

**Tax Map/Block/Parcel  
No. 11-3-25**

**Building Permit/Zoning  
Certificate No. 02-0727**

**Case 4668**

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

**APPLICANT:** John E. Stull, Jr. and Doris Jean Stull  
2935 Black's Schoolhouse Road  
Taneytown, Maryland 21787

**ATTORNEY:** David K. Bowersox

**REQUEST:** A modification of certain terms and conditions of conditional use granted for the parking of commercial vehicles (Case 1727, dated November 3, 1981). Modifications are being requested to reflect the diminished operation by owner at this site including modification of conditions pertaining to location of permitted parking areas, the nature and amounts of materials authorized to be stored on site, improvements to parking facilities, fencing or landscape screening or buffering provisions.

**LOCATION:** The site is located at 2935 Black's Schoolhouse Road, Taneytown, MD 21787, on property zoned "A" Agricultural District in Election District 3.

**BASIS:** Code of Public Local Laws and Ordinances, Chapter 223-71, 223-188, 223-190 and 223-191

**HEARING HELD:** April 26, 2002

**FINDINGS AND CONCLUSION**

On April 26, 2002, the Board of Zoning Appeals (the Board) convened to hear Case 4668. The Applicant received conditional use approval in 1981 in Case 1727 to store commercial vehicles on the property known as 2946 Black's Schoolhouse Road, Taneytown, Maryland. Due to the intensive nature of the Applicant's use at that time, which included six or more refrigeration trucks, which were required to run constantly to keep their cargo cold, the Board imposed 17 conditions on this use. Most, if not all, of the conditions have not been complied with.

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The Applicant has returned to the Board almost twenty years later, seeking a modification of the 17 conditions. The basis for the request is the fact that Applicant has considerably "downsized" his business to three tractor trailers, and no longer uses the constantly running refrigeration trucks. He testified that his two sons who reside there use the trucks in the business.

Mr. Stull admits to amassing junk on the property, including brake drums, dismantled trailers and metal bins of old equipment from his prior operations. He has no permit or license to operate a junkyard.

Based upon the change in conditions, the Board rescinds the 17 conditions issued in 1981 and imposes the following on this grant of a conditional use to store a maximum of three commercial vehicles (tractor trailers and one additional trailer) on the property.

1. All junk, rubbish, wood, bins, waste, salvaged materials and scrap must be removed from the property within 120 days of the date of this decision.
2. Minor maintenance only may be performed at the site and all materials related to the three trucks must be stored inside the existing garage.
3. Along the north side of the existing garage, Applicant shall plant a screen of 5 foot evergreen trees at least 8 feet apart within 180 days of the date of this decision.
4. Trucks and trailers must be parked in the existing garage or outside in a row parallel to the garage with one storage trailer behind the garage.

5-22-02

Date

Ronald F. Hoff  
Ronald F. Hoff, Acting Chairman