

**Tax Map/Block/Parcel
No. 65-24-82**

**Building Permit/Zoning
Certificate No. 01-1927**

Case 4604

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

APPLICANT: Mark Leland Pickett
3607 Marguerite Court
Mt. Airy, Maryland 21771

ATTORNEY: N/A

REQUEST: A conditional use request for a service garage in an existing building and a variance as required.

LOCATION: The site is located at 3607 Marguerite Court, Mt. Airy, MD 21771, on property zoned "C" Conservation District in Election District 13.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-34(J) and 223-16.

HEARING HELD: July 24, 2001

FINDINGS AND CONCLUSION

On July 24, 2001, the Board of Zoning Appeals (the Board) convened to hear the conditional use request for a service garage in an existing building and a variance as required. Based upon the testimony presented and evidence received, the Board makes the following findings of fact:

The Applicant is a self employed welder, machinist and mechanic. He performs much of his machine repair work at other sites. On other occasions, he brings home and repairs farm equipment, machinery, motors and similar equipment in his garage.

Service garages are not a permitted use in the Conservation Zone. However, the Applicant's description of his business is akin to a blacksmith shop, which is a conditional use in the zone. However, a side yard variance is necessary since the proposed use is less than 200 feet from a lot of less than 3 acres with a residence.

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The Board finds that the proposed use at the proposed location will not generate adverse effects above and beyond those normally associated with such a use. However, given the unusual location, it is appropriate that conditions be placed upon this approval.

1. The approval is limited to the repair and service of farm machinery and similar equipment, with occasional incidental automotive repairs. The use is not to be a service garage.
2. The use shall not expand beyond the garage in Applicant's home.
3. No advertising signs may be erected on the property.
4. Approval is granted to Applicant above and may not be transferred to any third party.
5. Equipment used in the business must be kept indoors.
6. The approved hours of operation are from 8:00 A.M. to 6:00 P.M. Monday through Friday, and from 8:00 A.M. to 4:00 P.M. on Saturday. No work shall be conducted at the garage on Sunday.

In addition, the requested variance is granted.

8/13/01

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman