Jay C. Voight, Zoning Administrator

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Office of Zoning Administration

Department of
Land Use, Planning & Development
Carroll County Government
225 North Center Street
Westminster, Maryland 21157

Official Decision
Case ZA-1356
Zoning Administration
Carroll County, Maryland

APPLICANT:	Jonathan Martinez
REQUEST:	For a landscaping business as a home occupation.
LOCATION:	4086 Boteler Road, Mt. Airy, MD 21771
MAP/BLOCK/PARCEL:	75/05/181
APPLICABLE REGULATIONS:	Chapters 223-80 (B) and 223-181
HEARING HELD:	April 4, 2012

FINDINGS AND CONCLUSIONS

Based on the testimony and evidence presented at the hearing the accessory use is granted.

Facts which support the request for relief from the strict terms of the Ordinance; in this case, a landscaping business as a home occupation, are as follows:

The applicant, Mr. Jonathan Martinez, would like to run his landscaping business from home. Mr. Martinez's business consists of a 3-ton truck for hauling mulch and one trailer which carries his mowers and equipment. Mr. Martinez's employees consist of his son who lives with him. Mr. Martinez was informed that when his equipment is not on his trailer at home it is to be kept in the shed on the property. Working hours on his property will be during day light hours during the week and from 8:00am to 5:00pm on Saturday and Sunday. Mr. Martinez owns a snowplow which he is allowed to store outside of the shed.

There were numerous neighbors present at the hearing expressing concern about Mr. Martinez's request. Some of the concerns were keeping the property cleaned up and storage of material on the property. Mr. Martinez was informed that he may keep mulch

on the property only for use on his property. No mulch is to be kept on the property for business use. Another concern of the neighbors was the number of vehicles on the property. They were informed that as long as the vehicles are licensed and insured in the state to run on public roads there is no limit to the number of vehicles; however, they may not be used for the landscaping business.

This approval is valid for one year from the date of this decision.

Note: An appeal of a Decision made pursuant to Chapter 223-181.2 may be made to the Board of Zoning Appeals within thirty (30) days of the date of the Zoning Administrator's decision in accordance with Chapter 223-182 and 223-181 of the Code of Public Local Laws and Ordinances.

A decision of the Zoning Administrator made pursuant to Chapter 223-181 is final and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

April 11 2012
Date

Jay C Voight
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