

Tax Map/Block/Parcel  
No. 3-19-27

Building Permit/Zoning  
Certificate No. 05-0374

Case 5045

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

**APPLICANT:** Nancy J. Stair  
5003 Frances Scott Key Highway  
Taneytown, MD 21787

**ATTORNEY:** N/A

**REQUEST:** A conditional use for a produce stand and a variance from the required 3 acres to 1.15 acres.

**LOCATION:** The site is located at 5003 Francis Scott Key Highway, Taneytown, on property zoned "A" Agricultural District in Election District 1.

**BASIS:** Code of Public Local Laws and Ordinances, Chapter 223-712 A (19) and 223-186 A (2)

**HEARING HELD:** April 21, 2005

**FINDINGS AND CONCLUSION**

On April 21, 2005, the Board of Zoning Appeals (the Board) convened to hear a request for a conditional use for a produce stand and a variance from the required 3 acres to 1.15 acres. The Board made the following findings and conclusion:

The Applicant wishes to operate a roadside stand to sell vegetables grown on and off the premises. She has lived on the property since 1958, and has sold produce from there for almost as long. Employees of the shop are family members and some local students. All structures exist and no new buildings are planned. They will also sell hay. This is a seasonal use and will be open 6 months, throughout the year. The Applicant has worked in the agriculture industry her whole life.

**OFFICIAL DECISION**  
**C5045**  
**Page Two**

The Board finds that the proposed use at this location will not generate adverse effects above and beyond those normally associated with such a use. In addition, the lot was created prior to zoning and the buildings are already in existence, such that a variance from the lot size from 3 acres to 1.15 acres is warranted. This approval is subject to the following conditions:

1. The stand may only be open May through mid-November.
2. Hours of operation may be 7:00 A.M. to 7:00 P.M., seven (7) days per week.
3. The use is non-transferable.

Date

5/18/05

  
Jacob M. Yingling, Chairman