

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

**Building Permit/Zoning
Certificate No. 03-1032**

Case 4802

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

APPLICANT: Blane Johnson
P.O. Box 386
Calico Rock, AR 72519

ATTORNEY: N/A

REQUEST: An application for a temporary retail sales of fireworks in the Restricted Industrial District.

LOCATION: The site is located at Rt. 140 and Old Baltimore Road, Westminster, MD 21157, on property zoned "I-R" Restricted Industrial District in Election District 7.

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

HEARING HELD: May 28, 2003

FINDINGS AND CONCLUSION

On May 28, 2003, the Board of Zoning Appeals (the Board) convened to hear the request for a temporary retail sales of fireworks in the Restricted Industrial District. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Applicant is proposing to set up a 30 x 50 Ft. tent for the purpose of retailing fireworks from June 19 to July 6, 2003. The tent will be staked every 10 feet with sidewalls and secured 24 hours a day. There will be a total of 3 employees. The hours of operation will be from 8:00 A.M. to 10:00 P.M. Fire Extinguishers, no smoking signs and postings of State Law will be inside the tent. These items for sale are not considered fireworks, under Maryland Law, but are ground based sparklers and novelties. Gravel will be placed on the location for parking facilities. There will be one entrance to the tent from Old Baltimore Road, which is approximately 100-200 Ft. from Rt. #140. No increased traffic is anticipated at this location during this time period as a result of this temporary retail sales operation. There will be no outside lighting on the tent.

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The Board finds that the proposed location is remote, and appropriate for this temporary use and the conditional use is granted. It is recommended that the Applicant place the entrance to the site as far back from Route #140 as possible.

6/3/03

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman