

**Tax Map/Block/Parcel
No. 67-4-522**

**Building Permit/Zoning
Certificate No. 02-4471**

Case 4766

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

APPLICANT: Highland View Schoolhouse, LLC
4850 Bushey Road
Sykesville, Maryland 21784

ATTORNEY: William B. Dulany

REQUEST: An application for a conditional use for antique and arts and crafts shop, a variance from the front yard setback of 40 ft. to 17 ft. and a variance from the center line of feeder street.

LOCATION: The site is located at Arthur Shipley Road, Sykesville, MD 21784, on property zoned "A" Agricultural District in Election District 14.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-71 (I), 223-19 and 223-75

HEARING HELD: December 27, 2002

FINDINGS AND CONCLUSION

On December 27, 2002, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use for an antique and arts and crafts shop, a variance from the front yard setback of 40 ft. to 17 ft. and a variance from the centerline of Feeder Street. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

William Dulany, Esquire, represented the applicants, Nelson and Jeanne Dorsey, the owners of the property. According to Mr. Dorsey's testimony, The Dorsey's live approximately 800 ft. away from this property. Photos of the site and the one-room schoolhouse were submitted. The schoolhouse is on a 3-acre parcel that was purchased about 4 years ago. It was built in the 1870's and is in poor condition with a rotting floor, collapsing walls, and boarded up windows. If this application is approved, the Dorsey's want to use the schoolhouse for an antique shop and craft workshop after the building is improved into a workable structure (to be completely renovated inside and outside). The Dorsey's will add parking and utilities and will comply with all requirements of the County, making this an improvement to the neighborhood. The property will have a well and septic system. Variances have been requested due to the immobility of the building. The building is 26-1/2 ft x 32 ft. and the Dorsey's have no plans for

expansion of the structure. The building will have a security light and a stone parking lot. The only entrance is in the front of the building. There will be no more than 2 employees (family members) working in the shop at one time.

Pete Podolack, Civil Engineer/Surveying Firm, testified that the plat for this site was prepared under his supervision. He showed the location for the proposed well and septic based on 400 gal. per day, and indicated that would serve any shop use. The entrance would be off of Arthur Shipley Road, and based on his experience with developing site plans, he pointed out the most appropriate area for parking. Mr. Podolak testified that the building is approximately 850 sq. ft with the first floor being 2-1/2-3 ft above grade, requiring ramps to be built for handicapped (24 ft of ramp) to the front door. The plat was designed as a preliminary plan, and is subject to Development Review and Planning Commission approval.

Lisa Marie Dorsey testified she is the daughter of Nelson and Jeanne Dorsey and if application is approved she plans to be part of this operation. She feels this is a good location for an antiques/arts & crafts shop and feels it would be an improvement to the neighborhood as her father will restore the old schoolhouse.

With regard to the hours of operation, the shop will not be opening before 9:00 a.m. and will close around 6-7 p.m. with some hours Saturday and Sunday. The shop will not be a 7-day operation, as family will be staffing the shop. Individual appointments will be offered as well.

The Board finds that the conditional use will not generate excess traffic, will improve the neighborhood, and is an acceptable conditional use under the Zoning Ordinance. The conditional use and variances as requested, with hours of operation no greater than 9:00 a.m. to 6:00 p.m. or by individual appointment, are granted.

1/13/03
Date

Karl V. Reichlin
Karl V. Reichlin, Chairman