

Tax Map/Block/Parcel  
No. 45-6-644

Building Permit/Zoning  
Certificate No. 97-0095

Case 4192

OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY, MARYLAND

**APPLICANT:** M & M Ventures, Inc.  
532 Baltimore Boulevard, Suite 407  
Westminster, Maryland 21157

**REQUEST:** A conditional use request for a duplex (two-family dwelling) on lots 37 through 40 of Lippy's Addition to Westminster subdivision

**LOCATION:** East of Lippy Avenue about 100 yards east of Bond Street on property zoned "R-10,000" Residence District in Election District 7

**BASIS:** Article 8, Section 8.2(e); Ordinance 1E (The Carroll County Zoning Ordinance)

On January 21, 1997, the Board of Zoning Appeals received an application filed by M & M Ventures, Inc., for a conditional use request to place a "duplex" on lots 37 through 40 of Lippy's Addition to Westminster. The applicant is the contract purchaser of the subject parcels. The owners of the property are Joann and David Reazin. On February 28, 1997, the Board held a hearing on the applicant's request. The following are the Board's findings and conclusion.

M & M Ventures, Inc., is the contract purchaser of lots 37, 38, 39 and 40 of Lippy's Addition to Westminster. The parcels comprise .34 acres of land. The applicant wishes to construct a duplex (two-family) dwelling each side consisting of approximately 1,100 square feet. The structure will have a garage underneath each side of the two-family structure and will resemble a side by side townhouse with the garage door facing the road. The property is serviced by water and sewer. Several neighbors and adjoining property owners appeared and testified in opposition to the request. The Board finds, based on the adjoining property owners testimony, the following.

The property is fronted by a private use-in-common driveway which exits onto Lippy Avenue. The adjoining property owners are responsible for the maintenance of the subject driveway, sometimes referred to as Helen Drive or Helen Street. Helen Street is in very poor repair. Much of the surfaced road is breaking up and washing down onto Lippy Avenue. In addition, the neighborhood of the subject property is purely a residential neighborhood with low elevation, single-family dwellings. The insertion of a three-story duplex in a neighborhood such as this,

would be an inappropriate use of the property. The duplex would not blend in with the neighborhood and would exacerbate the damage to the existing use-in-common drive. Additionally, the neighbors testified and the Board accepts their testimony that their property values will diminish by close proximity of a duplex to their single-family residences. Accordingly, the Board finds the conditional use request to pose an adverse affect that is unique at this location and thereby disapproves the applicant's request.

APRIL 7, 1997

Date



James L. Schumacher, Chairman

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