

**Tax Map/Block/Parcel  
No. 75-16-292**

**Case 5390**

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

**APPLICANT:** Chandrakant Desai, c/o Dayr, Inc.  
4500 Old National Pike  
Mt. Airy, Maryland 21771

**ATTORNEY:** J. Brooks Leahy

**REQUEST:** Request for an enlargement of a motel to add additional units to an existing non-conforming use for a total of 28 units.

**LOCATION:** The site is located at 4500 Old National Pike, Mt. Airy, MD 21771, on property zoned "B-NR" Neighborhood Retail Business District in Election District 13.

**BASIS:** Code of Public Local Laws and Ordinances, Chapter 223-9

**HEARING HELD:** February 27, 2008

**FINDINGS AND CONCLUSION**

On February 27, 2008, the Board of Zoning Appeals (the Board) convened to hear the request for an enlargement of a motel to add additional units to an existing non-conforming use for a total of 28 units. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The subject project is located at 4500 Old National Pike near the town of Mount Airy, and it is zoned "B-NR" Neighborhood Retail Business District. A witness for the Applicant testified credibly to the Board that he has resided in the area for almost 60 years, and he recalls the motel being continuously operated at this location since the early 1960's. In addition, Health Department records show that a well for the property was drilled in 1960. Based on the above, the Board found the motel to be a valid nonconforming use.

The Applicant wishes to enlarge the motel by adding up to 16 additional units and by increasing the size of the motel's lobby. The Applicant resides on the property. It is currently the only hotel/motel on Route 70 from Frederick to Baltimore, and 70 to 80 percent of its customer base is made up of travelers. The new units would add 5,871 sq. ft. to the motel and

**OFFICIAL DECISION**

**Case 5390**

**Page 2**

the lobby would be increased by 626 sq. ft. There will be a total of 40 parking spaces after the motel's expansion.

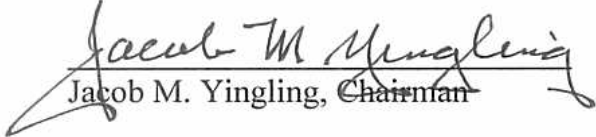
The surrounding neighborhood consists of other business uses, including a bicycle shop, restaurant, and plumbing company. A Planning Department memorandum to the Board called the proposed expansion consistent with area uses.

A traffic impact study was submitted to the Board concerning the proposed expansion. The traffic expert testified credibly that the addition of the 16 motel units would not appreciably impact the level of service of the nearest intersection at Route 27 and Route 144. During the morning peak hour, three (3) additional cars would enter the property while six (6) would depart. During the evening peak hour, four (4) additional cars would enter and four (4) would leave.

Based on the testimony of the Applicant, the Board found that the expansion was appropriate and will accommodate the public. There will be no noise, dust, fumes, depreciation of property values or other adverse effects from the proposed addition. Based on the traffic expert's testimony, the Board found that traffic generated by the expansion would be minimal – a total of 18 total trips per day.

The motel is consistent with other neighborhood uses. Accordingly, the request to expand the existing nonconforming motel with 16 additional units and increased lobby space was granted. The total square footage of the existing facility plus the expansion shall not exceed 11,000 square feet.

3/19/08  
Date

  
Jacob M. Yingling, Chairman