

Case 2908

OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY MARYLAND

APPLICANT: Kevin Spencer  
7547 John Pickett Road  
Woodbine, Maryland 21797

REQUEST: A conditional use for parking facilities for commercial vehicles.

LOCATION: 7547 John Pickett Road in Election District 14.

BASIS: Article 6, Section 6.3(x); Zoning Ordinance 1E.

HEARING HELD: March 29, 1988

FINDINGS

The application, testimony and evidence comprising the record of this case are hereby included in this decision. The pertinent findings include the following facts:

The applicant owns two abutting properties, having a total area of slightly more than 3 acres. The southerly property is improved with the applicant's dwelling. In conjunction with his landscaping business, the applicant proposes to establish a nursery on the unimproved lot, and requests authorization to eventually park 4 trucks and several pieces of landscaping equipment on the premises. A storage and work shop is planned for future construction. A decorative wood fence and plants that will provide screening in future years have been installed adjacent to the north property line, which abuts a 16 foot right-of-way serving other properties.

In deciding this request, the Board must consider the provisions of Article 17, Section 17.6 of the zoning ordinance. Use of the property for agricultural purposes, including growing shrubs and trees for use in conjunction with the landscaping business is a principal permitted use allowed by the provisions of the zoning ordinance. However, the parking of commercial vehicles on the premises

would in effect facilitate operation of the applicant's landscaping business. Vehicular access to the premises is proposed by use of the right-of-way connecting to Woodbine Road. Although the right-of-way is described as being 16 feet in width, the growth of shrubbery and trees abutting the edges of the right-of-way have apparently reduced the useable space to the width of one vehicle. As noted on the plot plan submitted with the application and identified as Applicant's Exhibit 1, the distance from the entrance to the property to the entrance to Woodbine Road is 547.82 feet. In addition to the vehicular traffic generated by the commercial vehicles, the applicant proposes that employees of the landscaping firm park their private vehicles on the premises during working hours.

Testimony presented in opposition to the request emphasized that additional traffic on the narrow right-of-way and entrance to Woodbine Road would aggravate the existing dangerous traffic conditions inherent with use of the right-of-way.

CONCLUSION

For purposes of brevity, attention will be directed solely to the issue of vehicular traffic safety as it pertains to the establishment and operation of the proposed parking facility for commercial vehicles. As directed within Section 17.6 of the zoning ordinance where a proposed use would result in dangerous traffic conditions, the Board must deny the request. In this case, it is evident that the entrance connection to Woodbine Road, as well as the excessive narrowness and length of the right-of-way jointly results in particularly dangerous conditions to vehicular traffic. Accordingly, the Board orders that the request be, and is hereby, denied.

April 13, 1988  
Date

John Totura  
John Totura, Chairman