

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANTS: Goeffrey K. Warwick, Sr.
 Diane E. Warwick
 4315 Bayonne Avenue
 Baltimore, Maryland 21787

REQUEST: A conditional use for a contractor's equipment
 storage facility, and variance to the minimum
 distance requirements of four hundred feet
 pertaining thereto on not more than one acre of
 the premises.

LOCATION: 3100 Menges Mill Road in Election District 3.

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

HEARING HELD: January 25, 1989

FINDINGS AND CONCLUSION

Based on the application, testimony and evidence comprising the record of this case, the Board hereby authorizes the requests, subject to the conditions noted below. The pertinent findings justifying the conditional authorization include the facts that the area of the farm is 104.25 ± acres, and the proposed contractor's equipment storage facility will be restricted to an area, including a proposed future building, of not more than one acre. The proposed site, approximately 209 feet square is located to the rear of a loafing shed about 530 feet west of Menges Mill Road. The proposed dimensions of the building to be constructed in the future are tentatively 100 feet square. The farm is improved with a dwelling and several accessory buildings, and is currently in the State Agricultural Preservation Program. The applicant will reside on the property with his family and plans to continue to use the property for agricultural purposes. The nearest residence is approximately 300 feet to the northwest of the proposed site. Various construction materials and supplies will be stored on the site. Construction equipment will

normally be moved from job site to job site, and will not normally be parked on the premises overnight. However, when the equipment is not being used for long periods of time it will be stored on the premises. The applicant presently has approximately sixteen pieces of large equipment, including backhoes, dump trucks, trailers, loaders and asphalt rollers. Employees normally report to the job site and do not normally commute to this facility.

In order to promote the intent and purpose of the zoning ordinance, the Board hereby imposes the following conditions:

1. No business identification sign is authorized in conjunction with establishment of the contractor's equipment storage facility.
2. Not more than twenty pieces of equipment, such as those noted above, shall be stored on the premises at one time. This condition does not preclude the applicant from requesting additional pieces of equipment in the future.
3. It is recognized that construction of the proposed building for use in conjunction with the contractor's equipment storage facility will be delayed, and that application for the required zoning certificate may be several years in the future.
4. Due to the particular circumstances in this case, authorization for the establishment and operation of the

contractor's equipment storage facility shall be limited to the applicant and his heirs. This condition does not preclude reapplication by assigns to this Board in accordance with the provisions of the zoning ordinance.

Feb., 7, 1989

Date

John Totura

John Totura, Chairman