

Tax Map/Block/Parcel
No. 39-21-299, 15, 688
Case No. 5587

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Moonlight Auto Car Sales, LLC
4060 Lucabaugh Mill Road
Westminster, Maryland 21157

ATTORNEY: Clark R. Shaffer
73 East Main Street
Westminster, Maryland 21157

REQUEST: For a conditional use for automobile, trailer, or implement sales and service establishments including motorcycle shops.

LOCATION: The site is located at 404 Lucabaugh Mill Road, Westminster, on property zoned "I-R" Restricted Industrial in Election District 7.

BASIS: Code of Public Local Laws and Ordinance, Chapter 223-108 A and 223-118 B

HEARING HELD: May 25, 2011

FINDINGS AND CONCLUSION

On May 25, 2011, the Board of Zoning Appeals (the Board) convened to hear a request for a conditional use for automobile, trailer, or implement sales and service establishments including motorcycle shops. Based on the testimony and evidence presented, the Board made the following finds and conclusion:

The applicant and his wife own an automobile repair business at this site in an industrial park. The applicant is requesting conditional use approval in order to establish a new/used car lot next to the current location of his auto repair shop. The applicant is approved through the State of Maryland to sell cars and has obtained all required licenses to do so. The hours of operation for both establishments will be 9:00 am to 6:00 pm. He plans to have about five cars for sale on the lot at one time. At this time, there are no plans for any lighting or signs on the property.

OFFICIAL DECISION

Case 5587

Page Two

The Board found that this small scale used car operation will generate minimal traffic and is consistent with other uses in the industrial park. Noise, dust, fumes and odors will not be generated by a used car lot here. In short, the proposed car lot will not generate adverse effects here above and beyond those associated with such a use. Accordingly, the conditional use was granted.

23 June 2011
Date


Gary Dunkleberger, Chairman

Y:\BZA\Cases\5587\c5587Decision.doc

Pursuant to Section 223-192C of the County Code, this approval will become void within 1 year from the date of this decision unless the use or variance is implemented. Please contact the Zoning Administrator at (410) 386-2980 to obtain a zoning certificate.

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 Article 66B, Section 4.08 of the Annotated Code of Maryland Rules of Procedure.