

**Tax Map/Block/Parcel
No. 68-7-454**

**Building Permit/Zoning
Certificate No. 02-1685**

Case 4695

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

APPLICANT: Faith Family Church, Inc.
P.O. Box 1180
Sykesville, Maryland 21784

ATTORNEY: J. Carroll Holzer

REQUEST: An application for a conditional use to convert a truck terminal to a church.

LOCATION: The site is located at 5202 Klees Mill Road, Sykesville, MD 21784, on property zoned "I-R" Restricted Industrial District in Election District 14.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-118B

HEARING HELD: June 26, 2002

FINDINGS AND CONCLUSION

On June 26, 2002, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use to convert a truck terminal to a church. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The small neighborhood church is currently meeting and functioning in the Freedom Optimist Hall located on Rt. 32, in Eldersburg, MD. There is an average attendance of approximately 135 parishioners. The current leased facility is small and does not allow for additional activities, such as a nursery and preschool programs. The church had been searching for a site to relocate for a long period of time.

The Applicant wishes to convert an existing truck terminal to a new church. The terminal is located at the gateway to the Central Maryland Service and Distribution Center, an existing industrial park. Several lots in the park are currently lots for industrial purposes, as the property is zoned, "IR-Industrial Restricted". In addition to Sunday services, the church would be used during the week for club meetings and similar events.

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Normally, a conditional use should be granted, unless it can be shown that under the facts and circumstances of the case the use proposed for this location would be greater than the adverse effects ordinarily associated with such a use. In this case, the Board notes that the purpose of the "IR" as set forth in Section 223-115 of the Ordinance is to facilitate "lighter manufacturing", which is composed of processing or assembly of previously processed materials". The proposed location for the church is the entrance to an industrial park, which has several undeveloped parcels on the market. While a church at this location would not generate "adverse effects" in the traditional sense, it would severely impact its existing potential adjoining industrial neighbors. Manufacturing tenants would almost certainly generate adverse effects normally associated with industrial uses (i.e. smoke, noise, vibrations, etc.), which would in turn severely impact the quiet enjoyment of the church. A church at the entrance to this industrial park would undoubtedly be disrupted by the legitimate activities of its industrial neighbors, and would not contribute to the orderly growth of this community.

Accordingly, the request for a conditional use is denied.

July 24, 2002
Date

Ronald F. Hoff
Ronald F. Hoff, Chairman