

OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY MARYLAND

APPLICANT: Norman T. Condon, Jr.  
1600 Wakefield Valley Road  
New Windsor, Maryland 21776

REQUEST: A conditional use request to allow use of a proposed accessory building for repair and storage of farm machinery and excavating machinery in conjunction with the contractor's equipment storage yard authorized in Case 947.

LOCATION: 1600 Wakefield Valley Road in Election District 11.

BASES: Article 6, Sections 6.3(e) and 6.7; Article 17, Section 17.2; Zoning Ordinance 1E.

HEARING HELD: October 2, 1987

FINDINGS AND CONCLUSION

The record of this case is hereby included by reference in this decision. Based on the testimony and evidence comprising the record, the Board hereby authorizes the request, subject to the conditions noted below:

The pertinent findings include the following facts:

The site is located on a farm of about 130 acres improved with a dwelling and a number of accessory buildings. On July 11, 1975 the Board conditionally authorized the contractor's equipment storage yard, specifying in condition 1 of the decision in Case 947, an area of 3 acres for the storage yard. The actual area used for the storage of the excavating and grading equipment, including several dump trucks, is less than the 3 acres specified by the Board. That part of the 3 acres not used for the storage yard has continued to be farmed. The storage yard is also used to park or store farm machinery and equipment, which comprises the majority of equipment stored on the farm.

The contractor's business has been conducted as a family venture in the past to supplement the farm income, and the expectation now is that only one to two employees

may be hired in the future. A high percentage of the contract work involves construction of soil conservation facilities on farmland.

The tentative design of the proposed building incorporates a standard rectangular building, 60 feet in width by 100 feet in length, with a modified "lean-to" addition to one side of 50 feet in width by 100 feet in length. Thus, the exterior dimensions of the building and "lean-to" will be about 100 feet by 110 feet. The front 100 feet of the "lean-to" section will be open to facilitate vehicular access to allow stacking bales of hay and straw. The applicant estimated that 80 to 90 percent of the accessory building will be used for storage of farm machinery and crops. Approximately 10 to 20 percent of the building will be used for storage of the excavating and grading equipment. Maintenance and repairs of both farm machinery, and the excavating and grading equipment will be performed within the building, as well as the storage yard. Use of the accessory building for agricultural purposes does not require authorization by this Board. Only the limited use of the building for storage and repair of the excavating and grading equipment is required.

With respect to the provisions of Article 17, Section 17.6 of the zoning ordinance, which govern the Board in deciding cases brought before it, there is no indication that authorization of the limited use of the accessory building as requested and subject to the conditions specified below will unduly affect the adjoining properties or public interest.

In order to promote the intent and purpose of the zoning ordinance, the Board hereby imposes the following conditions of authorization:

1. Use of the accessory building in association with the contractor's equipment storage yard for purposes of storage and repair of excavating and grading equipment shall be in accordance with the applicant's testimony.
2. Maintenance or repair of machinery or equipment shall not be conducted commercially.

3. The applicant is directed to prepare a revised site plan, drawn to scale, and submit the plan to the Zoning Administrator in conjunction with application for the building permit and zoning certificate for the accessory building. The site plan shall include:

the configuration and dimensions of the property  
the location, configuration, and dimensions of the contractor's equipment storage yard  
the location, configuration, and dimensions of the accessory building  
the location and identification of appropriate landscaping to be established adjacent to the contractor's equipment storage yard and accessory building within one year of the date of this decision.

Oct. 23, 1987  
Date

John Totura  
John Totura, Chairman