

Tax Map/Block/Parcel
No. 77-13-63

Building Permit/Zoning
Certificate No. 95-1736

Case 4036

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Cook Fuel and Energy Services, Inc.
110-116 North Franklinton Road
Baltimore, Maryland 21223

REQUESTS: A conditional use for three above ground 30,000 gallon fuel storage tanks, a variance reducing the minimum distance requirements of 800 feet pertaining thereto, and confirmation that the "I-G" zoning boundary line is 170 feet from the centerline of the road

LOCATION: 7745 Woodbine Road in Election District 14

BASES: Article 13, Sections 13.2(a); 13.5 and 13.6; Article 4, Sections 4.12 and 4.26; Article 15, Section 15.5.4(d); Article 3, Section 3.2; Ordinance 1E (The Carroll County Zoning Ordinance)

HEARING HELD: June 29, 1995

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 and in accordance with the state Open Meetings Act, the Board authorized the conditional use and variance, and confirmed that the confronting "I-G" zoning boundary line, as scaled on zoning map 77A, is, conservatively, 170 feet from the centerline of Woodbine Road.

The pertinent findings determining the Board's decision include the facts that the 5.452 acre property has not been used for business or industry, except as a drop-off site in a recycling program, since the cannery stopped operating possibly over thirty years ago. The property is composed of five parcels. Only part of parcels 1 and 2 will be used in developing the fuel storage facility. The front portion of parcel 1, where a small building has been restored for use as an office and parking is planned, is zoned "B-G" General Business District. Use of the heavily wooded easterly portion of the property is severely restricted by a piped stream, steep slopes, rock outcroppings, and canning factory ruins. Practical difficulty in the use of the property warrants the variance reducing the minimum distance requirements. And, there is no indication that establishment of the fuel storage tanks, as proposed and subject to applicable laws, will unduly affect residents of adjacent properties, the values of adjacent properties, or public interests.

7-19-95
Date

Claude R. Rash
Claude R. Rash, Chairman