

**Tax Map/Block/Parcel  
No. 64-19-64**

**Case 5330**

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

**APPELLANT:** Richard Sanner  
4424 Sykesville Road  
Finksburg, MD 21048

**ATTORNEY:** n/a

**REQUEST:** An appeal of a Notice of Violation, dated March 20, 2007, concerning the storage of contractor's equipment, commercial vehicles, operating businesses, displaying an illegal sign and maintaining a junkyard.

**LOCATION:** The site is located at 4424 Sykesville Road, Finksburg, on property zoned "C" Conservation District in Election District 4.

**BASIS:** Code of Public Local Laws and Ordinances, Section 223-186 A

**HEARING HELD:** May 29, 2007

**FINDINGS AND CONCLUSION**

On May 29, 2007, the Board of Zoning Appeals (the Board) convened to hear an appeal of a Notice of Violation, dated March 20, 2007, concerning the storage of contractor's equipment, commercial vehicles, operating businesses, displaying an illegal sign and maintaining a junkyard. The Board made the following findings and conclusion:

The facts in this matter are generally undisputed. The Appellant owns and operates a paving and driveway seal coating business from his residence at the above address. In addition, the Appellant sells firewood at this location. The Zoning Inspector visited the property in January, 2007 and spoke with the Appellant, who admitted to all of the above information. In addition, the Appellant told the inspector that he keeps a dump truck, backhoe, and a skid loader on the property in connection with the business. The inspector also observed a stake body truck, commercial trailers and 2 paving rollers. A small sign was also posted advertising "firewood sales" and the fact that the Appellant was "now hiring". The property was also strewn with old barrels, parts, stumps and other rubbish. The inspector noted in his testimony that there had recently been some cleanup at the property.

**OFFICIAL DECISION**

**C5330**

**Page Two**

The Zoning Code at Section 223-186 (a) (1) empowers the Board to hear and decide appeals where it is alleged there is an error in any “order, requirement, decision or determination” made by an administrative official with regard to the enforcement of the Zoning Ordinance. We find no error in this instance. The property is zoned “C” Conservation. The operation of a paving business, the storage of contractor’s equipment, the parking of commercial vehicles (except as otherwise permitted) and the operation of a junkyard are not allowed in the Conservation zone. The Zoning Inspector’s findings and testimony at the hearing were largely uncontradicted by the Appellant. He forthrightly admitted to almost all of the transgressions. Accordingly, the Board upholds the Notice of Violation in its entirety.

The Appellant may park two commercial vehicles on the property in accordance with Carroll County Public Local Laws and Ordinances, §223-30.4 (c). However, the Appellant must abate all violations within sixty (60) days. This period may be extended by the Board if an application for a conditional use and other appropriate relief is filed with the Board to relocate these operations to Appellant’s other property at 1226 Humbert Schoolhouse Road in the northern portion of the County.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jacob M. Yingling, Chairman