

Tax Map/Block/Parcel
No. 46/11/559

Building Permit/Zoning
Certificate No. 90-0198

Case 3327

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Douglas E. Bean
1228 Old Manchester Road
Westminster, Maryland 21157

REQUEST: A request to allow enlargement of an existing service garage, classified as a nonconforming use

LOCATION: 1229 Gorsuch Road in Election District 7

BASIS: Article 4, Section 4.3(a)(1); Ordinance 1E (The Carroll County Zoning Ordinance)

HEARING HELD: March 29, 1990

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 hereby authorizes the request, subject to compliance with the provisions of Article 4, Section 4.23 and Article 10, Section 10.4(d) amended June 1, 1989, of Ordinance 1E. Section 4.23 pertains to compliance with the Carroll County Landscape Manual, and Section 10.4(d) requires the submission of site development plans for commercial land uses. Section 10.4(d) reads in part:

In approving site development plans, the Commission or its duly authorized representative shall have the authority to:

1. Limit the number and approve the location and design of entrances in the interest of public safety and minimizing traffic congestion to the greatest extent possible.
2. Require, where appropriate, a landscaping and signing plan to promote an attractive and pleasing appearance.
3. Approve lighting arrangements where appropriate to insure no visual interference to the traveling public on adjacent roadways, or glare or reflections on adjacent buildings.
4. Require binding agreement, backed by bond or other surety, and provided to the County Commissioners where occupancy permit is requested prior to the completion of the site development plan and/or the fulfillment of any

conditions attached thereto.

5. Insure conformance to all duly adopted elements of the County Master Plan.

6. i. No site plan may be approved hereafter if it does not comply with the provisions of the Landscape Manual for Carroll County.

ii. The Commission may require an irrevocable letter of credit be given to the County to assure the faithful compliance with the Landscape Manual and an agreement be entered between the Owner and the County to further assure such compliance.

The pertinent findings determining the Board's decision in this case include the facts that the Board authorized substitution of the service garage for a welding shop, classified as a nonconforming use, in its written decision December 11, 1985. Although the property is zoned "C" Conservation District, there is no evidence indicating that the service garage has or would in the future, unduly affect the adjoining property or public interest, subject to compliance with the applicable regulations including the provisions cited above.

April 2, 1990
Date

John Totura
John Totura, Chairman

JDN/bmb/C3327dec
March 30, 1990