

Tax Map/Block/Parcel  
No. 21-24-99

Building Permit/Zoning  
Certificate No. 92-2126

Case 3766

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

**APPLICANTS:** Ronald M. Price and Delores A. Price  
307 Crawl Road  
Westminster, Maryland 21157

**REQUEST:** Appeals of Notices of Violation dated June 10, 1992, pertaining to operating a business by parking/storing commercial towing vehicles, and storage of box trailers, or in the alternative, a conditional use for a contractor's equipment storage facility and variances to the requirements pertaining thereto

**LOCATION:** 307 Crawl Road in Election District 3

**BASES:** Article 17, Section 17.4; Article 6, Sections 6.3(e)1 and 6.7; Article 4, Section 4.12; Article 15, Section 15.5; Ordinance 1E (The Carroll County Zoning Ordinance)

**HEARING HELD:** August 25, 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 abated the Notices of Violation, and authorized a conditional use for parking facilities of commercial vehicles as described in Article 6, Section 6.3(x) of the zoning ordinance, subject to the conditions of authorization imposed below, in lieu of the alternative request for a contractor's equipment storage facility and variances to the minimum distance requirements pertaining thereto. The use is not subject to the distance requirements of Article 4, Section 4.12.

The pertinent findings determining the Board's decision include the following facts:

As depicted by the site location map used in this case, the 6.625 acre lot is located on the southwest side of Crawl Road, adjacent to the intersection with Littlestown Pike (Md. Rt. 97). The lot is improved with two dwellings. The second dwelling is located to the rear of the first dwelling approximately 230 feet from the southwesterly rear property line, 77 feet from the

northwesterly side property line, and about 180 feet from the southeasterly side property line. The dwelling is several levels with the parking and maneuvering area located to the rear of the dwelling at the same elevation as the walk-out basement level. There is adequate space for the parking of a number of vehicles adjacent to the maneuvering space. By excavating the necessary space, two box trailers have been placed next to the northwesterly side of the dwelling at the basement level. The box trailers are used for storage of equipment used in towing vehicles, including tractor trailers. The lot is heavily wooded and landscaped, effectively reducing visibility of the box trailers, and parking and maneuvering area from adjoining properties.

Mr. Price operates the towing service from the premises, presently using two tow trucks. Mrs. Price assists by maintaining records of the business. Mr. Price is on call day and night to provide towing for inoperable vehicles and vehicles damaged in accidents. In order to minimize the time to respond to requests for service, Mr. Price maintains the tow trucks on the premises. This is in the interests of drivers of inoperable vehicles and vehicular traffic safety when accidents result in hazards to traffic. Inoperable or damaged vehicles are towed to storage yards elsewhere. Such vehicles are not parked or stored on the premises.

Residents and owners of adjacent properties objected to the use of the property because of the width of Crowl Road, which is not constructed to county standards, and its connection to Littlestown Pike (Md. Rt. 97); the noise of safety alarms of trucks performing backing maneuvers on the premises, the appearance of commercial vehicles parked on the premises; and, operation of the business from the premises. However, the Board was not persuaded that the limited and restricted use of the premises for the parking of the tow trucks and use of Crowl Road would result in any greater hazardous traffic conditions than otherwise, or would unduly affect the residents of adjacent properties, the values of those properties, or the public interests.

In considering the testimony and evidence presented in this case for the parking of commercial vehicles on the premises, the Board found that the request was in compliance with the standards expressed in Article 17, Section 17.7 of the zoning ordinance, and with the standard expressed in the decision of the Court of Appeals in the case of *Schultz v. Pritts*, 291 Md. 1, 22(1981) governing special exceptions or conditional uses.

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

1. Authorization for the parking of commercial vehicles on the premises is restricted solely to Mr. Price. The authorization shall not inure to the benefit of heirs or assigns. This condition shall not preclude reapplication to the Board by heirs or assigns in the future in accordance with the provisions of the zoning ordinance.
2. Not more than three tow trucks may be parked on the premises at one time.
3. No employees are authorized in conjunction with operation of the towing service.
4. Storage of inoperable or damaged vehicles owned by others on the premises is not authorized by this decision.

Sept 11, 1992  
Date

JDN/bmh/c3766dec  
September 10, 1992

  
John Totura, Chairman