

**Tax Map/Block/Parcel
No. 66-03-09**

**Building Permit/Zoning
Certificate No. 03-3057**

Case 4866

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

APPLICANT: Donna Marie Smagala & Cyril James Laughlin
4702 Ridge Road
Mt. Airy, Maryland 21771

ATTORNEY: N/A

REQUEST: An application for a conditional use to operate a business in an existing building to buy and sell produce, plants and related items.

LOCATION: The site is located at 4702 Ridge Road, Mt. Airy, MD 21771, on property zoned "A" Agricultural District in Election District 9.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-71 A (16) (19) and 223-186

HEARING HELD: September 23, 2003

FINDINGS AND CONCLUSION

On September 23, 2003, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use to operate a business in an existing building to buy and sell produce, plants and related items. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

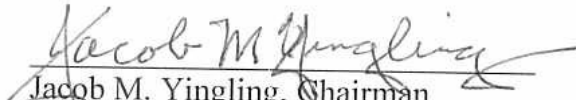
The Applicants wish to operate a stand in a building at their residence to sell produce, plants, and garden related items. The Applicant will close during the winter months. Sales will occur during daylight hours only.

The proposed stand is located along a curved stretch of Route 27, which is a heavily traveled road with a posted speed limit of 55 mph. Normally, a conditional use is granted unless the use at the proposed location will generate adverse effects above and beyond those normally associated with such a use. Unfortunately, that is the case here. This dangerous, curved stretch of Route 27 will generate such adverse effects unique to this location. Customer stops, deliveries and ingress and egress to the site will create traffic dangers at this site.

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Accordingly the request for a conditional use is denied.

Oct 15, 2003
Date


Jacob M. Yingling, Chairman