

Tax Map/Block/Parcel
No. 13-2-455

Building Permit/Zoning
Certificate No. 92-2423

Case 3783

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: International Meditation Center U.S.A.
446 Bankard Road
Westminster, Maryland 21157

ATTORNEYS: James Willard Davis, Esquire
237 East Main Street
Westminster, Maryland 21157

Daniel Murphy, Esquire
237 East Main Street
Westminster, Maryland 21157

REQUEST: A conditional use for temporary approval of a retreat center for not more than 25 members of the local congregation only, for two eleven-day sessions annually. This year's sessions would be scheduled from September 11 through September 21 and September 26 through October 5, 1992. The request is for authorization of two annual eleven-day retreats with no more than two such sessions in any one calendar year, until such time as a permanent retreat center can be first erected, and more frequent gatherings can be scheduled; and, variances as may be required

LOCATION: 446 Bankard Road in Election District 3

BASES: Article 6, Sections 6.3(cc) and 6.7; Article 15, Section 15.5; Ordinance 1E. (The Carroll County Zoning Ordinance)

HEARING HELD: August 27, 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 as requested. As no new buildings are proposed in conjunction with this request, no variances are required. The pertinent findings determining the Board's decision include the following facts:

The conditional use for temporary approval of the retreat center was conditionally authorized in Case 3522 following public hearing March 27, 1991. In that case the retreat was limited to

a maximum of about 50 people. The retreat was conducted without unduly affecting the residents and property owners of the surrounding area.

Although additional vehicular traffic to and from the site will occur on the first and last days of the proposed retreats, it will be of little significance. Other than the additional traffic and visitors to the retreat center, use of the property will not otherwise be affected as a result of the retreats.

While the dates for the retreats have been set for 1992, the schedule for future retreats has not been established. Regardless of that fact, no probative evidence was presented to substantiate that the retreat center would unduly affect the residents of adjacent properties, the values of those properties, or the public interests. Accordingly, the conditional use complies with the standards regarding conditional uses 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.

Sept. 10 1992
Date

John Totura
John Totura, Chairman

JDN/bdc/C3783DEC
September 9, 1992