

Tax Map/Block/Parcel
No. 61-22-45

Building Permit/Zoning
Certificate No. 96-3621

Case 4173

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANTS: George Langrill and Debi Langrill
2708 Sams Creek Road
New Windsor, Maryland 21776

REQUEST: Conditional use requests for an arts and craft shop, garden supply center and a roadside stand for the sale of fresh fruits and vegetables, and a front yard variance from 40 feet to about 22 feet

LOCATION: 4512 Ridge Road on property zoned "A" Agricultural District in Election District 9

BASIS: Article 6, Section 6.3(a)(g); Article 15, Section 15.5; Ordinance 1E (The Carroll County Zoning Ordinance)

On January 3, 1997, the Board of Zoning Appeals held a hearing on the request for a conditional use for an arts and craft shop on a portion of the property at 4512 Ridge Road. The applicants, George and Debi Langrill are the contract purchasers of a portion of the property. The hearing was continued to January 28, 1997, to permit for the advertisement of a needed variance and for additional conditional uses which the applicants had requested but were inadvertently not advertised. The additional conditional uses requested by the applicants include a garden supply center, and a roadside stand for the sale of fresh fruits and vegetables in season. The property is zoned "A" Agricultural.

The applicants appeared and testified. Also testifying in support of the application was Mr. Wayne Watkins from Carroll Land Services, Inc. The following are the Board's findings and conclusions.

The subject property consists of approximately 19 acres, more or less, and is zoned "A" Agricultural. It is owned by Mr. Dennis D. Collins, who acquired it by two single-parcel deeds; one deed was for 9.042 acres, one deed was for 10.92 acres. The second deed was an off-conveyance. Based on Mr. Watkin's testimony, the maximum number of lots which the property could be divided into is six parcels. Mr. Collins plans to reconfigure the off-conveyances taken from 10.92 acres into a 3.129 acre parcel which would encompass the existing buildings and house. The applicants are the contract purchasers of the proposed reconfigured off-conveyance. It is their intention to improve

the farmhouse into an arts and craft shop. In addition, they would like to sell some shrubbery and some landscape material. During the summer months they propose to sell fruits and vegetables from a roadside stand on the property. The variance required is from the existing house to the road. Current regulations require a 40 foot setback from the road. The existing house is only 22 feet from the road.

The applicants' testimony is that they intend to operate a quaint, country arts and craft shop with some plants and garden supplies. It is their intention to comply with the State Highway Administration's requirement that the entrance to the farmhouse be upgraded to include a 50 foot deceleration lane and a 25 foot acceleration lane as outlined in Applicants' Exhibit #7. In support of the request for the variance, the applicants indicate and testified to the effect that the adjoining properties are approximately the same distance if not closer to the road, and that the house cannot be readily moved.

The Board is concerned with the effect of the proposed uses would have on the adjoining property owners. However, the Board is of the opinion that if the uses requested are implemented as designed, i.e., a small, quaint, country-store type arts and craft shop, with limited hours of operation, with some consignments, with some garden supplies and with some fruits and vegetables in season, then the uses would have little adverse effect at this location. The Board hereby approves the application subject to the following.

1. The applicants shall have 45 days of the receipt of this decision to reconfigure the off-conveyance to reasonably conform with the plan submitted to the Board with their application. (a copy of which is attached hereto)
2. Thereafter, the entrances must be upgraded to satisfy the State Highway Administration's request, and as a minimum, to comply with the drawing submitted by the applicants as Applicants' Exhibit #7.
3. The applicants shall be subject to a limited site plan review as determined by the Zoning Administrator.
4. The fence located on the property must be relocated at least 50 feet from the edge of the road to provide improved site distance.

3.6.97

Date



James L. Schumacher, Chairman

IM/bmh/c4173dec.bmh
March 6, 1997