

Tax Map/Block/Parcel
No. 50-21-81

Building Permit/Zoning
Certificate No. 91-0202

Case 3515

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

APPLICANTS: Philip H. Snader and Edie Ann Snader; and,
Richard S. Snader and Trudy Jo H. Snader
2001 New Windsor Road
New Windsor, Maryland 21776

REQUEST: A conditional use for a roadside stand for the
sale of farm produce in season

LOCATION: 2001 New Windsor Road (Md. Rt. 31) in Election
District 11

BASIS: Article 6, Sections 6.3(t) and 6.7; Ordinance 1E
(The Carroll County Zoning Ordinance)

HEARING HELD: March 26, 1991

FINDINGS AND CONCLUSION

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 hereby authorizes the conditional use as requested. The pertinent findings determining the Board's decision include the following facts:

The 117 acre property is zoned "A" Agricultural District as shown on zoning map 50A. The principal land uses of the property are farming and a home site. As proposed, the site of the roadside stand will be on New Windsor Road, near the northerly side property line.

Initially, a wagon will be used as a sales center with a maximum of 15 parking spaces. Landscaping will be established parallel to the northerly side property line. Depending on economic feasibility and the experience gained from operating the roadside stand using the wagon, a permanent building may be constructed within three to five years. Future plans also include two greenhouses, additional landscaping and parking facilities, and a double-faced business identification sign.

Driveway connections to New Windsor Road (Md. Rt. 31) are subject to the approval of the Division of Engineering Access Permits of the State Highway Administration. The locations of the driveway connections are intended to provide ample sight distance to allow drivers to enter and leave the premises safely.

Tentatively, the roadside stand will be open seven days a week, from 8:00 a.m. to 8:00 p.m., June 1 through November 30, or when local produce is in season. Produce, in season, offered for sale will be grown on the farm, and may be purchased locally and regionally, when supplies are limited, for resale.

The land use provisions of the Agricultural District are expressed in Article 6 of the zoning ordinance. Section 6.3, Conditional Uses (requiring Board authorization), paragraph (t) specifies:

Roadside stands with the sale of fresh fruits, vegetables and other farm produce in season.

The applicants also proposed to establish a garden supply center in conjunction with the roadside stand. (Case 3516.) The garden supply center, which will operate tentatively from March 1 through December 23, is intended to compliment operation of the roadside stand.

There is no indication that establishment of the roadside stand, as proposed, will unduly affect the residents of adjacent properties, or the values of those properties.

Accordingly, the Board finds that the conditional use for the roadside stand complies with the provisions of the zoning ordinance governing conditional uses.

April 9, 1991
Date

John Totura
John Totura, Chairman

JDN/bmh/c3515dec
April 4, 1991