

Case 5359

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

**APPLICANT:** Suzanne van der Vossen  
5590 Watson Court  
Eldersburg, MD 21784

**ATTORNEY:** n/a

**REQUEST:** Conditional use for a one-chair beauty salon in an existing residence.

**LOCATION:** The site is located at 5590 Watson Lane, Eldersburg, on property zoned "R-40,000" Residential District in Election District 5.

**BASIS:** Code of Public Local Laws and Ordinances, Section 223-63 F

**HEARING HELD:** October 25, 2007

**FINDINGS AND CONCLUSION**

On October 25, 2007, the Board of Zoning Appeals (the Board) convened to hear a request for a conditional use for a one-chair beauty salon in an existing residence. The Board made the following findings and conclusion:

The Applicant resides in a single family home with her family in a 78 home subdivision. She currently is employed by a beauty shop and would like to open a one chair salon in her home. She intends to work on clients while her children are at school and during some evenings. She anticipates about 20 clients will visit per week. Off street parking is available. No walk-in clients will be accepted, and there will be no overlapping appointments. Each client will take up to 2 hours. There will be no sign or other form of advertising and no employees other than the Applicant.

Opposing neighbors cited the neighborhood's recorded covenants and restrictions and urged the Board to turn down the request. However, the Board did not address or consider the covenants as they constitute private restrictions controlled by contract and real estate law and they are entirely independent of zoning.

Based upon the evidence presented, the Board concluded that a one chair beauty salon at this residence will generate minimal traffic. Twenty customers per week is not an intense use and customer vehicular traffic will be negligible. There was no credible evidence presented of any possible reduction in property values from the proposed use. There will be no noise, glare, dust, fumes or odors generated by the salon. No additional lighting or paving is proposed. The use will not affect the peaceful enjoyment of the neighbors, and many will be at work away from

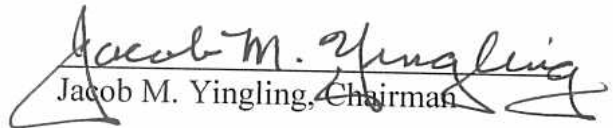
**OFFICIAL DECISION**

**Case 5359**

**Page Two**

their homes when the salon is open. In short, the Board heard no evidence that a one chair beauty salon as proposed at this location would generate adverse effects above and beyond those normally associated with such a use. Accordingly, the conditional use was granted.

11/14/07  
Date

  
Jacob M. Yingling, Chairman