

**Tax Map/Block/Parcel
No. 40-11-88,116,132,179**

Case 5548

**OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND**

APPLICANT: Shiloh Park Methodist Episcopal Church
3100 Shiloh Avenue
Hampstead, Maryland 21074

ATTORNEY: Elwood E. Swam

REQUEST: A variance request from the required 50 ft. side yard setback to 20 ft. and .5 ft. for the creation of 3 lots (1 for the parsonage, 1 for the church, 1 for the cemetery)

LOCATION: The site is located at 3100 Shiloh Avenue, Hampstead, MD 21074, on property zoned "A" Agricultural District in Election District 8.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-75

HEARING HELD: June 29, 2010

FINDINGS AND CONCLUSION

On June 29, 2010, the Board of Zoning Appeals (the Board) convened to hear the request for a variance from the required 50 ft. side yard setback to 20 ft. and .5 ft. for the creation of 3 lots (1 for the parsonage, 1 for the church, and 1 for the cemetery). Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The subject property is a church complex, which includes a church, a cemetery and a parsonage house. The Applicant wishes to divide the property into 3 separate lots. The lot containing the parsonage is to be 1 acre. The lot containing the church is to be 2.383 acres. Finally, the lot containing the existing cemetery is to be 1.410 acres. The Applicant wishes to divide the cemetery from the other parcels to ensure that it remains a separate legal entity if the other buildings are sold.

The church was constructed in 1884. The cemetery was opened in approximately 1890. The church is the original structure and the cemetery is in the same location as when it opened. The total complex has 2 wells and 2 septic systems to support the buildings.

OFFICIAL DECISION

Case 5548

Page 2

The cemetery is located very close to the church building, necessitating the need for the requested variances if the lots are to be separated. Based on the fact that the church and cemetery have existed at this location for over 100 years, the Board found that a failure to grant the requested variances would make the proposed division of the property impossible, and would therefore result in unnecessary hardship and practical difficulty. As such, the requested variances were granted.

July 22, 2010
Date

Charles H. Wheatley, III
Charles H. Wheatley, III, Chairman