

**Tax Map/Block/Parcel  
No. 30-17-394**

**Building Permit/Zoning  
Certificate No. 01-2114**

**Case 4612**

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

**APPLICANTS:** Thomas & Melanie Wisner  
1531 Indian Valley Trail  
Westminster, Maryland 21158

**ATTORNEY:** N/A

**REQUEST:** An application for a conditional use to park commercial vehicles, including two (2) dump trucks and two (2) pickup trucks at a personal residence and a variance request.

**LOCATION:** The site is located at 1531 Indian Valley Trail, Westminster, MD 21158, on property zoned "A" Agricultural District in Election District 7.

**BASIS:** Code of Public Local Laws and Ordinances, Chapter 223-71(23) and 223-16(B)

**HEARING HELD:** August 28, 2001

**FINDINGS AND CONCLUSION**

On August 28, 2001, the Board of Zoning Appeals (the Board) convened to hear a request to park commercial vehicles, including two (2) dump trucks and two (2) pickup trucks at a personal residence. A variance was also requested.

The Applicants have a landscaping business at the property in which deliveries of mulch are received and distributed two to three times each week during the months of April through June. Materials are stored in the Applicant's garage. Trucks leave the property between 6:00 and 8:00 a.m. and return between 3:00 and 5:00 P.M. No business is conducted on the property, as the mulch is delivered by the Applicants to the customers or stored in an adjacent barn. A skid loader, trailer and equipment for the mulch business are also stored on the property. The Applicants rent farm land that surrounds their property. The residence to the rear of the Applicants' property, which is within 200 Ft. of the property line, is occupied by relatives. This is the only property that is visible from Applicants' property.

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The Board finds that the proposed use will not generate harmful effects at this location above and beyond those normally associated with such a use. The condition of the gravel road is not the fault of the Applicants. The request to park commercial vehicles to include two dump and two pick-up trucks at a personal residence is hereby granted. In addition, the situation is unique in that the adjoining property most affected by the use is occupied by relatives of the Applicants who support the application. Accordingly a variance from the setback provision is appropriate. This approval is conditioned upon the following:

- (1) The delivery and distribution of the mulch will only be conducted no earlier than 10:00 A.M.
- (2) The Applicants will take steps to control the vehicular speed to and from the property.

9/25/01

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman