

**Tax Map/Block/Parcel
No. 34-4-58**

Case 5478

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

APPLICANT: Daniel W. Tamminga, Sr.
7933 Forest Stream Club Road
Keymar, Maryland 21757

ATTORNEY: n/a

REQUEST: A conditional use for a winery operation to include a 50 ft. by 100 ft. pole barn on a concrete pad.

LOCATION: The site is located at 7933 Forest Stream Club Road, Keymar, MD 21757, on property zoned "A" Agricultural District in Election District 10.

BASIS: Code of Public Local Laws and Ordinances, Section 223-71 A (11) and 223-16

HEARING HELD: April 23, 2009

FINDINGS AND CONCLUSION

On April 23, 2009, the Board of Zoning Appeals (the Board) convened to hear a conditional use request for a winery operation to include a 50 ft. by 100 ft. pole barn on a concrete pad. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

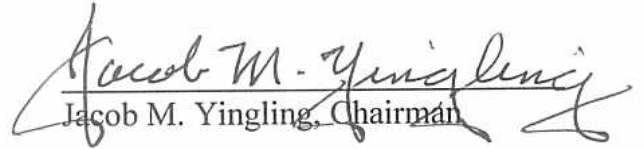
The subject property is 80 acres in the Agricultural zone. It will be a winery operation which will encompass approximately 35 acres. The winery will include a 6 acre vineyard and a 50 x 100 foot building where the grapes will be processed into wine. A portion of the building will be used for the retail sale and tasting of the wines. The Applicant resides on the property. The grapes will be ready to harvest in approximately 3 years. The rest of the property will remain in agricultural use. This will be a small scale family run winery operation, with limited customer traffic. There will be few, if any, deliveries. No variances are needed.

The Board found that a winery at this location would not generate any noise, dust, fumes, gases or any other discernable adverse effects. Traffic generated by this use will be minimal.

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The winery will be consistent with other agricultural uses in the area. There was no evidence that the proposed winery here will generate adverse effects above and beyond those normally associated with wineries. Accordingly, the conditional use was granted.

5/26/09
Date


Jacob M. Yingling, Chairman