Jay C. Voight, Zoning Administrator

410-386-2980, fax 410-386-2451
Toll-free 1-888-302-8978
MD Relay service 7-1-1/1-800-735-2258

Office of Zoning Administration

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

Official Decision
Case ZA-1363
Zoning Administration
Carroll County, Maryland

APPLICANT:	William S. Moore, Jr.
REQUEST:	An accessory use for a cottage industry for an artisan/blacksmith shop
LOCATION:	3273 Sykesville Road Westminster, MD 21157
MAP/BLOCK/PARCEL:	58/22/532
APPLICABLE REGULATIONS:	Chapters 223-72(V) and 223-181
HEARING HELD:	May 2, 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 cottage industry as an accessory use for an artisan/blacksmith shop are as follows:

Mr. William Moore is requesting approval for a cottage industry for an artisan/blacksmith shop. Mr. Moore proposes to use a lean-to attached to his house for which he has applied for a building permit (12-0714). Mr. Moore states that he would have no employees and there will be very few customers coming to his house, as most of his work is done off-site.

There were a few of Mr. Moore's neighbors present at the hearing. The majority of his neighbors supported his request. There were a few neighbors who were against the proposed use. Their concerns were about noise coming from a portable welding unit on Mr. Moore's truck, and their major concern was about the use and maintenance of the use-in-common driveway that they all share.

As for the noise, the location Mr. Moore proposed use is located to the rear of his property facing away from all the adjoining properties, and over 300 feet from his neighbor's house.

As for the use-in-common driveway, Mr. Moore stated that the majority of traffic coming from his use as a shop will be his personal truck which is equipped with a welding unit. There will also be a possibility of UPS and Fed Ex trucks coming to his property and his neighbor's property. Mr. Moore stated that there could be deliveries from other trucks, but they would be very few. The use-in-common driveway is in need of repair; the driveway is 30 years old and shows the wear and tear of normal use. The neighbor with the complaints was concerned about the number of times that Mr. Moore leaves and enters the driveway. This has no bearing on this case, as it is Mr. Moore's driveway, and there is no restriction on the number of times you may use your driveway in a day.

After reviewing all of the concerns of Mr. Moore's neighbors, I have come to the conclusion that Mr. Moore's proposed accessory use for a cottage industry for an artisan/blacksmith shop will have no greater impact than that of any other accessory use. However, a condition of approval is that Mr. Moore has no employees at this site.

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.

May 7 2012
Date

Jay C Voight
Jay C. Voight
Zoning Administrator