

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANTS: Patrick A. Molloy and Tammy Molloy
1260 Ridge Road (Rt. 27)
Westminster, Maryland 21157

REQUEST: A conditional use for a one chair resident operated beauty shop within the dwelling, and variances to the minimum required lot area and width as presently existing.

LOCATION: 1260 Ridge Road (Md. Rt. 27) in Election District 7; Elm's View Subdivision, Section 2, lot 5 recorded in Carroll County Plat Records in Book 23, page 78.

BASES: Article 5C, Sections 5C.2(h) and 5C.5; Article 15, Section 15.5; Ordinance 1E.

HEARING HELD: December 9, 1988

FINDINGS AND CONCLUSION

Based on the application, testimony and evidence comprising the record in this case, the Board hereby authorizes the requests, subject to conditions noted below. The pertinent findings justifying the authorizations include the facts that when the subdivision was recorded within the Carroll County Plat Records, the property was zoned "T" Transitional District. The minimum lot area and lot width requirements in that district are substantially less than those now required for the "R-40,000" Residence District. Strict adherence to the minimum lot area and lot width requirements would now cause practical difficulty and unnecessary hardship in the use of the property. However, the ordinance appropriately restricts operation of beauty shops solely to one chair operations conducted by a resident. This minimizes any undue affects to adjacent residential properties. Although the record shows that an adjoining property owner opposes the establishment of the beauty shop, the Board finds that the beauty shop as requested, and conditioned by the Board will not unduly affect the adjoining properties or public interest. The applicants' attention is directed to the fact that the proposed "V" shaped business identification sign is considered to be excessively large and inappropriate for this location. Accordingly, the business identification sign as proposed, will not be authorized.

A much smaller double faced business identification sign will be authorized as described below.

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

1. Prior to the issuance of the Use and Occupancy Permit for the beauty shop, the Zoning Administrator shall verify that the parking facilities for the beauty shop have been constructed as generally shown by the applicants' sketch for the parking area.
2. A double faced business identification sign (not a "V" sign as proposed) not to exceed four square feet per side may be erected adjacent to the drive way connection to Ridge Road (Md. Rt. 27). The double faced sign shall not be erected closer than ten feet from the front property line. This will place the leading edge of the sign approximately ninety feet from the front of the house.

Dec. 19, 1988
Date

John Totura
John Totura, Chairman