

**Tax Map/Block/Parcel  
No. 41-8-388**

**Case 5321**

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

**APPLICANT:** Dr. Peter and Robin Uggowitzer  
1333 Brillhart Drive  
Hampstead, Maryland 21074

**ATTORNEY:** Charles M. Preston

**REQUEST:** An application for a conditional use for a professional office of a physician within a dwelling, a variance to the lot area from 20,000 sq. ft. to 11,325 sq. ft., a variance to the lot width from 100 ft. to 75 ft., a front yard variance on Houcksville Road from 70 ft. from the road center to 49 ft., a front yard variance on Willow Avenue from 60 ft. from the road center to 29 ft., and a side yard variance from 25 ft. to 18 ft.

**LOCATION:** The site is located at 814 Houcksville Road North, Hampstead, MD 21074, on property zoned "R-10,000" Residential District in Election District 8.

**BASIS:** Code of Public Local Laws and Ordinances, Chapter 223-79 G, 223-89 A and 223-82 A

**HEARING HELD:** April 26, 2007

**FINDINGS AND CONCLUSION**

On April 26, 2007, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use for a professional office of a physician within a dwelling, a variance to the lot area from 20,000 sq. ft. to 11,325 sq. ft., a variance to the lot width from 100 ft. to 75 ft., a front yard variance on Houcksville Road from 70 ft. from the road center to 49 ft., a front yard variance on Willow Avenue from 60 ft. from the road center to 29 ft., and a side yard variance from 25 ft. to 18 ft. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Applicant is a physician. He wishes to relocate his medical practice to this residence, which was constructed in 1927. This is a mixed neighborhood, with a new subdivision located to the west. The neighborhood consists of very small lots. The

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subject property encompasses three of these lots. Construction at the property will include demolishing a garage, converting the interior to a medical office, and rehabilitating an upstairs apartment, which will be occupied. The first floor will be a patient area. The second floor will be for administrative offices.

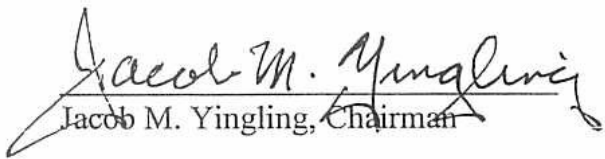
There will be 3 full-time employees and 4 part-time workers. The office will be open Monday through Friday, with hours from 8:30 to 5:00 p.m. and Wednesday until 8:00 p.m. He will see 25-30 patients per day. At times, visiting physicians will use the office.

The Board finds that the proposed doctor's office at this location will not generate noise, dust, fumes, vibrations, traffic, or reduce property values greater here than elsewhere within the zone. Accordingly, the conditional use is granted.

In addition, the Board finds that the house was constructed long before the adoption of Zoning regulations in the County. The lots are uniquely small (25 foot wide), and this house actually sits on 3 lots. The building is located such that an application of today's zoning setbacks, lot width, and lot size requirements would render the property unbuildable. Accordingly, we find that an unwarranted hardship would result and all requested variances are granted.

Date

5/16/07

  
Jacob M. Yingling, Chairman