Tax Map/Block/Parcel No. 38-7-152 Building Permit/Zoning Certificate No. 97-2874

Case 4276

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANTS:

Donald E. and Rebecca Buhl

4700 Littlestown Pike

Westminster, Maryland 21158

ATTORNEY:

Clark R. Shaffer, Esquire

6 North Court Street

Westminster, Maryland 21157

REQUEST:

Substitution of an existing welding and metal shop classified as a nonconforming use to a grounds maintenance and landscaping business including an apartment, or in the alternative, a conditional use request to allow parking facilities for commercial

vehicles

LOCATION:

1756-1758 Old Taneytown Road on property zoned "A"

Agricultural District in Election District 2

BASES:

Article 4, Section 4.3(b); and Article 6, Section 6.3(x); Ordinance 1E (The Carroll County Zoning

Ordinance)

On December 3, 1997, the Board of Zoning Appeals (the "Board"), convened to hear the application of Donald and Rebecca Buhl for a change of a non-conforming use from an existing welding and metal shop with an apartment above to a grounds maintenance and landscaping business with a residence.

subject property is .5 acres and is zoned Agricultural. It is improved by a 1984 square foot block building which has been used as a machine shop and apartment since 1947, well before the enactment of the Zoning Ordinance. As such, it is a lawful nonconforming use. The applicants are the contract purchaser of the property. Mrs. Buhl is the owner of a grounds maintenance and landscaping business known "Beautiful as Backyards", which primarily does lawn maintenance. She would like to locate the business on the property and also to live with her family in the apartment. The business employs a few employees. She would be storing most of her equipment in the garage. Most of her business is done through phone calls and at the customers' She seeks permission to store on the property the dump sites. truck, GMC Jimmy, small tractor, commercial mowers, weedeaters, and blowers, as well as an additional truck she may purchase as her business grows. The few employees she has may park their vehicles at the property during the day. She would also like to store some

mulch, top soil and stone in a bay she would construct in the back of the property. The sign would be replaced with a new sign.

The Board is impressed by Mrs. Buhl's testimony and finds the use proposed to be less onerous than the previous nonconforming use and well suited for the surrounding area. The Board hereby approves the substitution of the nonconforming use and limits the use to the applicants' requests. The Board is referring the case to the Zoning Administrator for a limited site plan review if one is needed at all.

1/20/98

Date

IM/bmh/c4276dec.bmh

James L. Schumacher

Chairman