

Tax Map/Block/Parcel  
No. 59-17-350

Building Permit/Zoning  
Certificate No. 93-0876

Case 3839

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

**APPLICANT:** Union National Bank  
117 East Main Street  
P.O. Box 189  
Westminster, Maryland 21158-0189

**ATTORNEY:** Charles M. Preston, Esquire  
Stoner, Preston & Boswell, Chartered  
188 East Main Street  
P.O. Box 389  
Westminster, Maryland 21158

**REQUEST:** An appeal of the Zoning Administrator's determination of March 9, 1993, that establishment of a fourth drive-through facility constitutes expansion of a nonconforming use; and, in the alternative, a request for enlargement of the drive-through facilities by the addition of a fourth lane

**LOCATION:** 2926 Baltimore Boulevard (Md. Rt. 140) in Election District 4

**BASES:** Article 17, Section 17.2; Article 14, Division I, Section 14.1(b)(11)(1); Article 4, Sections 4.3(a)(1) and 4.26; Ordinance 1E (The Carroll County Zoning Ordinance)

**HEARING HELD:** May 25, 1993

**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 affirmed the Zoning Administrator's determination that establishment of a fourth drive-through facility would be enlargement--not intensification--of the nonconforming use, and approved the enlargement as requested and depicted on Applicant's Exhibit 2.

The pertinent findings determining the Board's decision include the facts that the shopping center was constructed prior to the adoption of Ordinance 1E in 1965, and that a recent amendment of the zoning ordinance now requires five on-site spaces for stacking or queuing of vehicles for each drive-through station. By establishing the fourth lane, with modifications to preserve the bypass lane for vehicular traffic beyond the drive-through facilities, traffic safety will be improved at least temporarily by providing space for five additional vehicles on-site and increasing the capacity for customer transactions. While the concerns of the Division of Engineering Access Permits of the State Highway Administration were noted, the Board is persuaded that the

proposed enlargement represents the only practical option, and even though it may be only a temporary solution, the enlargement is reasonable and appropriate at this time.

If vehicular traffic safety is impaired because of queuing or stacking in the future, some other method of resolving the problem will have to be implemented. Hopefully, until such time, establishment of the fourth lane will resolve the problem of vehicular traffic safety resulting from customers queuing into the right of way of the state highways. Attention is directed to the requirement for a revised site development plan and relocation of parking spaces that would conflict with the bypass lane around the drive-through facilities.

6/9/93  
Date

William Law  
William Law, Chairman