

Tax Map/Block/Parcel
No. 68-20-0532B
Case 5598

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Duanne A. Brosenne and Lisa G. Brosenne
1531 Ridge Road
Westminster, MD 21157

ATTORNEY: Bradford I. Webb
86 E. Main Street
Westminster, MD 21157

REQUEST: An application for a conditional use for contractor's equipment storage and variances from the distance requirements from residential property of 400 ft. to 197 ft. and 0 ft.

LOCATION: The site is located at Old Liberty Road, Eldersburg, MD 21784, on property zoned "A" Agricultural District in Election District 14.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-71 (5) and 223-16.

HEARING HELD: June 23, 2011

FINDINGS AND CONCLUSION

On June 23, 2011, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use for contractor's equipment storage and variances from the distance requirements from residential property of 400 ft. to 197 ft. and 0 ft. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Applicant is an electrician. He uses the subject property in connection with his business. Specifically, he keeps electrical supplies in the building on the property. In addition, his employees meet at the site every morning, load work trucks and go to their job sites. No customers come to the property.

There are 6 employees in the business. They arrive at the property at 6:30 a.m. and the trucks return from the job sites around 4:30 p.m. Seven trucks are used by the business. Typically three are taken home by employees and the rest are parked at the site overnight.

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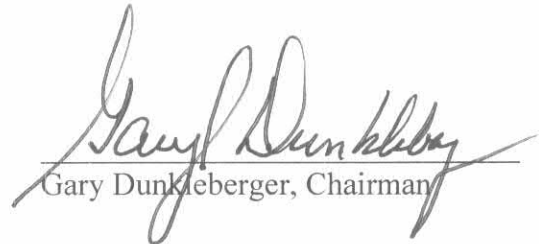
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The property is a piece of a farm that was sold for the adjoining Linton Springs Elementary School. This property is not visible from Liberty Road and is well screened from its neighbors by large trees. Neighbors wrote to the Board in support of the application.

The Board found that the Applicant's contractor's equipment storage yard is a quiet, clean operation at this location. Traffic is minimal, and no customers visit the site. Noise generated by the business is negligible. There was no evidence of any decrease in property values of the surrounding properties. In short, the contractor's equipment yard here will not generate adverse effects above and beyond those normally associated with such a use, and the conditional use was granted.

As for the variance, this 3.9 acre (+/-) parcel is not suitable for agricultural uses. It is too small and unconnected to any other farming operation. It is surrounded by "non-agricultural uses". A strict application of the zone's distance provisions to the property would result in practical difficulty and undue hardship. Accordingly, the variances were granted.

20 July 2011
Date


Gary Dunkleberger, Chairman

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Decisions of the Board of Zoning Appeals may be appealed to the Circuit Court for Carroll County within 30 days of the date of the decision pursuant to Article 66B, Section 4.08 of the Annotated Code of Maryland Rules of Procedure.

Pursuant to Section 223-192C of the County Code, this approval will become void within 1 year from the date of this decision unless the use or variance is implemented. Please contact the Zoning Administrator at (410) 386-2980 to obtain a zoning certificate.