Tax Map/Block/Parcel
No. 72 5 298

Building Permit/Zoning
Certificate BP-02-3673

Case ZA-686

# Official Decision
## Zoning Administrator
### Carroll County, Maryland

| | |
|---|---|
| **APPLICANT:** | Arthur Solomon<br>6026 Deer Park Road<br>Reisterstown, Maryland 21136 |
| **REQUEST:** | A variance from the required minimum lot size of 3 acres to 2.88 acres for the creation of a lot in a three (3)-lot subdivision. |
| **LOCATION:** | Map 72, Parcel 298 Buckhorn Road<br>Sykesville, MD 21784 |
| **APPLICABLE REGULATIONS:** | Code of Public Local Laws and Ordinances, Chapters 223-37 and 223-181 |
| **HEARING HELD:** | October 1, 2002 |

## 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 required lot size of 3 acres to 2.88 acres for the creation of a lot in a three (3)-lot subdivision are as follows:

The Applicant purchased property totaling 9.43 acres in 1985. A portion totaling .392 acres was given to the State Highway Administration for the expansion of Rt. 99. Another .324 acres will be given to the County for the expansion of Buckhorn Road. The Applicant now has 8.88 acres remaining. The Applicant has paid taxes on the total 9.43 acres and at the time of purchase was informed that the property could be subdivided into 3 lots. Since this amount is slightly under the requirement of 9 acres, a variance is being requested in order to create (3), three-acre lots. The proposed homes to be constructed on these lots will be up market 2-story family dwellings. By creating this minor subdivision, two houses would be placed in the open area and one house would be located on the side.

A neighbor was present voicing concerns regarding setting precedence in granting this type of variance for others in the neighborhood. Other concerns raised were regarding well resources, accessibility to the lots and the types of structures that are being proposed. These concerns were addressed for the impact on property values.

Since the Applicant purchased the property based on the fact that there was enough land to properly subdivide it into 3 lots and due to the dedication being on two roads, which took more land than the Applicant anticipated, as well as the fact that the property is only .12 of an acre less than required under the Zoning Ordinance, the variance is hereby granted.

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.**

October 10, 2002
DATE

Gayle Fritz
GAYLE FRITZ
ACTING ZONING ADMINISTRATOR'S DESIGNEE

cc: Zoning Enforcement