

BOARD OF APPEALS CASE NO. 4889

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BEFORE THE

APPLICANT: Mack Coy Moxley, Jr.

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ZONING HEARING EXAMINER

REQUEST: Modification of Case 3160 to allow storage of 14 school buses in the AG District; 2823 Forge Hill Road, Bel Air

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OF HARFORD COUNTY

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Hearing Advertised

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Aegis: 1/27/99 & 2/3/99

HEARING DATE: February 17, 1999

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Record: 1/29/99 & 2/5/99

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ZONING HEARING EXAMINER'S DECISION

The Applicant, Mack Moxley, Jr., appeared before the Hearing Examiner requesting a modification of a condition imposed in previously approved Board of Appeals Case No. 3160, to allow the storage of 14 school buses in an Agricultural District.

The subject parcel is located at 2824 Forge Hill Road in the Third Election District. The parcel is identified as Parcel No. 36, in Grid 1-A, on Tax Map 34-35. The parcel contains 96.23 acres, more or less, all of which is zoned Agricultural.

Mr. Mack Moxley appeared and testified that in April 1985, a Special Exception was approved allowing him to store 7 school buses on the subject parcel. Mr. Moxley said that he is requesting a modification to that decision to allow the storage of up to 14 school buses on the parcel. The witness said that he currently has 11 routes and that the driveway and area where the buses are stored is blacktopped. The Applicant said that there has not been complaints about storage of the vehicles on the property during the last 14 years and that the area where the buses are kept is screened, but that he would plant additional trees to screen the storage area from adjacent residential dwellings.

The Staff Report of the Department of Planning and Zoning recommends conditional approval and provides:

“The Department is of the opinion that based on the size of the property, the location and distance between the existing dwellings and the bus storage area, the additional buses should not have any adverse impact on surrounding area or the intent of the Code.”

No protestants appeared in opposition to the requested modification.

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CONCLUSION:

In Board of Appeals Case No. 3160, approved in April 1985, the Applicant was granted a Special Exception to store 7 school buses on the subject parcel. The Applicant is now requesting modification of that condition to allow 14 school buses on the parcel.

The parcel itself contains 96 acres, m/l, the evidence indicates the buses are screened from the public road, and the Applicant has agreed to install additional screening, if necessary, to screen the parking location from adjacent residential dwellings. The evidence also indicates that the Applicant has recently paved the driveway and parking area to minimize the environmental impact from mud and dust.

No evidence was introduced to indicate that approval of the additional buses would have an adverse impact on the neighborhood or the intent of the Code. Therefore, it is the recommendation of the Hearing Examiner that the requested modification be approved, subject to the following conditions:

1. The Applicant shall obtain a new zoning certificate to reflect the proper number of buses.
2. The Applicant shall submit a landscaping plan, including a planting schedule, for the additional trees along the paved parking area. The trees shall be a minimum of 4 feet in height and planted 8-10 feet on centers.
3. Condition No. 2 in Case No. 3160 shall remain valid.
4. The Applicant shall not conduct major repairs on the buses. Only minor repairs and necessary preventive maintenance shall be performed on site.

Date **APRIL 9, 1999**

L. A. Hinderhofer
Zoning Hearing Examiner