

Tax Map/Block/Parcel
No. 75-17-311

Building Permit/Zoning
Certificate No. 04-2249

Case 4963

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

APPLICANT: Lewis W. Crouse, Jr.
4454 Mill Bottom Road
Mt. Airy, MD 21771

ATTORNEY: Daniel Murphy

REQUEST: A conditional use for a contractor's equipment storage yard to park four (4) refuse trucks.

LOCATION: The site is located on Twin Arch Road, Mt. Airy, on property zoned "B-G" General Business District in Election District 13.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-109E, 223-100 A, 223-71 A (5), 223-16, 223-186 A and 223-191

HEARING HELD: August 31, 2004

FINDINGS AND CONCLUSION

On August 31, 2004, the Board of Zoning Appeals (the Board) convened to hear a conditional use for a contractor's equipment storage yard to park four (4) refuse trucks. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Applicant has been in the trash collection business for 21 years serving approximately 20,000 customers in Frederick County and Carroll County. The business has four trucks (two are used daily and two are kept as spare trucks). Hours of operation are 4:00 A.M. to 12:00 or 1:00 P.M. Monday through Saturday. Only routine maintenance, such as an oil change is performed at the property on the trucks. The Applicant is the contract purchaser of the property, which includes an existing lot and a towing business. Upon settlement of the property the Applicant intends to remove all unnecessary untagged vehicles and non-functional pieces of equipment that are currently stored on the property. There are approximately 6-7 vehicles on the property that are tagged and a total of 10-12 vehicles on the property. The Applicant will acquire the employees that are currently associated with the towing business. There are two full-time employees and one part-time employee along with the owner who works in the office. There is currently an office and residence trailer on the property. The Applicant intends to operate the

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towing business and to park the four refuse trucks on the property. There is an aboveground fuel storage tank on the property.

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. Accordingly, the conditional use request for a contractor's equipment storage yard to park four refuse collection vehicles is granted with the following conditions:

1. A full site plan for the property is required to be submitted to the County
2. The use is limited to four (4) refuse trucks
3. The approval is limited to the Applicant and it is not transferable.

Date

7/22/04


Jacob M. Yingling, Chairman