONS

Based on the testimony and evidence presented at the hearing, a partial 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 setbacks of 100 Ft. to 75 Ft. along St. Andrews Way; 100 Ft. to 50 Ft. along Bonnie Brae Rd.; 100 Ft. to 50 Ft. along Liberty RD (Rt. 26) for the citing of a modular classroom and development of a long term facility master plan, are as follows:

The church is requesting the above variances for the location of a modular classroom on the front left hand side of the church from St. Andrews Way. This location would be more handicapped accessible from the parking lot. The modular is needed due to an increase in the church's Sunday school program for adults and children. The modular could also be used for other community meetings such as for the Cub, Boy & Girl Scouts. The two other requested variances for 50 Ft. on Bonnie Brae and Liberty is for long term development of the property. The council members envision the church expanding over the next three to ten years. The church is planning to add two wings. The church currently has a successful preschool, which has doubled in size within the last year. The church is planning to develop a kindergarten and a school on the right hand side wing, which would be the first development approximately the same size as the present church. Phase II would consist of a family center in the

location where the modular is located and a 50 Ft. variance on Bonnie Brae would be needed to build the building. Both buildings would then be utilized by the community and outreach services. The church opened in 1990 with a current enrollment of approximately 300 members.

The modular cannot be shifted due to the falloff of the building to achieve handicap accessibility and it would be cost prohibitive since a crane is needed to set the building. The overhead power lines are in the process of being relocated. The building must also be a certain distance, approximately 12 Ft., for fire regulations from the building. The modular unit will be in place between five and ten years. Since the church is surrounded by three roads, the church is considered by the Code of Public Local Law and Ordinances to have three 100 Ft. front yards.

Mr. Green advised the Applicants that he couldn't act upon the variances being requested for future development, since variance approvals are only good for one year. The Zoning Administrator can only approve variance requests that would be completed within one year, since there could be changes made to the surrounding areas in that period of time that could effect what is planned for the property. Therefore, the only variance that is being considered is for the reduction from 100 Ft. to 75 Ft. along St. Andrews Way.

The test of practical difficulty has been met and placement of the modular on any other location of the property would create unreasonable and undue hardship due to future expansion plans.

No neighbors were present at the hearing opposing the Applicant's request; therefore, the granting of this variance should have no adverse effect on any adjoining property owners.

This approval is valid for one year from the date of a Zoning Certificate.

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.

January 17, 2002
DATE

Ralph E. Green
RALPH E. GREEN
ACTING ZONING ADMINISTRATOR

cc: Zoning Enforcement