

Tax Map/Block/Parcel  
No. 76-11-252

Building Permit/Zoning  
Certificate No. 92-1739

Case 3751

**OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY, MARYLAND**

**APPLICANTS:** Tony Gartrell and Judy Gartrell  
2330 Flag Marsh Road  
Mount Airy, Maryland 21771

**REQUEST:** A conditional use for a beauty shop to be operated solely by a resident within a proposed addition to the existing dwelling

**LOCATION:** 2330 Flag Marsh Road in Election District 13; Symphony Hill II subdivision, lot 3 recorded in Carroll County Plat Records in book 27, page 2

**BASIS:** Article 6, Sections 6.4(b) and 6.7; Ordinance 1E (The Carroll County Zoning Ordinance)

**HEARING HELD:** July 28, 1992

**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 approved the conditional use, subject to the conditions of authorization noted below. The pertinent findings determining the Board's decision include the facts that the principal use of the property will remain residential, the beauty shop will be operated solely by the resident as the owner and operator, and although an adjoining property owner expressed concerns regarding establishment of the beauty shop, no probative evidence was introduced to substantiate that establishment of the beauty shop as requested, regulated, and conditioned below, would unduly affect the residents of adjacent properties, the values of those properties, or the public interests.

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

1. The authorization is subject to the regulations and requirements of the Carroll County Health Department and the Department of Licensing and Regulations of the Board of Cosmetologists of the State of Maryland.

2. In accordance with the requirements of Article 6, Section 6.4(b) of the zoning ordinance and the testimony presented in this case, the beauty shop may be operated only by a resident of the dwelling as an accessory use to the dwelling.
3. In accordance with the applicants' testimony, a business identification sign, not larger than two square feet per side, may be erected in conjunction with operation of the beauty shop. This condition shall not preclude compliance with the requirements of the Department of Licensing and Regulations of the Board of Cosmetologists of the State of Maryland.
4. The provisions of Article 6, Section 6.4(b) of the zoning ordinance do not require a commercial site development plan, and the Board will not require such a plan as a condition of authorization in this case.

July 30, 1992  
Date

John Totura  
John Totura, Chairman

JDN/bmh/c3751dec  
July 29, 1992