

Tax Map/Block/Parcel
No. 38-03-693
Case 5870

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Aaron Krug
1350 Harveys Drive
Westminster, MD 21158

ATTORNEY: N/A

REQUEST: Request for a conditional use for a Contractor's Equipment Storage Yard.

LOCATION: The site is located at 1106 Hughes Shop Road, Westminster, Maryland on property zoned "A" Agricultural in Election District 7.

BASIS: Code of Public Local Laws and Ordinances, Sections 158.070 (E)(1)(c) and 158.040.

HEARING HELD: August 25, 2015

FINDINGS AND CONCLUSION

On August 25, 2015, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use for a Contractor's Equipment Storage Yard. Based on the testimony and evidence presented, the Board made the following findings and conclusions.

Aaron Krug testified with regard to the application. He operates a business involving lawn care. He maintains his equipment for his lawn business in a building at the location of 1106 Hughes Shop Road. The building is storage for lawn mowers and a John Deere tractor. He has been conducting the business for several years. The property owner has consented to him using the building for storage and continues to so consent. He works with a helper sometimes, and the helper sometimes comes to the storage location to start the day. On other occasions the helper would meet Mr. Krug at another site.

This case came about as a result of an investigation by the zoning administration. As a result of that investigation, Mr. Krug applied for the Contractor's Equipment Storage Yard. However, he had been in business and using the same building for storage of his equipment for years before the hearing.

Nokomis Ford, planning technician, wrote a July 30, 2015 memorandum for the Board. She wrote that the request is compatible with the vision and goals for the area. She further wrote that “planning staff does not perceive that a storage building will have an impact on traffic.” She also wrote that there was a “staff finding that this request is consistent with the 2014 Carroll County Master Plan.”

The Board was convinced that authorization of the request with regard to a conditional use was consistent with the purpose of the zoning ordinance, appropriate in light of the factors to be considered regarding conditional uses of the zoning ordinance, and would not unduly affect the residents of adjacent properties, the values of those properties, or public interests. Based on the findings of fact made by the Board above, the Board found that the proposed project would not generate adverse effects (i.e. noise, traffic, dust, water issues, lighting issues, property depreciation, etc.) greater here than elsewhere in the zone. The Board approved the conditional use requested by the applicant.

Date

Gary E. Dunkleberger, Chairman

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 Land Use Article, Section 4-401 of the Annotated Code of Maryland.

Pursuant to Section 158.133 (H)(3) of the County Code, this approval will become void unless all applicable requirements of this section are met. Contact the Office of Zoning Administration at 410-386-2980 for specific compliance instructions.