

**Tax Map/Block/Parcel**  
No. 77-17-469

Case 5524

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

**APPLICANT:** M. Kurt Wedekind  
603 Wedekind Drive  
Woodbine, Maryland 21797

**ATTORNEY:** Clark R. Shafer

**REQUEST:** A conditional use for a convenience store/fuel station.

**LOCATION:** The site is located on the west side of MD Rte. 97 (Old Washington Road), Woodbine, on property zoned "I-G" Industrial General District in Election District 14.

**BASIS:** Code of Public Local Laws and Ordinances, Section 223-126 (C), 223-118 (B) and 223-99 (A).

**HEARING HELD:** October 27, 2009

**FINDINGS AND CONCLUSION**

On October 27, 2009, the Board of Zoning Appeals (the Board) convened to hear a request for a conditional use for a convenience store/fuel station. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The subject property is 2.06 acres (+-) of "I-G" Industrial General zoned land on the west side of Route 97 just south of the intersection with Hoods Mill Road. The proposed project is a 5,600 square foot (+-) convenience store with 5 fuel islands, providing a total of 10 fuel pumps. The entrance to the site will be located on Route 97, with another access on Kabik Court, which serves a neighboring industrial park.

Much of this property is bounded by woodlands owned by the State Highway Administration. To the south are numerous industrial uses, including a gas storage facility, foundation company, crematorium, asphalt plant, and demolition company. The property will be served by well and septic. The Applicant commissioned a groundwater study for this property, which was accepted by the Health Department.

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A marketing expert testified that this was an ideal location and that 24 hour service was a necessity for this proposed station. A qualified traffic expert testified that most customers will already be traveling on Route 97, and that the proposed store will not adversely impact the local road system. A qualified real estate appraiser testified that this use is well screened on 3 sides by the State property. He also noted the close proximity of industrial users to the store. Based on the above, he concluded that the store was unlikely to result in any negative impacts on adjoining property owners, especially compared to the other possible uses that could be located in this zone.

Based on the above, the Board concluded that there was a need for this facility at this location. In addition, the Board found that little new traffic will be generated by the store, and that there was no evidence of noise, dust, fumes, gases or other adverse effects from the store. Furthermore, the Board concurred with the appraiser that no reduction in property values was likely from the proposed use, which is in an ideal location. Any adverse effects generated by the store would be no greater here than elsewhere in the zone, and will certainly be less than other uses allowed in the IG zone. Accordingly, the conditional use was granted.

11/18/09  
Date

  
Charles H. Wheatley, III Chair