

Case 3211

OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY, MARYLAND

APPLICANT: Maurice W. Frizzell and Jane P. Frizzell  
2022 Hanover Pike  
Hampstead, Maryland 21074

ATTORNEY: Jack Leonard, Esq.  
1145 S. Main Street  
Hampstead, Maryland 21074

REQUEST: A conditional use for an antique shop, with  
variances pertaining to the existing dwelling and  
accessory building, proposed sign location, and  
parking at 2022 Hanover Pike (Md. Rt. 30)

LOCATION: 2022 Hanover Pike, Hampstead, Maryland in Election  
District 8

BASES: Article 7, Sections 7.2(a) and 7.5; Article 14,  
Division I, Section 14.1(b)2 and 3; Article 14,  
Division II, Section 14.23(f); Article 15,  
Section 15.5; Ordinance 1E

HEARING HELD: July 28, 1989

FINDINGS AND CONCLUSION

The application, testimony and evidence comprising the record of this case are hereby included by reference in this decision. Based on the record, the Board will authorize the conditional use and variances pertaining there to, subject to the conditions of authorization imposed below.

The findings justifying the authorizations include the facts that the property is improved with an existing dwelling and detached barn. The dwelling was obviously constructed prior to the adoption of the Carroll County Ordinance in 1965. Determination of when the barn was constructed is less certain.

The applicants propose to establish a sales area of 750 square feet within the detached barn, and establish parking spaces immediately adjacent to the barn for use by customers.

As shown on an amended plot plan, identified as Applicant's Exhibit 1, a double-faced business identification sign, 30 inches by 48 inches, is proposed to be erected within the front yard of the dwelling. As the lot is of insufficient width to allow location of the sign in compliance with the requirements of the zoning ordinance, the Board will authorize a variance for

reduction of the minimum required front setback of the sign to not less than 10 feet from the front property line. However, the sign must be erected closer to the proposed driveway than shown on the amended plot plan.

The existing driveway does not comply with the minimum standards for use in conjunction with the antique shop. In addition, the proposed driveway must comply with the requirements of the Engineering Access Permits Division of the State Highway Administration, as well as the provisions of Ordinance 1E. Accordingly, and in order to promote the intent and purpose the zoning ordinance, the Board hereby imposes the following conditions of authorization:

1. The antique shop shall be established within a portion of the existing barn, utilizing not more than 750 square feet for sales area, with at least five parking spaces adjacent thereto for use by customers. The parking spaces for the antique shop shall be in addition to parking spaces required for residential purposes.
2. The purposed driveway connection to Hanover Pike (Md. Rt. 30) shall be subject to the approval of the Engineering Access Permits Division of the State Highway Administration, including application for, and issuance of, an Access Permit.
3. The proposed double-based business identification sign shall not be larger than 30 inches by 48 inches, and shall be appropriately located adjacent to the commercial entrance authorized by the Engineering Access Permits Division of the State Highway Administration, but not closer than 10 feet to the front property line.
4. No employees are authorized in conjunction with operation of the antique shop.
5. Due to the particular circumstances in this case, this authorization shall not inure to the benefit of heirs or assigns. This condition does not preclude reapplication to the Board for consideration of the antique shop as a conditional use in accordance with the provisions of the zoning ordinance.

Aug. 22, 1989

Date

John Totura  
John Totura, Chairman