

OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY MARYLAND

APPLICANT: C. Richard Weaver  
1293 Wesley Road  
Finksburg, Maryland 21048

REQUESTS: A conditional use for a roadside stand building for the sale of fresh fruits, vegetables and other farm produce in season, and variances reducing the minimum required lot area and lot width pertaining thereto and as existing.

LOCATION: 1293 Wesley Road in Election District 4.

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

HEARING HELD: January 26, 1989

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 stated below. The pertinent findings justifying the conditional authorization include the facts that the proposed use will be secondary to the applicant's residence and will facilitate sale of produce, both retail and wholesale, primarily grown on adjacent acreage. As proposed and conditioned below, the Board finds no indication that the establishment of the roadside stand will unduly affect the adjoining properties or public interest. In order to promote the intent and purpose of the zoning ordinance, the Board hereby conditions the authorization as follows:

1. The establishment and operation of the roadside stand shall be in accordance with the Statement of Intent presented by the applicant and identified as Applicant's Exhibit 1.

2. The proposed business identification signs consisting of the principal sign, 2 feet by 8 feet, and smaller supplementary sales signs listing items and prices are authorized.
3. The applicant is directed to submit a revised plot plan showing the necessary parking spaces for the roadside stand in compliance with the provisions of the zoning ordinance.
4. Due to the particular circumstances in this case, the authorization is hereby restricted to the applicant and his heirs, but not to assigns. This condition does not preclude reapplication to the Board in the future by assigns in accordance with the provisions of the zoning ordinance.

Feb. 7, 1989

Date

John Totura

John Totura, Chairman