

Tax Map/Block/Parcel
No. 38-1-808

Building Permit/Zoning
Certificate No. 04-0080

Case 4915

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

APPLICANT: Countryside Driving Range, LLC
c/o Michael Mand
2960 Summer Drive
Westminster, Maryland 21158

ATTORNEY: Clark Shaffer

REQUEST: An application for a conditional use and/or modification of a prior decision (BZA Case 4409, heard 1/29/01) to allow a miniature golf course.

LOCATION: The site is located at the N/S of MD Route 140, Westminster, on property zoned "A" Agricultural District in Election District 2 & 7.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-71 A (14) and 223-186 B

HEARING HELD: February 25, 2004

FINDINGS AND CONCLUSION

On February 25, 2004, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use and/or modification of a prior decision (BZA Case 4409, heard 1/29/01) to allow a miniature golf course. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Applicant is the principal owner of a driving range located at MD Rte. 140 that has operated since July 2002. He is the "on site" manager. The site currently has a driving range, pro shop and equipment repair shop.

The Applicant is proposing an attractive, understated miniature golf course on ½ acre of the existing complex. It would be open year round, with the same hours as the existing driving range, which are 10:00 a.m. to sundown in the winter and 10:00 a.m. to 10:00 p.m. between April 1 and October 1. A qualified traffic expert opined that traffic generated by the course would be minimal and would not interfere with "rush hour".

OFFICIAL DECISION

C4915

Page Two

The Board finds that the Applicant has run a responsible, clean driving range since opening in 1991, which supports this application. In addition, we find that the proposed use here will not operate adverse effects above and beyond such a use. Accordingly, the conditional use is granted, subject to the following:

1. A stop sign shall be executed at the exit point of the driveway
2. A site plan shall be submitted, with a requirement for additional tree screening on the north side of the facility and non-intrusive lighting.
3. Hours/days of operation shall be identical to those of the driving range.
4. No loud speakers or outdoor music shall be permitted at the facility.

3/17/04

Date

Jacob M. Yingling
Jacob M. Yingling, Chairman