

**Tax Map/Block/Parcel  
No. 61-15-46**

**Building Permit/Zoning  
Certificate No. 00-0537**

**Case 4486**

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

**APPLICANT:** Richard and Linda Arnold  
4042 Franklinville Road  
New Windsor, Maryland 21776

**ATTORNEY:** Bradford Webb, Esquire  
11 North Court Street  
Westminster, MD 21157-5012

**REQUEST:** A conditional use request to construct and operate a garden center

**LOCATION:** Located at 2701 Liberty Road, New Windsor, MD 21776 on property zoned "A" Agricultural District - Election District 9

**BASIS:** Basis: Article 6; Section 3(q); Ordinance 1E (The Carroll County Zoning Ordinance)

**HEARING HELD:** April 26, 2000

**FINDINGS AND CONCLUSION**

On April 26, 2000, the Board of Zoning Appeals (the Board) convened to hear the application of Richard and Linda Arnold (Applicants), represented by Bradford Webb, Esquire, for a conditional use request to construct and operate a garden center on property zoned "A" Agricultural District, located at 2701 Old Liberty Road, New Windsor, Maryland 21776. Based on the evidence presented, the Board makes the following findings.

The Applicant owns 109.86 acres of farm land at 2701 Liberty Road, New Windsor, Maryland. The Applicant intends to use between 10 to 15 acres for a garden center to sell flowers, nursery stock and garden supplies. The rest of the acreage will continue to be farmed. The proposed location of the garden center is 300 feet off Old Liberty Road, and a gravel driveway will be constructed to provide access. No flowers or nursery stock will be grown at the site, and the Applicants will receive approximately three truck deliveries per week to replenish the stock. The site has some existing screening from trees, topography, and crops, and the Board encourages the Applicants to negotiate additional screening with the neighbors. No chemical fertilizers or pesticides will be applied at the site. Adequate parking space appears to exist. The hours of operation will be from 9:00 A.M. to 5:00 P.M. seven days a week. The business, if successful, will generate up to 200 customers per day depending on the season.

The Board finds that the adverse effects generated by the proposed use are not greater than those inherently associated with such use. However, the Board believes that the imposition of conditions is appropriate in this case to protect adjacent properties and the public interest. Accordingly, the conditional use is granted, subject to the following conditions:

1. Only organic pesticides and fertilizers should be used on site.
2. Any dust problems resulting from the gravel driveway should be promptly addressed by the Applicant.
3. Hours of operation shall be no more intensive than 9:00 A.M. to 5:00 P.M. seven days a week.

5/18/00

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman