

**Tax Map/Block/Parcel
No. 61-14-639
Case 5691**

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

APPLICANT: David and Cheryl Skinner
3215 West Old Liberty Road
New Windsor, Maryland 21776

ATTORNEY: Laura G. Morton

REQUEST: An application for a conditional use for a contractor's equipment storage yard.

LOCATION: The site is located at 3215 West Old Liberty Road, New Windsor, MD 21776, on property zoned "A" Agricultural District in Election District 9.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-71 (5)

HEARING HELD: March 27, 2013

FINDINGS AND CONCLUSION

On March 27, 2013, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use for a contractor's equipment storage yard. Based on the testimony and evidence presented, the Board made the following findings and conclusions.

Mr. Skinner is a general contractor who paints houses and constructs additions to houses. He has operated his business at the same location for approximately ten years. When a complaint was lodged last year, it came to his attention that his contractor's equipment storage yard was not in compliance with the county zoning code. His request for a conditional use was his attempt to rectify this situation. He owns 1.99 acres and lives where the contractor's equipment storage yard is located. He has one or two additional employees besides himself.

Mr. Skinner has a number of commercial vehicles as part of his contractor's equipment storage yard. The commercial vehicles include dump trucks and tractors. His employees sometimes take one of those vehicles to the site where the work takes place. Sometimes commercial vehicles are stored on his farm land in Montgomery County, Maryland. The Board approved a maximum of eight commercial vehicles as part of the contractor's equipment storage yard.

The Bureau of Planning did not believe that “the equipment storage yard would have a negative impact on the surrounding properties.” The request was also determined to be compatible with the Master Plan.

The Board is convinced that authorization of the requested conditional use for the contractor’s equipment storage yard is consistent with the purpose of the zoning ordinance, appropriate in light of the factors to be considered regarding conditional uses in the zoning ordinance, and will not unduly affect residents of adjoining properties, the values of those properties, or public interests.

4-2-13
Date



Harvey Tegeler, Chairman

Decisions of the Board of Zoning Appeals may be appealed to the Circuit Court for Carroll County within 30 days of the date of the decision pursuant to Article 66B, Section 4.08 of the Annotated Code of Maryland Rules of Procedure.

Pursuant to Section 223-192C of the County Code, this approval will become void unless all applicable requirements of this section are met. Contact the Office of Zoning Administration at 410-386-2980 for specific compliance instructions.

Y:\BZA\Cases\5691\Decision.doc