

**Tax Map/Block/Parcel**  
**No. 67-10-271**

**Case 5432**

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

**APPLICANT:** Eric C. Swanson  
706 West Old Liberty Road  
Sykesville, Maryland 21784

**ATTORNEY:** n/a

**REQUEST:** Conditional use for a contractor's equipment storage yard and a variance from the minimum lot size of 3 acres to 1.65 acres and a variance from the required 400 ft. to contiguous properties of less than 3 acres to 40 ft.

**LOCATION:** The site is located at 706 West Old Liberty Road, Sykesville on property zoned "A" Agricultural District in Election District 14.

**BASIS:** Code of Public Local Laws and Ordinances, Chapter 223-16, 223-75 and 223-71 A (5)

**HEARING HELD:** July 24, 2008

**FINDINGS AND CONCLUSION**

On July 24, 2008, the Board of Zoning Appeals (the Board) convened to hear a conditional use request for a contractor's equipment storage yard and a variance from the minimum lot size of 3 acres to 1.65 acres and a variance from the required 400 ft. to contiguous properties of less than 3 acres to 40 ft. Based on the testimony and evidence presented, the Board made the following Findings and Conclusion:

The subject property is a long, narrow parcel (600' x 100'). The Applicant operates a remodeling company with 6 employees and wishes to store contractor's equipment associated with his business on the site. In addition, the Applicant intends to renovate a house on the property for a residential tenant. The equipment includes a 14' long flatbed trailer, skid steer, mini excavator, trucks, utility trailer and 12 foot covered trailer. There will be no building or office on the site. The property is bordered by 2 busy roadways. Although zoned "A" agricultural, given its location and size there are no viable agricultural uses for the property. The Applicant will use Old Liberty Road for access to the site.

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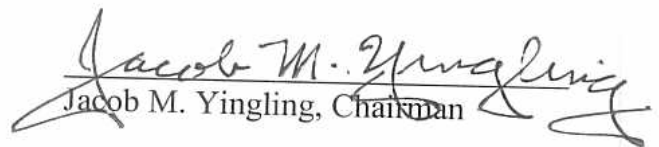
The Board found this to be an ideal location for the proposed use. Any adverse effects, including noise from the equipment, dust, fumes, or traffic generated would be no worse here than elsewhere in the zone. The proposed use is passive, and will barely be noticeable to the public. The conditional use was granted, subject to the following condition:

In accordance with Carroll County Public Local Laws and Ordinance, §103-19, a site plan is required, which addresses screening, lighting and signage.

In addition, the Board found that the lot had several unique characteristics. It is long and narrow shaped. Also, it is an agriculturally zoned parcel located between 2 busy thoroughfares. There is nowhere on the property where the yard could be located which meets the setbacks. Accordingly, undue hardship and practical difficulty were proven to the Board, and the variance was granted.

Date

8/20/08

  
Jacob M. Yingling, Chairman