

Tax Map/Block/Parcel
No. 68-13-470

Building Permit/Zoning
Certificate No. 95-3961

Case 4075

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPELLENT: Paulette S. Ringley
Companion's Country Store
5399 Enterprise Street
Sykesville, Maryland 21784

ATTORNEY: Brian M. Bowersox, Esquire
23 North Center Street
Westminster, Maryland 21157

APPEAL: An appeal of the November 3, 1995, Notice of Violation regarding construction of a dwelling unit which is not permitted in the "I-R" Restricted Industrial District

LOCATION: 5399 Enterprise Street in Election District 14; Central Maryland Service and Distribution Center subdivision, Section 2-A, lot 3 recorded in Carroll County Plat Records in book 26, page 27

BASIS: Article 17, Section 17.4; Article 12; Ordinance 1E (The Carroll County Zoning Ordinance)

HEARING HELD: January 24, 1996

FINDINGS AND CONCLUSION

The Notice of Appeal, testimony and evidence comprising the record of this case are hereby included by reference in this decision. Based on the record and in accordance with the state Open Meetings Act, the Board affirmed the appeal and dismissed the Notice of Violation, subject to the conditions that the appellant remove the kitchen cabinets from the second floor premises and arrange for inspection by Carroll County Building Code inspectors and a state Fire Marshall to obtain a Zoning Certificate for conversion of the storage space to pet shop accessory use space.

The pertinent findings determining the Board's decision include the facts that the principal use of the premises is a pet store, duly authorized July 31, 1984, in Case 2155. The pet store is located on the first floor of the building. Since that time, improvements were made to the storage space on the second floor of the building and the premises partially furnished, to the extent that the premises appeared to be an apartment, or living unit. The actual use is accessory to the pet shop. However, permits for change of use of the space, including a Zoning Certificate, were not obtained nor were the improvements, such as electrical and plumbing, inspected as required for compliance with applicable regulations. Accessory uses are permitted, subject to compliance with applicable regulations.

1. 31.96

Date

Karl V. Reichlin
Karl V. Reichlin, Chairman