

**Tax Map/Block/Parcel
No. 31-13-251**

**Building Permit/Zoning
Certificate No. 04-1530**

Case 4947

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

APPLICANT: Chris DeGasperi
1755 Littlestown Pike
Westminster, MD 21158

ATTORNEY: N/A

REQUEST: A conditional use for the sale of farm equipment and machinery and variances from the required 400 ft. set back.

LOCATION: The site is located at 1745 Littlestown Pike, Westminster, on property zoned "A" Agricultural District in Election District 7.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-16B, 223-71 A (6) and 223-186

HEARING HELD: June 24, 2004

FINDINGS AND CONCLUSION

On June 24, 2004, the Board of Zoning Appeals (the Board) convened to hear a conditional use request for the sale of farm equipment and machinery and variances from the required 400 ft. setback. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Applicant wishes to sell tractors and farm equipment in front of the home on 1745 Littlestown Pike (MD Rte. 97). There is also a barn and several outbuildings on the property. One garage is only 10 feet from MD Rte. 97. He wishes to have at least 5 pieces of equipment for sale at one time. Some equipment will be stored in the barn. He will perform no maintenance on the site. He anticipates hours of operation from 4:30 to dusk Monday through Friday and weekends. He will sell by "appointment only" although potential patrons usually stop to inspect the pieces.

OFFICIAL DECISION

C4947

Page Two

The Board finds that MD Rte. 97 is an extremely busy road that makes the proposed use at this location unsuitable. The location is also on a curve on the road. The adverse effects associated with this use (i.e., customers stopping on MD Rte. 97, lack of adequate parking facilities, etc.) would be worse there than elsewhere in the zone. This operation (up to 30 pieces a year) is no longer a "front yard" type business, and it is inappropriate at this location. According, the conditional use is denied.

Date

7/21/09


Jacob M. Yingling, Chairman