Tax Map/Block/Parcel
No. 64 7 187

Building Permit/Zoning
Certificate BP-03-0251

Case ZA-736

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Obrecht-Phoenix Contractors, Inc. 16 Greenmeadow Drive Suite 301 Timonium, Maryland 21093
REQUEST:	A variance from the maximum square footage allowed for an additional 196 Sq. Ft. for a second pylon sign.
LOCATION:	4007 Sykesville Road Finksburg, MD 21048
APPLICABLE REGULATIONS:	Code of Public Local Laws and Ordinances, Sections 223-138 C and 223-181
HEARING HELD:	March 4, 2003

FINDINGS & CONCLUSIONS

Based on the testimony and evidence presented at the hearing for this variance and a site visit on February 25th for a physical review of the conditions, this variance is denied.

The subject property is located at the intersection of MD Routes 32 and 91. One 25 ft. tall pylon sign is provided on the site plan to provide for the required posting of fuel prices. Testimony was received from three residents of the Gamber area in opposition to the addition of any additional signs on this site. Additionally, these residents delivered signed petitions from 28 residents specifically opposing the requested pylon sign.

The property was duly posted and adjoining property owners were notified of the variance hearing. The petitioner, Obrecht-Phoenix Construction did not attend the hearing.

The Zoning Administrator was able to determine from his site visit that there is a similar gas station/convenience store on the opposite corner from the subject property and that business, a High's/Citgo, had only one pylon sign. Visibility of the subject property from both Route 32 and Route 91 is excellent.

As per Section 223-181 of the Carroll County Code, the Applicant has not proven where a practical difficulty or unreasonable hardship would be imposed by their strict compliance to the terms of the Zoning Ordinance. However, granting of the variance could be seen as a violation of the spirit of the Ordinance and as per the testimony received at this hearing a granting of the variance could cause injury to the general welfare of the immediate community.

NOTE:

Appeals of decision made pursuant to Section 223-181 may be made to the Board of Zoning Appeals within thirty (30) days of the date of the Zoning Administrators decision in accordance with Section 223-182 of the Code of Public Local Laws & Ordinances.

A decision of the Zoning Administrator made pursuant to Section 223-182 is final, and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

3-17-03
DATE

NEIL RIDGELY
ZONING ADMINISTRATOR

cc: Zoning Enforcement