

Tax Map/Block/Parcel
No. 46-15-1168

Building Permit/Zoning
Certificate No. 05-2114

Case 5106

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

APPLICANT: Hohne Pools
c/o Diane Schulte
9000 Harford Road
Baltimore, MD 21234-4015

ATTORNEY: N/A

REQUEST: A conditional use for a temporary retail use for the display and sale of hot tubs and spas (September 8 – September 26, 2005).

LOCATION: The site is located at the corner of Route 140 and Old Baltimore Road, Westminster, on property zoned “I-R” Restricted Industrial District in Election District 7.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-99 I, 223-118 B and 223-186 A (2)

HEARING HELD: August 30, 2005

FINDINGS AND CONCLUSION

On August 30, 2005, the Board of Zoning Appeals (the Board) convened to hear a conditional use request for a temporary retail use for the display and sale of hot tubs and spas (September 8 – September 26, 2005). The Board made the following findings and conclusion:

The Applicants are requesting conditional use approval for a sale of hot tubs and accessories during the referenced 2 week period. There will be a 60' x 80' tent erected for the sale, and hot tubs will be displayed. There will be 3 employees on site, and the sale will run 7 days a week, 10:00 a.m. to 8:00 p.m. The sale is expected to attract 40-50 customers per day on weekends and 18-20 during the week. The sale will be confined to the portion of the property delineated on the document submitted to the Board as Exhibit 1.

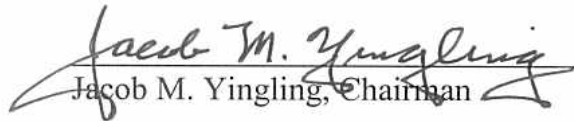
OFFICIAL DECISION
C5106
Page Two

The Board finds that this temporary use at this location will not generate adverse effects above and beyond those normally associated with such a use. Accordingly, the conditional use is granted, subject to the following:

1. The operation may be open 7 days a week from 10:00 a.m. to 8:00 p.m. from September 8, 2005, through September 26, 2005.
2. External lighting shall be turned off at closing time.
3. A site plan is required, in accordance with Chapter 103, Section 19.

Date

8/31/05


Jacob M. Yingling, Chairman