CARROLL COUNTY GOVERNMENT
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Office of Zoning Administration
Neil M. Ridgely
Zoning Administrator

Notice of Decision

Case # ZA-850
Permit # 04-1816

Variance Request: For a variance from the required minimum driveway width from 25 feet to 8 feet to (existing driveway width) for an auto appraisal business to be located at 2522 W. Liberty Road, Westminster, MD in Election District 09 by Charles and Barbara Parrish, T/A Parrish Properties, represented by Clark Shaffer, Esq.

Basis for Variance: § 223-134B (2) and § 223-181 of the Carroll County Code of Public Local Laws and Ordinances.

Decision: Approved.

Basis for Decision:
It is the opinion of the Zoning Administrator that approval of the variance request will not:

- Adversely affect the public health, safety, security, morals, or general welfare.
- Result in dangerous traffic conditions or jeopardize the lives or property of people living in the neighborhood.

In making this determination, the Zoning Administrator cannot answer in the affirmative to the criteria provided in Section 223-191 of the Carroll County Code that:

- There would be a detrimental effect on the people working or residing in the area
- There would a negative impact on the orderly growth of the community
- There would be a detrimental effect on the peaceful enjoyment of people in their homes.
- That the use would have a negative effect on the conservation of property values.
- That there would be any effect from odors, dust, gas, smoke, fumes, vibrations, glare, and noise upon surrounding property values.

Current zoning of the property is R-40,000 but the lot is actually undersized and non-conforming for the zone. The applicants were persuasive in their testimony that their business is unique in that it does not require many more vehicle trips in and out than some residences. Appraisals are made off-site by contract appraisers; business hours are from 8 AM to 6 PM Monday through Friday. The office staff is four employees. Widening of the driveway to the standard commercial requirement would detract from the residential appearance of the property – a concern voiced in the Board of Zoning Appeals decision on the use of this property for the business use which stipulated that a business sign would not be allowed on site and that the business use would be extinguished when the Parrish's business terminated there. Widening would also pose an impractical hardship since the need for a wider driveway is unnecessary for the very limited number of users. Mr. Richard Arnold of 3634 Franklinville Rd. appeared at the hearing for informational purposes but did not protest the variance.

19 July 2004

Neil M. Ridgely
Zoning Administrator

Per Section 223-182 or the Carroll County Code of Public Local Laws and Ordinances, appeals of this decision must be made within 30 days of the date of the decision to the Board of Zoning Appeals pursuant to Section 223-188 of the Carroll County Code. Unless timely appealed, parties may not thereafter contest the Zoning Administrator's decision.