

Case 2920

OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY MARYLAND

APPLICANT: John Parkinson  
2943 Marston Road  
New Windsor, Maryland 21776

ATTORNEY: Clark R. Shaffer, Esq.  
6 North Court Street  
Westminster, Maryland 21157

REQUESTS: A conditional use for an antique, arts and crafts shop within the existing dwelling, and accessory building; and, a variance reducing one minimum required side yard of 20 feet to about 6 feet as presently existing.

LOCATION: 2943 Marston Road (Md. Rt. 407) in Election District 9.

BASES: Article 6, Sections 6.3(a) and 6.7; Article 15, Section 15.5; Zoning Ordinance 1E.

HEARING HELD: March 31, 1988

FINDINGS AND CONCLUSION

Based on the application, testimony and evidence comprising the record of this case, the Board hereby authorizes the requests, subject to the conditions noted below. The pertinent findings justifying the authorizations include the following facts:

The applicant specializes in custom cabinetry, and in processing and selling hardwoods. In addition, Mrs. Parkinson specializes in art work, and both are interested in antiques. The work shop is located in an existing garage which may be enlarged, if determined necessary. As indicated on the plot plan submitted with the application, the retail sales and display area, about 6 feet by 18 feet, will be established within the dwelling. A proposed utility shed, 16 feet by 28 feet, is planned for construction within the rear yard. Only part of the accessory building would be used for storage in conjunction with operation of the shop, with the remainder used for utility storage. The existing storage area located to the rear of the garage would no longer be necessary with the erection of the storage building.

Operation of the shop would be conducted on a "by chance" or appointment basis. A sign indicating when the shop would be opened and closed is proposed. No shop work would be conducted which would adversely affect functions of a near-by church.

In order to facilitate the custom cabinetry work, students of vocational technical high school would be employed on a part-time basis.

In order to promote the intent and purpose of the zoning ordinance, the Board hereby conditions the authorizations as follows:

1. The driveway connection to Marston Road (Md. Rt. 407) is subject to the requirements of the Bureau of Engineering Access Permits of the State Highway Administration.
2. A double-faced business identification sign, not larger than four square feet per side, may be erected adjacent to the driveway connection to Marston Road in conjunction with establishment and operation of the shop. However, particular attention shall be directed to insuring that the sign not block the vision of driver's leaving or entering the driveway.
3. In order to facilitate operation of the arts and craft shop, yet minimizing the potential of adverse affects to the adjacent properties, not more than two part-time employees are authorized in conjunction with the establishment and operation of the shop.
4. For purposes of clarification, only the retail sales and display area will be established within the dwelling. The work shop shall be located solely within the detached accessory building (garage).
5. Due to the unusual and particular circumstances in the operation of the shop, this authorization is hereby restricted solely to the applicant and his wife, and shall not enure to heirs other than his wife or assigns.

April 29, 1988  
Date

John Totura  
John Totura, Chairman