

Tax Map/Block/Parcel
No. 23-16-822

Building Permit/Zoning
Certificate No. 98-1615

Case 4334

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

- APPLICANTS:** Beth and Bill Smith
3003 Stone's Throw Drive
Manchester, Maryland 21102
- REQUEST:** A conditional use request for a one-chair beauty salon in the basement of the existing building on property zoned "R-40,000" Residence District
- LOCATION:** 3003 Stone's Throw Drive in Election District 6
- BASIS:** Basis: Article 5C, Section 5C.2(h); Ordinance 1E (The Carroll County Zoning Ordinance)
- HEARING HELD:** July 31, 1998

FINDINGS AND CONCLUSION

On July 31, 1998, the Board of Zoning Appeals (the Board) convened to hear the application of Beth and Bill Smith for a conditional use request for a one-chair beauty salon in the basement of the existing building on the property. The property is identified as 3003 Stone's Throw Drive and located in the "R-40,000" Residence District. The applicants are the owners of the property.

Ms. Smith intends to operate a one-chair beauty salon out of her home. She is a new mother and no longer works outside of her home. She requested approval to operate 15 hours a week to make-up for the loss of her full-time salary. She will operate two or three weekday nights and every other Saturday. Her appointments will be staggered. No more than three individuals would be in the salon at anyone time. A small 1' x 2' business sign will be located on the property.

Mr. Smith described the proposed parking area for the use. The applicants intend to increase the parking spaces by the addition of three more spaces. This will be accomplished by installing a retaining wall and widening the parking area. The additional 30 feet wide parking area will provide room for cars to back-up before exiting to the use-in-common drive. The new parking area will be black-topped. He eventually hopes to obtain cooperation from neighbors to hire a contractor to pave the entire use-in-common

driveway which serves the residences.

John W. Bennett Jr. and Terri Bennett, both of 2807 Manchester Road, Westminster, Maryland, testified in opposition of the proposal. They stated that the neighborhood is residential. There are no businesses in the area. They allege that 15 customers a week will disturb their neighborhood, causing increased noise and dirt. The Board notes that the Bennett's property is well screened from the proposed use. The Board finds the traffic generated by the proposed use to be minimal and would not be detrimental to the neighborhood.

The Board finds that the proposed use will cause no adverse effects at this location than elsewhere in the R-40,000 Residence District and hereby approves the request of Beth and Bill Smith for a conditional use for a one-chair beauty salon in the basement of the existing building and the erection of a 1' x 2' sign on the property. The approval is conditioned upon:

- 1.) The sign may not exceed the minimum size required by the State Cosmetology Board or 1' x 2' whichever is smaller.
- 2.) Three parking spaces must be provided, as shown on the plan.
- 3.) No Sunday hours are allowed; and no hours after 8:00 p.m. on weekdays and Saturdays.

8/31/98
Date


James L. Schumacher, Chairman

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August 31, 1998