

Tax Map/Block/Parcel
No. 13-12-345

Building Permit/Zoning
Certificate No. 97-3135

Case 4285

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANTS: Derek Joel Long and Catherine Marie Lehr
3411 Hanover Pike
Manchester, Md. 21102

REQUEST: A conditional use request for parking of
commercial vehicles

LOCATION: 1619 East Deep Run Road on property zoned "A"
Agricultural District in Election District 6

BASIS: Article 6, Section 6.3(x); Ordinance 1E (The
Carroll County Zoning Ordinance)

On December 29, 1997, the Board of Zoning Appeals (the "Board"), convened to hear the application of Derek Joel Long and Catherine Marie Lehr for a conditional use request to park commercial vehicles at 1619 East Deep Run Road. The subject property consists of 5.358 acres and is zoned "A" Agricultural. The following are the Board's findings and conclusions.

The applicants are the contract purchasers of the subject property. The property fronts Deep Run Road and Wine Road. It is improved with a dwelling, a barn and a storage building. The applicants intend to reside in the dwelling and store commercial vehicles on a portion of the property. They are in the carnival business, the prime seasons of which is from March through September. During the prime season very little, if any, vehicles would be kept on the site.

The applicants seek permission to park their carnival rides on the premises during their off-season. The rides would be stored on trailers. The trailers are pulled to the carnival site by two vehicles. The parking area proposed is reflected on Applicant's Exhibit 1 in red marker. It is an area approximately 80 feet x 150 feet lying behind the storage building and in view of the neighboring properties on Wine Road. The applicants currently have 20 pieces of equipment but seek permission to store up to 25 pieces of equipment. Some of the trailers are large, i.e. 40 feet in length. Others are as small as 6 feet in length.

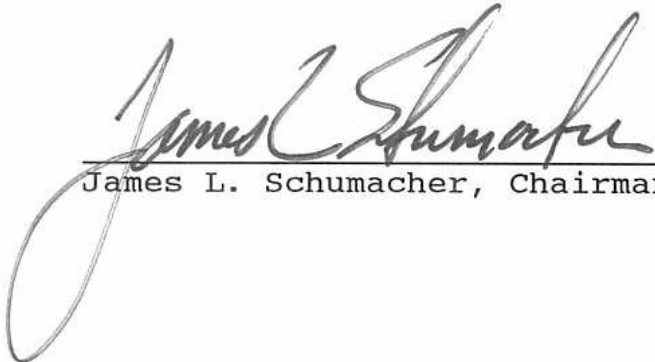
The Board is concerned with the visual effects of the proposed use on the adjoining property owners' quiet enjoyment of their property. The Board therefore approves the use requested

subject to the following conditions:

1. No more than 25 pieces of carnival type equipment may be stored on the site. Each loaded trailer shall constitute one piece of equipment.
2. No more than five trailers may be 40 feet in length.
3. The use is restricted to the current applicants.
4. The applicants must within five months of the date hereof plant screening as indicated herein. Two double rows of pine trees approximately 5 feet in height must be planted on the Wine Road side of the property as annotated on Applicant's Exhibit 1 to shield the view from the neighbors.
5. The applicants' use may not encroach on the setback requirements as noted in the Ordinance, i.e. 50 feet from the rear property line and 30 feet from the side property line.

1/21/98

Date
IM/bmh/c4285dec.bmh
January 21, 1998


James L. Schumacher, Chairman