

Tax Map/Block/Parcel  
No. 39-20-602

Building Permit/Zoning  
Certificate No. 97-1332

Case 4229

OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY, MARYLAND

**APPLICANT:** Mr. Henry Dodrer  
d/b/a Westminster Antique Mall, Inc.  
1415 Joleen Lane  
Westminster, Maryland 21157

**ATTORNEY:** Clark R. Shaffer, Esquire  
6 North Court Street  
Westminster, Maryland 21157

**REQUEST:** Request to expand an antique, arts and craft shop previously authorized as a conditional use in Case 3911 to include additional retail space, a small food service facility, and a variance to the required number of parking spaces

**LOCATION:** 433 Hahn Road on property zoned "I-G" General Industrial District in Election District 7

**BASES:** Article 12, Section 12.2(b); Article 13, Section 13.2(c); and Article 14, Section 14.1; Ordinance 1E (The Carroll County Zoning Ordinance)

The Board of Zoning Appeals "the Board" held a hearing on June 30, 1997, regarding Permit Application 97-1332, case 4229. The applicant, Mr. Henry Dodrer, was represented by Clark R. Shaffer, Esquire. Mr. Dodrer appeared before the Board and requested approval to expand an antique, arts and crafts shop (previously approved as a conditional use in Case 3911). Mr. Dodrer also requested conditional use approval for a new small food service facility and a variance to lower the number of required parking spaces. The use is located on property zoned "I-G", General Industrial District and is at 433 Hahn Road, Westminster, Maryland, in Election District 7. The basis for which the Board will consider the case is found in the Carroll County Zoning Ordinance 1E, Article 12, Section 12.2(b); Article 13, Section 13.2(c); and, Article 14, Section 14.1.

Mr. Dodrer testified that he leases the subject property which is surrounded by industrial type uses, railroad tracks, the new U.S. Post Office and highways. Mr. Dodrer plans to use a warehouse which is connected to the rear of his existing building. This warehouse will be vacated by the existing industrial user and made available to Mr. Dodrer for the expansion.

The applicant plans to locate in this new area, a small food service facility, approximately 12 feet by 36 feet in size and seating 12 persons. There was discussion about whether the food area was an accessory use, therefore not requiring Board approval, or whether it was a conditional use. The Board will consider the request as a conditional use and not an accessory use.

Mr. Dodrer testified he also needed a variance for parking. He displayed a site development plan of the property, illustrating the parking arrangement. The existing parking includes 43 spaces that are not painted (stripped). The new plan adds only 22 spaces, while an additional 38 are required. The new parking area will be stripped. To help address the limited parking, Mr. Dodrer has secured an agreement with Hahn Meats, an adjacent property owner, to allow overflow parking on the Hahn's parking lot, which is located across the street from the applicant's property.

There was no testimony in opposition to the applicant's request. The Board concludes that no adjacent or nearby residential areas will be impacted by the intended use as described by the applicant.

The Board finds the testimony credible and adopts it as its findings. The Board takes the following action:

1. Approves the conditional use request for the expansion of an antique, arts, and crafts shop.
2. Approves the conditional use request for a small food service facility, limited to the size and scope described by the applicant.
3. Authorizes a variance, to allow a reduction in the number of required parking spaces to 66. The permitted number and location are approved as shown on the site development plan presented to the Board as Applicant's Exhibit 6. The new parking scheme will be stripped.

7/25/97

Date

  
James L. Schumacher, Chairman