

Tax Map/Block/Parcel  
No. 21-10-241

Building Permit/Zoning  
Certificate No. 05-2450

Case 5113

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

**APPLICANT:** Rick Lee Jones  
1955 Running Brook Drive  
Westminster, MD 21158

**ATTORNEY:** Clark Shaffer

**REQUEST:** A conditional use for professional offices.

**LOCATION:** The site is located at 3416 Littlestown Pike, Westminster, on property zoned "A" Agricultural District in Election District 3.

**BASIS:** Code of Public Local Laws and Ordinances, Chapter 223-71 A (21) and 223-186 A (2)

**HEARING HELD:** August 24, 2005

**FINDINGS AND CONCLUSION**

On August 24, 2005, the Board of Zoning Appeals (the Board) convened to hear a request for a conditional use for professional offices. The Board made the following findings and conclusion:

The subject property is a former bank building which was constructed in the early 1900's. The bank closed in 1996, and its nonconforming status as a commercial use in the "Agricultural" zone lapsed. The Applicant purchased the property in 2002, and he has since struggled to find a legally permissible use for the building, which fronts Littlestown Pike. The Applicant's alternatives for the building are severely limited due to sewage disposal challenges at the site. There is not enough usable area or sufficient soil for a septic system on this small (.202 acre) lot. In addition, state regulations prohibit the use of a holding tank on the property if it is to be used for residential purposes.

**OFFICIAL DECISION**

**C5113**

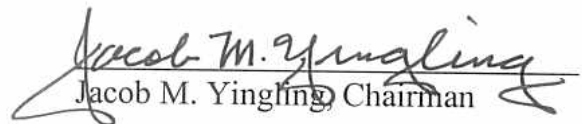
**Page Two**

The Applicant is proposing that the building be used as the professional office of a real estate agent, stenographer, insurance agent or similar use. This type of use would be permissible with a holding tank under the state septic disposal regulations. There are practically no other possible uses for the building. In addition, if certain conditions are imposed, the proposed use at this location will not generate adverse effects above and beyond those normally associated with such a use. Accordingly, the conditional use for a professional office is approved, subject to the following conditions:

1. As part of the site plan process required by Section 103 of the Code, there shall be a requirement that parking be restricted to the rear of the building, exterior lighting should be non-intrusive, and pedestrian walkways should be installed.
2. All State Highway Administration and Health Department Requirements for this use shall be met.
3. There shall be no more than three (3) employees at the office, including the principal tenant.
4. No retail uses shall be permitted at this site.
5. Hours of operation shall be from 8:00 a.m. to 6:00 p.m., Monday through Friday and 9:00 a.m. to 12:00 p.m. on Saturdays.
6. Signage must be approved by the Zoning Administrator.
7. All conditions listed above must be complied with prior to any tenancy of the building.

Date

9/21/05

  
Jacob M. Yingling, Chairman