

Tax Map/Block/Parcel
No. 74-14-56
Case 5556

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Mary T. Dokas Family, LLC, c/o Donald Dokas
2105 Liberty Road
Eldersburg, Maryland 21784

ATTORNEY: N/A

REQUEST: An application for a conditional use for a garden center.

LOCATION: The site is located at 2105 Liberty Road, Eldersburg, MD 21784, on property zoned “BNR” Neighborhood Retail Business District in Election District 5.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-100 A and 223-71 A (16)

HEARING HELD: August 26, 2010

FINDINGS AND CONCLUSION

On August 26, 2010, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use for a garden center. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Applicant wishes to operate a small scale garden center at this property which fronts Liberty Road. The property has been used for various commercial purposes for over forty years, including a plumbing business and real estate management office. The property is a one-half acre (+/-) parcel improved with a 2-1/2 story dwelling which shall be used as a business office for the nursery.

The nursery will primarily sell ornamental ponds, hardscapes, and specialty landscape plants. The business will be seasonal, peaking in the spring and leveling off in the fall. There will be 20 – 25 visitors per week. This will be a family run operation with no other employees. This property will be used as a show area for the ponds and hardscapes. A contractor will install them at the customer’s homes after an order is placed. Plants will also be sold there. The business will be open 25-30 hours per week in the peak season. Hours will be from 9:00 a.m. to 6:00 p.m. Monday through Friday. Nearby neighbors include some residences, a landscaping

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business, a daycare, a title company and a clinic. The Applicant will install screening and address traffic as part of the site plan process.

The Board found that this use is consistent with other uses in this neighborhood. The operation will be small scale and not generate any significant noise or customer traffic. In short, this garden center at this location will not generate adverse effects above and beyond those normally associated with this use. Accordingly, the conditional use was granted.

15 Sept. 2010
Date

Howard Kramer
Howard Kramer, Chairman

Pursuant to Section 223-192C of the County Code, this approval will become void unless a concept site plan has been submitted to and accepted for review by the Bureau of Development Review within 6 months from the date of this decision. This approval may become void if the applicant fails to take action to secure approval of the site plan in a timely manner as determined by the Bureau of Development Review. For more information on the site plan process, please contact the Bureau of Development Review at (410) 386-2143.

Decisions of the Board of Zoning Appeals may be appealed to the Circuit Court for Carroll County within 30 days of the date of the decision pursuant to Article 66B, Section 4.08 of the Annotated Code of Maryland, and the Maryland Rules of Procedure.