

**Tax Map/Block/Parcel
No. 65-24-82**

**Building Permit/Zoning
Certificate No. 01-0546**

Case 4583

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

APPELLANT: Mark L. Pickett
3607 Marguerite Court
Mt. Airy, Maryland 21771

ATTORNEY: N/A

REQUEST: An appeal of a Notice of Violation from the Zoning Administrator regarding an illegal service garage being operated.

LOCATION: The site is located at 3607 Marguerite Court, Mt. Airy, MD 21771, on property zoned "C" Conservation District in Election District 13.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-188 B.

HEARING HELD: April 24, 2001

FINDINGS AND CONCLUSION

On April 24, 2001, the Board of Zoning Appeals (the Board) convened to hear an appeal of a Notice of Violation from the Zoning Administrator regarding an illegal service garage being operated.

Based upon the evidence presented, the Board makes the following conclusions. The subject property is zoned "C" Conservation. On February 9, 2001, Mr. Mark Brewer, Zoning Inspector, visited the subject property and observed the Appellant working in his garage, which was functioning as a repair shop. The Appellant testified that he is self-employed as a welder, machinist and mechanic. The Appellant performs much of his work away from his home. However, he testified forthrightly that he does bring machinery, motors, farm equipment and similar pieces to his shop in his home to repair it.

OFFICIAL DECISION

C4583

Page Two

Service garages are not a permitted use in the Conservation Zone. Based upon the Zoning Inspector's observations and the Appellant's testimony, we have no alternative but to uphold the Zoning Administrator's issuance of a Notice of Violation. However, due to the Appellant's truthfulness and lack of opposition from the neighborhood, we request that any enforcement of this Order be stayed for a period of six (6) months to enable the Appellant to explore options for bringing the property into compliance with the Zoning Ordinance.

5-21-01

Date

Ronald F. Hoff

Ronald F. Hoff, Chairman