

Tax Map/Block/Parcel
No. 73-11-524

Building Permit/Zoning
Certificate No. 03-1309

Case 4803

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

APPLICANT: Trails, Inc. (William Grau)
8808 Centre Park Drive, Suite 209
Columbia, Maryland 21045

ATTORNEY: David K. Bowersox

REQUEST: An application for a conditional use request for a Planned Business Center (retail use) in the "I-R" zone.

LOCATION: The site is located at 1350 Liberty Road, Sykesville, MD 21784, on property zoned "I-R" Restricted Industrial District in Election District 5.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-118 B and 223-186

HEARING HELD: June 25, 2003

FINDINGS AND CONCLUSION

On June 25, 2003, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use for a Planned Business Center (retail use) in the "I-R" zone. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The subject property is 5.0 acres (+-) located on the north side of Liberty Road near the intersection of Liberty Road and MD Rte. 32 in Eldersburg. A portion of the site already houses a bank. A large department store adjoins this property. The Applicant is proposing a Planned Business Center to include a possible restaurant, general retail uses and professional offices. The surrounding area consists primarily of commercial uses.

Based upon the testimony of a traffic consultant engaged by the Applicant, the Board finds that traffic generated by the proposed use will not overburden the area's road system. In addition, the Applicant has proven a need for the center, as set forth in a credible report submitted by a real estate consultant engaged by the Applicant.

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The Board finds that the proposed use will not generate adverse effects at this location greater than if located somewhere else in the IR zone. The business center will conform to the existing neighborhood and serve a need. Although the Board is conscious of the need to carefully scrutinize business uses in the industrial zones, we find that the parcel is ill suited for an industrial use at this time, given the surrounding commercial uses.

Accordingly, the conditional use request for a Planned Business Center is granted.

7-16-03

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman