CARROLL COUNTY GOVERNMENT
225 N. Center Street
Westminster, Maryland 21157
410-386-2980 888-302-8978
FAX 410-876-9252
T.D.D. 410-848-5355

Office of Zoning Administration
Neil M. Ridgely
Zoning Administrator

Notice of Decision

Case # ZA-962
Permit # 05-3513

Variance Request: For approval to change the non-conforming use of an existing farm and garden equipment retail sales and service establishment to a similar non-conforming use, that being a landscape retails sales and distribution center at 1300 Washington, Rd. Westminster, MD in Election District 07 by Kenneth Sperber and Jayson Boyles. The applicants were represented by attorney Clark Shaffer.

Basis for Variance: § 223-9 H of the Carroll County Code of Public Local Laws and Ordinances.

Decision: Approved.

Basis for Decision:
It is the opinion of the Zoning Administrator that approval of the variance request will not:

- Adversely affect the public health, safety, security, morals, or general welfare.
- Result in dangerous traffic conditions or jeopardize the lives or property of people living in the neighborhood.
- The use of the property for the proposed uses are of the same general characteras the first non-conforming use.

The current property owners and business operators, Byron and Regina Taylor attended the hearing and testified that the business use of the property started in the 1950's as a Ford auto dealership, a seafood restaurant and a concrete business before Mr. Taylor's father established the current business of selling and servicing lawn mowers, chain saws and garden equipment. There is a showroom area, warehouse with loading dock, fenced outside storage areaand shop that has been in continuous use.
Mr. Sperber and Mr. Boyles explained that they intended to sell landscape and stone materials from the property, similar to the "Heartscapes" line of products from the E. P. Henry Company. Hours of operation would be similar to Taylor's equipment's with Saturday's being the busiest retail time while contractors would likely come during the weekdays. No structural changes to the building are planned. The number of employees will likely be five, similar to Taylor's.
The substitution of non-conforming uses will not be detrimental to the community as they are oof the same general character and in many ways will serve the same clientele.

8 November 2005

Neil M. Ridgely
Zoning Administrator

Per Section 223-182 or the Carroll County Code of Public Local Laws and Ordinances, appeals of this decision must be made within 30 days of the date of the decision to the Board of Zoning Appeals pursuant to Section 223-188 of the Carroll County Code. Unless timely appealed, parties may not thereafter contest the Zoning Administrator's decision.