

Case 2906

OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY MARYLAND

APPLICANTS: John S. Mertens and Ann L. Mertens  
910 Fowler Road  
Westminster, Maryland 21157

REQUEST: A conditional use request for a professional office for a plumbing contractor.

LOCATION: 910 Fowler Road in Election District 7.

BASES: Article 8, Sections 8.2(a) and 8.5; Article 7, Sections 7.2(i) and 7.5; Zoning Ordinance 1E.

HEARING HELD: March 28, 1988

FINDINGS

The application, testimony and evidence comprising the record of this case are hereby included by reference in this decision. The pertinent findings include the following facts:

The applicants' property is improved with a single-family dwelling and attached residential garage. The site and adjacent properties located on the west side of Maryland Route 97 are zoned "R-10,000" Residence District. This application requests authorization to establish and operate a plumbing contractor's office within the residence. In effect, the request is for conduct of the plumbing business from the proposed office within the dwelling.

The land use provisions as specified within the zoning ordinance provide for conditional uses permitted and as regulated in the "R-20,000" Residence District, Article 8, Section 8.2(a). Article 7, Section 7.2(i) states in part:

"Within a dwelling, the professional office of the resident physician, insurance agent, realtor, or other profession determined by the Board to be similar in use and characteristics."

The record reveals no indication that the operation of a plumbing contractor's office would be similar in use and characteristics to the specified professions.

CONCLUSION

The conditional use request as presented to this Board for a professional office for a plumbing contractor is contrary to the provisions of the zoning ordinance, and is without merit. Accordingly, the conditional use request must be, and is hereby denied.

April 11, 1988  
Date

John Totura  
John Totura, Chairman