

Tax Map/Block/Parcel
No. 52-7-17

Building Permit/Zoning
Certificate No. 94-3833

Case 3984

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

APPLICANT: Michael Hall
1726 Sullivan Road
Westminster, Maryland 21157

ATTORNEY: Thomas F. Stansfield, Esquire
One Court Place
Westminster, Maryland 21157

REQUEST: A conditional use for parking facilities for commercial vehicles and storage of firewood

LOCATION: 1422 Washington Road (Md. Rt. 32) in Election District 7

BASIS: Article 6, Section 6.3(x); Ordinance 1E (The Carroll County Zoning Ordinance)

HEARING HELD: December 28, 1994

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, and in accordance with the state Open Meetings Act, the Board authorized the conditional use for the parking of four large equipment trucks and one pickup truck, subject to the conditions of authorization imposed below. The pertinent findings justifying the authorization include the following facts:

Less than one acre of the 3.161 acre lot will be used to park the trucks and store logs and firewood. As generally depicted on a surveyor's plat of the lot, Applicant's Exhibit 1, the area is located over 580 feet from the front property line and 300 feet from the rear property line. The dimensions of the area are estimated to be 130 feet in width by 300 feet in length. The driveway will be extended to provide access to the area.

An existing home and planned home site are adjacent to the northerly side property line, and several homes within a residential subdivision are adjacent to the southerly property line.

As generally depicted on Applicant's Exhibit 1, Arborvitae will be planted adjacent and parallel to the side property lines starting opposite the rear of the existing garage and extending

toward the rear property line to about 300 feet from the rear property line for the trees paralleling the northerly side line and 330 feet for the trees paralleling the southerly side line. These rows will be connected by a row of Arborvitae extending across the width of the lot to complete the landscape screening.

Additional evergreens may be planted paralleling the side property lines, extending toward the front property line, but will not be required as a condition of approval.

As the vehicles are designed and used for trimming, cutting and removing trees, the storage of logs and firewood is an accessory use. Logs will be cut and split during winter when weather or other factors preclude routine work. Care will be exercised when cutting or splitting logs to minimize the detrimental affects of noise upon residents of adjacent properties. Neither the logs nor firewood will be sold to the public from the premises. Applicant's Exhibit 3 depicts the log and firewood storage area adjacent to the southerly side property line.

In considering the testimony and evidence, the Board is convinced that neither the parking of the four large vehicles and one pickup truck, nor the accessory use of storing logs and firewood, as requested and conditioned below, will unduly affect the residents of adjacent properties, the values of those properties, or public interests.

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

1. Arborvitae, as described above, shall be planted paralleling the side property lines and across the width of the lot to provide landscape screening of the proposed parking area for the four large commercial vehicles and storage area for logs and firewood.
2. This authorization is limited to the lot as presently existing. If the applicant, his heirs or assigns propose to continue use of the parking area and storage area authorized by this decision, application consistent with the provisions of the zoning ordinance shall be made to this Board prior to division of the lot.

1-27-95

Date

JDN/bmh/c3984dec.bmh

Claude R. Rash

Claude R. Rash, Chairman