

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY MARYLAND

APPLICANTS: Theodore J. Daigle, Sr. and M. Frances Daigle
2542 Murkle Road
Westminster, Maryland 21157

ATTORNEY: Charles O. Fisher, Jr., Esquire
179 East Main Street
Westminster, Maryland 21157

REQUESTS: Conditional uses for contractor's equipment storage buildings and yard, and a parking facility for commercial vehicles; and, variance reducing the minimum distance requirement of 400 feet pertaining to the storage buildings and yard.

LOCATION: 2542 Murkle Road in Election District 3.

BASES: Article 6, Sections 6.3(e) and (x), and 6.7; Article 4, Section 4.12; Article 15, Section 15.5; Zoning Ordinance 1E.

HEARING HELD: December 30, 1987

FINDINGS AND CONCLUSION

The record of this case is hereby included by reference in this decision. Based on the testimony and evidence comprising the record, the Board hereby authorizes the request for the contractor's equipment storage buildings, variance reducing the minimum distance requirements of 400 feet pertaining to the storage buildings, and parking facility for commercial vehicles, subject to the conditions imposed below. The findings justifying the authorizations include the facts that the 13½ acre property is improved with a dwelling and several agricultural accessory buildings; the proposed 50 feet by 100 feet storage building will be used for storage of materials and equipment to be used in conjunction with the applicant's electrical contracting business, as well as materials, equipment, and vehicles not associated with the contractor's business; and, establishment of the storage building and employee parking spaces as conditioned below, will not unduly affect the adjoining properties or public interest.

In order to promote the intent and purpose of the zoning ordinance, the Board hereby conditions the authorizations as follows:

1. The applicant is directed to submit a site development plan to the Zoning Administrator in accordance with the provisions of Article 10, Section 10.4(d) of Zoning Ordinance 1E. The plan shall include landscape screening to be established along the northerly side property line and in front of the building and employee parking spaces in order to screen the building and employee parking spaces from the property to the north and residential properties located on the east side of Murkle Road.
2. The proposed building shall not be larger than 50 feet in width by 100 feet in length, located as generally indicated on the plot plan identified as Applicant's Exhibit 1, and as pictured by Applicant's Exhibit 3 and described in the presentation to the Board.
3. The proposed driveway, extending from the existing circular paved driveway, to provide access to the proposed building and employee parking spaces shall be paved to a width of not less than 10 feet in width. Not more than 10 employee parking spaces shall be established perpendicular to and abutting the proposed building, and a space of at least 15 feet in width extending from the building shall be paved and identified as parking spaces. The paving shall be either macadam or bituminous concrete.
4. In addition to the required site development plan, the applicant shall submit a floor plan of the proposed building, drawn to scale, identifying the uses within the building, to the Zoning Administrator for filing with this case.
5. One double-faced, unlighted, business identification sign not to exceed 2 square feet per side may be erected adjacent to the existing northerly driveway connection to Murkle Road in conjunction with establishment and operation of the contractor's equipment storage building and parking facility for commercial vehicles. Due to the authorization of both the contractor's equipment storage building and parking facility for commercial vehicles, no exterior storage or parking of contractor's equipment or commercial vehicles shall be permitted on the premises.

Feb. 9, 1988
Date

John Totura
John Totura, Chairman