

Tax Map/Block/Parcel  
No. 71-15-85

Building Permit/Zoning  
Certificate No. 96-2761

Case 4141

OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY, MARYLAND

**APPLICANT:** R. Bruce Witte, Sr.  
6575 Davis Road  
Mount Airy, Maryland 21771

**REQUEST:** A conditional use request for a farm equipment sales and service and a variance to the minimum distance requirement pertaining thereto

**LOCATION:** 6417 Davis Road in Election District 13

**BASES:** Article 5, Section 5.2(j); Article 4, Section 4.12; Article 15, Section 15.5.4(d); Ordinance 1E (The Carroll County Zoning Ordinance)

On September 25, 1996, the Carroll County Board of Zoning Appeals held a hearing on the above captioned application; a conditional use request for a farm equipment sales and service shop on property zoned "C" Conservation District and a variance to the minimum distance requirement. Mr. R. Bruce Witte appeared and testified on behalf of his application.

**FINDINGS AND CONCLUSIONS**

Mr. Witte testified that he owns the property in question located at 6417 Davis Road where the farm equipment sales and service shop is located. He resides at 6575 Davis Road, a parcel located close to the shop. He started to repair farm equipment as a young boy. Since then he has been buying, repairing and selling equipment. The shop is located in an isolated area surrounded on 3½ sides by trees. On the side facing Davis Road, Mr. Witte has created a dirt berm which has been planted with trees in an effort to eliminate noises and disturbances to the neighbors. There are no signs advertising the operation. Mr. Witte relies on word of mouth to obtain business. He employs two employees and additional seasonal help. The shop is generally open 5 days a week, with some Saturday morning hours. The shop is 345 feet from the closest property line necessitating the requirement of a variance. The operation is the source of his and his employees livelihood. He wishes Board approval to continue the operation.

The Board finds Mr. Witte's testimony to be credible and concludes that the use proposed will have no adverse effect on the neighborhood. Consistent with the Board's practice, there will be limitations imposed on the applicant regarding hours of

operation. The Board restricts the normal days of operation to Monday through Friday. Saturday mornings are also permitted. In accordance with the requirements of the Zoning Ordinance, the use shall not occupy more than one acre.

The Board also approves the variance requested to the 400 foot distance requirement.

10/23/96

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman

IM/bmh/c4141dec.bmh  
October 18, 1996