

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY MARYLAND

APPLICANT: Martin K. P. Hill
4219 Hanover Pike
Manchester, Maryland 21102

AGENT: D. R. S. and Associates
52 Winters Lane
Westminster, Maryland 21157

REQUESTS: Conditional uses for contractor's equipment storage buildings and yard to be located to the rear of 4219 Hanover Pike (Md. Rt. 30), and retail sales and professional offices, first allowed in the "B-L" Local Business District, within a proposed building partially zoned "I-R" Restricted Industrial District.

LOCATION: Northeast side of Hanover Pike about 300 feet northwest of Tracey's Mill Road intersection in Election District 6.

BASES: Article 12, Sections 12.2(a) and (b); Article 10, Sections 10.1(a) and (d); Zoning Ordinance 1E.

HEARING HELD: April 27, 1988

FINDINGS AND CONCLUSION

Based on the application, testimony and evidence comprising the record of this case, the Board hereby authorizes the requests. The pertinent findings justifying the authorizations include the following facts. The purpose of the "I-R" Restricted Industrial District is primarily for light industrial uses, involving processing or assembly of previously manufactured materials. The characteristics of the proposed contractor's equipment storage buildings and yard are similar to other uses allowed within the district, and there is no evidence that establishment of the requested use as presented to the Board and shown on Applicant's Exhibit 1 would unduly affect the adjoining properties or public interest. The proposed retail sales store and professional office building is partially located within the "B-L" Local Business District fronting on Hanover Pike (Md. Rt. 30). Due to the configuration of the site and limited area zoned "I-R" Restricted Industrial District, it is unreasonable to expect the triangular portion of the property to be reserved for development with an industrial use. Only one retail sales store and one professional, or business, office are proposed for establishment within the building.

Therefore, the use is not classified as a planned business center. However, the proposed site development plan, as shown on Applicant's Exhibit 1, represents a reasonable and appropriate use of the property.

Although concerns were expressed regarding the affects of the proposed uses on property values, the residential characteristics of the areas, and vehicular traffic, the Board finds no evidence that the proposed uses would unduly affect the adjacent properties or public interest to any greater degree than industrial uses permitted without this Board's authorization.

Attention is directed to the fact that the site development plan for both the contractor's equipment storage buildings and yard, and the retail sales and professional office building are subject to the provisions of Article 10, Section 10.4(d) of the zoning ordinance. Although the sketch plan, Applicant's Exhibit 1, includes some landscaping, it is recommended that additional landscaping be provided around the perimeters of both sites and shown on the required site development plan.

May 10, 1988
Date

John Totura
John Totura, Chairman