

Tax Map/Block/Parcel
No. 73-05-620
Case 5288

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: TGI Friday's/Carlson Restaurants Worldwide
c/o Stan DeMille
4201 Marsh Lane
Carrollton, Texas 75007

ATTORNEY: Clark R. Shaffer

REQUEST: A conditional use for a restaurant (TGI Friday's).

LOCATION: The site is located on the west side of Sykesville Road (Rt. 32)
6000 block, Eldersburg, on property zoned "I-R" Restricted
Industrial District in Election District 5.

BASIS: Code of Public Local Laws and Ordinances, Section 223-118B and
223-99A

HEARING HELD: December 28, 2006

FINDINGS AND CONCLUSION

On December 28, 2006, the Board of Zoning Appeals (the Board) convened to hear a conditional use request for a restaurant (TGI Friday's). The Board made the following findings and conclusion:

The Applicant is proposing a 200 seat restaurant on the west side of Maryland Route 32 north of Bartholow Road. The proposed use is adjacent to a proposed drug store and an existing funeral home. Access to the parcel is obtained through a shared entrance with the funeral home from Route 32 and a connection with Bartholow Road that is to be also used by the drug store. The surrounding area is predominantly commercial.

The proposed restaurant will be in a 5,538 square feet building that will be served by public water and sewer. The restaurant will operate 7 days per week and have 30-40 employees per shift. An attractive artistic rendering of the restaurant was presented to the Board at the hearing with the understanding that the site plan process will determine the building's appearance. A representative for the Applicant testified that they had a marketing study performed which concluded that the restaurant would be successful. In addition, a traffic expert found to be credible by the Board testified that the proposed establishment will have a minimal impact on the traffic operations at each of the key intersections in the area except for the intersection of Routes 32 and 26. The expert further testified that improvements to this intersection are being planned by the State Highway Administration which would improve the projected level of service for this intersection.

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Based on the above, the Board finds that the proposed use at this location will not generate adverse effects (i.e. noise, dust, traffic, congestion) greater here than elsewhere in the zone. Accordingly, the conditional use is granted. However, as in BZA Case No. 5209, which concerned the adjoining drug store, the Board is concerned with sight distance at the proposed access point at Bartholow Road due to the slope of Bartholow Road. Therefore, the access to the site via Bartholow Road shall be a right in/right out entrance, unless Applicant satisfies the criteria of the appropriate state and County authorities to obtain a permit for a "full service" entrance from Bartholow Road.

1-18-07

Date

Jacob M. Yingling
Jacob M. Yingling, Chairman