

Case 5385

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

**APPLICANT:** Heidi M. & M. Wayne Major  
2800 Strawbridge Lane  
New Windsor, MD 21776

**ATTORNEY:** J. Brooks Leahy

**REQUEST:** A conditional use for a contractor's equipment storage facility.

**LOCATION:** The site is located at 2800 Strawbridge Lane, New Windsor, on property zoned "A" Agricultural District in Election District 11.

**BASIS:** Code of Public Local Laws and Ordinances, Section 223-71 A (5)

**HEARING HELD:** January 24, 2008

**FINDINGS AND CONCLUSION**

On January 24, 2008, the Board of Zoning Appeals (the Board) convened to hear a request for a conditional use for a contractor's equipment storage facility. The Board made the following Findings and Conclusion:

The subject property is 48 acres (+-) in the Agricultural zone and includes the Applicants' residence. The Applicants recently constructed a 60' x 80' pole building on the property. The Applicant would like to store several vehicles and personal pieces of equipment in the pole building and around the pole building on a gravel strip. The items stored will include a boat, tractor, "4 wheeler" recreational vehicle, sections of plastic pipe, some cement blocks, sacks of concrete, tools, a steel rack and other pieces of equipment used by the Applicants on the farm or for personal projects. These include a lawn mower, various pieces of farm equipment, a tractor, grader box, Rototiller and similar pieces. In addition, the Applicant will house fork lifts and pick-up trucks.

The Applicants run a business from a warehouse at another location. No employees of the business ever use this location.

A County Zoning Inspector did visit the property in October 2007 and noticed some trucks associated with the business. The Applicants testified that these trucks were driven by Mr. Major and that no employees of his off-site business were ever dispatched to this location. In any event, the Applicants are entitled under Chapter 223-30.3 to park up to 5 commercial vehicles actively used by a resident.

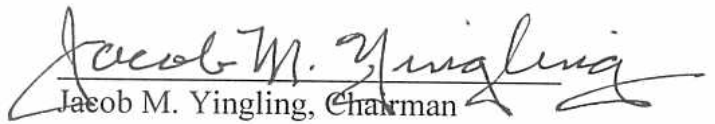
**OFFICIAL DECISION**

**C5385**

**Page Two**

Based upon the above, the Board found that the Applicants are not operating a contractor's equipment storage yard at this property. The equipment and materials stored in and around the building are for the Applicants' personal use on their property and for recreational purposes, rather than construction. Accordingly, the Board concludes that, as a matter of law, the request for Board approval of a contractor's equipment storage yard is not necessary, as the property is not being used currently for such a purpose.

2/22/08  
Date

  
Jacob M. Yingling, Chairman