

Tax Map/Block/Parcel
No. 37-14-219

Building Permit/Zoning
Certificate No. 95-3673

Case 4070

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Letty M. Grayson
3437 Uniontown Road
P.O. Box 64
Uniontown, Maryland 21158

REQUEST: A conditional use for a gift shop within one room of the existing dwelling, and variances reducing the minimum required lot area, lot width, yards and parking requirements for the existing premises

LOCATION: 3437 Uniontown Road in Election District 2

BASES: Article 5A, Sections 5A.2(a) and 5A.6; Article 14, Section 14.1(a)(25) and (b); Article 15, Section 15.5.4(d); Ordinance 1E (The Carroll County Zoning Ordinance)

HEARING HELD: January 24, 1996

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 and variance to the parking requirements. As Article 5A, Section 5A.6 of the zoning ordinance does not specify minimum lot area, lot width and yard requirements for conditional uses in the Historical Zoning District, the respective variances are moot.

The pertinent findings justifying the authorization include the facts that the lot and dwelling were established in the 1850's and do not comply with the minimum requirements enacted for the district. The gift shop, which will occupy a portion of one room of the dwelling, will specialize in small gifts, collectibles and antiques. A business identification sign, not larger than one foot by two feet, is proposed to identify the shop, subject to the approval of the Historic District Commission in accordance with the provisions of Section 5A.3 of the zoning ordinance. Routinely, the shop will be open part-time on weekends, holidays and special events. Uniontown Road is customarily used for on-street parking, and a single lane driveway provides space for several vehicles. However, vehicles must be backed into or out of the driveway. Ordinarily, one on-site parking space with maneuvering space would be required on the premises for 150 square feet of sales area. In considering these factors, the Board is convinced that a variance to the parking requirements is warranted. Furthermore, the conditional use is consistent with the provisions of the zoning ordinance and will not unduly affect residents of adjacent properties, the values of those properties or public interests.

1-31-96

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman