

**Tax Map/Block/Parcel**  
**No. 68-13-470**  
**Case 5647**

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

**APPLICANT:** Heath Contractors, LLC, c/o Jeremy Heath  
14542 Monticello Drive  
Cooksville, MD 21723

**ATTORNEY:** N/A

**REQUEST:** A request for a conditional use for a contractor's equipment and storage yard and a variance from the required 600 ft. to a lot less than 3 acres to 359 ft.

**LOCATION:** The site is located at 5300 Klee Mill Road South, Eldersburg, on property zoned "I-R" Restricted Industrial District in Election District 14.

**BASIS:** Code of Public Local Laws and Ordinances, Chapter 223-118 (A) (3) and 223-16 (B)

**HEARING HELD:** July 26, 2012

**FINDINGS AND CONCLUSION**

On July 26, 2012, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use for a contractor's equipment and storage yard and a variance from the required 600 ft. to a lot less than 3 acres to 359 ft. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

Heath Contractors, LLC is owned by Jeremy Heath and his wife. The business has existed since 2000. His business involves screening top soil and performing excavation work. The company owns sixteen pieces of equipment and eight trucks, and employs about fourteen employees. The property at 5300 Klee Mill Road South was a saw mill for decades. Mr. Heath has been at the location for approximately two months. In his business he does not sell a product directly to the public. Mr. Heath intends to utilize the buildings that are in existence at the site. He further noted that he did not intend to create any new buildings. Most of the deliveries would be within a thirty mile radius of the site.

In considering the necessary factors, the Board authorized the conditional use and the variance requested by Mr. Heath. The conditional use is consistent with the provisions of the

zoning ordinance and will not unduly affect residents of adjacent properties, the values of those properties or public interests. Considering the principal permitted uses for the restricted industrial district and the possible conditional uses, the Board believed that the use of the property would be much less intensive than some of these uses.

31 July 2012  
Date

Gary Dunkleberger  
Gary Dunkleberger, Vice 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.