

**Tax Map/Block/Parcel
No. 68-1-385**

**Building Permit/Zoning
Certificate No. 06-1294**

Case 5229

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

APPLICANT: Richard Wright
108 Klee Mill Road
Sykesville, MD 21784

ATTORNEY: N/A

REQUEST: A conditional use for a contractor's equipment storage yard to include mulch, landscaping gravel, plants, 3 pick-up trucks, 3 trailers, snow plows, log splitter and a variance from the required 200 ft. setback to 150 ft. from Rt. 97.

LOCATION: The site is located at 108 Klee Mill Road, Sykesville, on property zoned "A" Agricultural District in Election District 14.

BASIS: Code of Public Local Laws and Ordinances, Section 223-71 (5), 223-16 and 223-186 A (3)

HEARING HELD: June 22, 2006

FINDINGS AND CONCLUSION

On June 22, 2006, the Board of Zoning Appeals (the Board) convened to hear a conditional use request for a contractor's equipment storage yard to include mulch, landscaping gravel, plants, 3 pick-up trucks, 3 trailers, snow plows, log splitter and a variance from the required 200 ft. setback to 150 ft. from Rt. 97. The Board made the following Findings and Conclusion:

In case No. 4962 of 2004, the Board approved a conditional use for a contractor's equipment storage yard. The use was granted to Mike Semus and was non-transferable. Mr. Semus has vacated the premises.

The Applicant wishes to re-open the yard, which is a portion of a 54 acre farm. He and another tenant will use the yard and storage barn for the storage of lawn mowing equipment and landscaping materials. There will be six employees, and mulch deliveries will arrive at the site approximately 2 times a week. In the winter, snow plows will be stationed there. The variance request is necessitated by the existence of Route 97, which is located only 150 feet from the yard.

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The Board finds the proposed use, at this location, will not generate adverse effects above and beyond those normally associated with such a use. Aside from the morning and evening employee traffic, there will be little or no activity on the site. Dust and noise will be minimal. Accordingly, the conditional use is granted, subject to the following conditions:

1. The hours of operation shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday.
2. There shall be no retail sales at the site.
3. The use is non-transferable.
4. All conditions imposed in Case No. 4962 not inconsistent with this decision is incorporated herein.

In addition, the Board finds that the need for a 50 foot front yard setback has been proven. The location of Route 97 creates the necessity for the front yard variance, and denial of the variance would result in undue hardship. Accordingly, the request for a variance is granted.

7-19-06

Date


Jacob M. Yingling, Chairman