

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Bly's Contracting, Inc.
2435 Flag Marsh Road
Mt. Airy, Maryland 21771

ATTORNEY: C. Rogers Hall, Jr., Esq.
P. O. Box 850
2 North Court Street
Westminster, Maryland 21157

REQUESTS: A conditional use for a second contractor's
equipment storage building with enlargement of
the storage yard, and a variance reducing the
minimum distance requirements of 400 feet
pertaining thereto.

LOCATION: 2433 Flag Marsh Road in Election District 13.

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

HEARING HELD: March 30, 1989

FINDINGS AND CONCLUSION

Based on the application, testimony and evidence comprising the record of this case, the Board hereby authorizes the conditional use and variance as requested. The pertinent findings justifying the authorizations include the facts that similar requests were authorized in Case 2455 on February 18, 1986, and there is no indication that the use of the property has unduly affected the adjoining properties or public interest. In this case, as shown by the plot plan identified as Applicant's Exhibit 2 a proposed storage building, 60 feet in width by 136 feet in length is

located within a designated storage area of 160 feet in width by 220 feet in length. The existing two family dwelling is also located within the designated storage area. The lower level or basement of the two family dwelling was authorized for storage of supplies in Case 2455. Offices are located on the second floor of the two family dwelling, and residences are located on the third floor. A single family dwelling is located adjacent to Flag Marsh Road, and another dwelling is located adjacent to the rear property line adjoining the Baltimore and Ohio Railroad right of way. Testimony confirmed that the proposed storage building will facilitate operation of the construction business and provide for sheltered storage of construction materials and equipment. Those materials presently located adjacent to the existing dwelling near the Baltimore and Ohio Railroad right of way will either be disposed of, or stored within the proposed building.

An expert in real estate appraisal testified that the proposed building and enlarged storage yard would not adversely affect the adjoining properties. In addition, there is no indication that establishment of the proposed building and storage yard, in accordance with the testimony and evidence presented to the Board, would unduly affect the adjoining properties or public interest.

April 13, 1989
Date

John Totura
John Totura, Chairman