

Tax Map/Block/Parcel
No. 24-20-79

Building Permit/Zoning
Certificate No. ZC90-0066

Case 3316

**OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND**

APPLICANTS: Mardis L. Wallace and Cynthia A. Wallace
3598 Picnic Grove Road
Millers, Maryland 21102

ATTORNEYS: James Willard Davis, Esq.
Daniel Murphy, Esq.
237 East Main Street
Westminster, Maryland 21157

REQUEST: A conditional use for a contractor's equipment storage facility, including two buildings

LOCATION: 3814 Maple Grove Road in Election District 6

BASES: Article 13, Section 13.2(c), 13.5, and 13.6;
Ordinance 1E (The Carroll County Zoning Ordinance)

HEARING HELD: March 1, 1990

On March 1, 1990, the Board of Zoning Appeals heard testimony and received evidence regarding a conditional use request for a contractor's equipment storage facility, including two buildings, on the premises of 3814 Maple Grove Road. Mr. Davis appeared before the Board as counsel for the applicants.

The Board visited the site on February 26, 1990, prior to the public hearing.

The application, testimony and evidence comprising the record of this case are hereby included by reference in this decision. Based on the record, the Board will authorize the conditional use, subject to the conditions imposed below. The pertinent findings determining the Board's decision include the following facts.

FINDINGS OF FACT

The 1.516 acre property is located on the north side of Maple Grove Road and west side of the Western Maryland Railroad tracks. The property, and adjacent properties to the north, west, and south are zoned "I-G" General Industrial District. A portion of the property located on the southeast corner is zoned "B-G" General Business District. Other properties located nearby and on the east side of the railroad are zoned "T" Transitional District.

The configuration of the property is irregular, with a frontage of almost 188 feet on Maple Grove Road. (Applicant's Exhibit 1.) The proposed plot plan shows that the property is improved with a house, and that two buildings are proposed for construction. The dimensions of the building nearest Maple Grove Road are noted as 40 feet by 48 feet by 16 feet. The dimensions of the second building are noted as 40 feet by 56 feet by 14 feet. Vehicular access to the buildings and parking area on the premises is provided by the existing driveway located adjacent to the westerly side property line. Mr. Wallace testified that the house [constructed prior to the adoption of Ordinance 1E on August 17, 1965] has been converted for use as offices, accessory to the use of the property.

As pictured by aerial photographs of the area, Applicant's Exhibits 3B and 3C, a sawmill including storage areas are located on the adjoining properties to the west and southwest. A dwelling, which is classified as nonconforming, is located on the south side of Maple Grove Road, near the west side of the property. A dwelling, and what appears to be some type of commercial use in an accessory building appears to be located within the "B-G" General Business District located to the southeast of the premises. The properties to the east, which are zoned "T" Transitional District, are unimproved.

In accordance with the provisions of the Zoning Ordinance, the proposed contractor's equipment storage facility will be subject to the requirements regulating site plans and landscaping as specified within the Landscape Manual.

In considering the record of this case, the Board is convinced that establishment of the proposed contractor's equipment storage facility, as conditioned below, is an appropriate use of the property and will not unduly affect the adjoining properties or public interest.

CONCLUSION

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

1. This authorization is based on the plot plan identified as Applicant's Exhibit 1, and in accordance with the provisions of Article 17, Section 17.4.9 no substantial change of these plans is authorized by the Board. If circumstances necessitate a substantial change from the plans identified as Applicant's Exhibit 1, such change is subject to Board approval following a public hearing to consider the matter.

2. Not more than two storage trailers may be parked, or stored on the property at one time. The storage trailers shall be parked adjacent to the northwest side of the second, or more northerly, building.
3. All vehicles, equipment, materials, and supplies shall be stored within either the two proposed buildings or the offices, except when in use during normal working hours.
4. Any exterior trash or waste receptacle shall be enclosed with appropriate fencing and landscape screening to minimize its visibility from adjoining properties. Trash, waste, junk, or discarded materials or equipment shall be removed from the trash or waste receptacle timely to insure that the appearance of the premises is neat and orderly.
5. The above conditions shall either be noted on the required site development plan individually, or by reference to this case.

Mar. 9, 1990
Date


John Totura, Chairman

JDN/bmh/c3316dec
March 9, 1990