

**Tax Map/Block/Parcel  
No. 23-58-04**

**Building Permit/Zoning  
Certificate No. 01-3416**

**Case 4642**

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

**APPLICANT:** Clyde A. Davis  
1208 Guadalupe Court  
Westminster, Maryland 21157

**ATTORNEY:** Charles D. Hollman

**REQUEST:** An appeal of a Notice of Violation from the Zoning Administrator; a conditional use for a professional office within an existing dwelling with parking of commercial vehicles as an accessory use to the professional office; and a variance from the minimum required lot size of 40,000 Sq. Ft. to 15,000 Sq. Ft.

**LOCATION:** The site is located at 1150 Old Westminster Pike, Westminster, MD 21157, on property zoned "R-40,000" Residential District in Election District 4.

**BASIS:** Code of Public Local Laws and Ordinances, Chapter 223-188 (B); 223-63 (A); and 223-182 (B)

**HEARING HELD:** January 2, 2002

**FINDINGS AND CONCLUSION**

On January 2, 2002, the Board of Zoning Appeals (the Board) convened to hear an appeal of a Notice of Violation from the Zoning Administrator; a conditional use for a professional office within an existing dwelling with parking of commercial vehicles as an accessory use to the professional office; and a variance from the minimum required lot size of 40,000 Sq. Ft. to 15,000 Sq. Ft. Based on the testimony and evidence presented, the Board makes the following Findings and Conclusions:

This request is being made for a professional office in a dwelling that consists of a one-story portion to the left side and a two-story portion to the right side of the house. The right side was originally built as a two-story house with three bedrooms. The Applicant is proposing to use the one-story portion, containing four rooms, as a professional office and the two-story section as a residential rental property. The property was previously used for storage of equipment and one side was a general store and the other side was residential. Recently, the

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Applicant has made improvements to the exterior of the property by installing siding and shutters. There is a trailer on the property while the improvements are being made. The Applicant intends to rent the two-story section of the house.

The Applicant owns a brokerage type business in which he prices contracts for insurance adjusters when they receive insurance claims for properties that have suffered fire and/or water damages. The Applicant runs a contemporary electrical service, which performs residential and light commercial electrical contracting. Also, the Applicant is a landlord of rental properties. The proposed office will employ one full-time Secretary with the Applicant coming and going throughout the day. There are three parking spaces in front of the property, two of which are designated for the residential portion of the property, and four parking spaces to the rear of the property. The Applicant has three vans and one capped pick-up truck. One van remains on the property overnight. The vehicles are parked in a section towards the rear of the property near the storage building and one or two vehicles are parked in the front. It was noted that there are vehicles parked in the grass. Occasionally, UPS and a bottled water company make deliveries to the property. Supplies for the electrical business are not delivered to the site. The Applicant employs four electricians who come to the office between 7:00 and 8:15 A.M. to retrieve their assignments. Their supplies are picked up from the supply house on a daily basis and the supplies are maintained within their trucks.

The Applicant needs a lot size variance because the building predates the Zoning Ordinance.

The Board finds that the proposed use will not generate harmful effects at this location above and beyond those normally associated with such a use. In addition, traffic generated will be less than a typical professional office, which would have constant arriving and departing patrons. Accordingly, the conditional use is granted, subject to the following conditions:

1. Parking will be provided off Old Westminster Pike and behind the building.
2. No more than four (4) vehicles may be parked on the property overnight or on the road.
3. Conditional use approval is granted to this Applicant only and the Board must approve a change in use or ownership.

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In addition, the variance is granted, as the building and lot existed long before the adoption of the Zoning Ordinance.

2/4/02  
Date

Karl V. Reichlin  
Karl V. Reichlin, Chairman