

Tax Map/Block/Parcel  
No. 39-20-633

Building Permit/Zoning  
Certificate No. 97-0304

Case 4210

OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY, MARYLAND

- APPLICANTS:** Charles H. And Laura Jean Winterstein  
850 Leisters Church Road  
Westminster, Maryland 21157
- ATTORNEY:** Clark R. Shaffer, Esquire  
6 North Court Street  
Westminster, Maryland 21157
- REQUEST:** A conditional use request to allow a "B-G" General Business District use in the "I-R" Restricted Industrial District, to wit: an auto repair center, retail tire center and automotive accessories
- LOCATION:** 425 Manchester Road on property zoned "I-R" Restricted Industrial District in Election District 7
- BASIS:** Article 12, Section 12.2(b); Ordinance 1E (The Carroll County Zoning Ordinance)

On February 24, 1997, the Board of Zoning Appeals received an application filed by Charles H. and Laura Jean Winterstein for a conditional use to operate an auto repair center and retail tire center on property zoned "I-R" Restricted Industrial located at 425 Manchester Road.

On March 26, 1997, the Board convened in open session and held a hearing on the subject application. The applicants were represented by Clark Shaffer, Esquire. The subject parcel consists of 1.49 acres, more or less, and is owned by Charles and Laura Winterstein. It is served by public water and sewer by the City of Westminster. It is currently improved by a building and until recently, was a health spa which was established prior to September 22, 1977. The property has remained vacant since the demise of the health club. The property also adjoins a racquetball court building which was the subject of Board of Zoning Appeals Case 1304.

Currently, the property is under contract to be purchased by Northwest Financial Group. The Northwest Financial Group intends to lease the property to Mr. Tire Automotive Service Center, Inc. Mr. Fredric A. Tomarchio, President of Mr. Tire, testified on behalf of the application. He intends to lease the subject property and convert it into a Mr. Tire Service Center, wherein

he would sell and install tires and do minor repairs, such as brakes, struts, oil changes, etc. Customers would generally wait for their repairs. He anticipates serving between 30 and 40 customers per day. The hours of operation would be 7:30 a.m. and 7:00 p.m., Monday through Friday, 7:30 a.m. and 5:00 p.m. on Saturday and 9:00 a.m. and 3:00 p.m. on Sunday. The hours could change if the business climate dictated. He anticipates having 6 or 7 employees. Mr. Tire Auto Service Centers, Inc., has 24 locations and employs over 275 employees. There will be no outside storage of tires, accessories or any other materials. There are presently 54 parking spaces available for the use of the property. The zoning ordinance requires 41. There will be 5 bays proposed on the side of the building facing Manchester Road. The rest of the property will be used for the storage and retail area for the business. Entrance to the facility will be through Goldenrod Terrace.

Based on the testimony presented, the Board finds that the use proposed at the location proposed, will have no greater adverse affects than elsewhere in the Restricted Industrial District. The Board hereby approves the use subject to the following conditions.

1. The applicant may not store any materials, tires, junk, debris, etc., outside unless in an enclosed, designated area or in an enclosed container.
2. The use proposed is subject to full site plan review.
3. Access for the contiguous property of the racquet club be maintained and adequately striped to provide continuous means of ingress and egress for the contiguous parcel where the handball courts are located.

The Board would like to specifically request that the site plan review process give careful attention to the entrance to the site through Goldenrod Terrace to ensure that the use proposed will not have an adverse affect on the traffic conditions in the area.

5/5/97

Date



James L. Schumacher, Chairman

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