Tax Map/Block/Parcel
No. 30-3-393
Case ZA-125

Building Permit/Zoning
Certificate 94-1355

OFFICIAL DECISION
ZONING ADMINISTRATOR
CARROLL COUNTY, MD.

APPLICANT: Paul and Barbara Matulevich
1253 Stone Road
Westminster, MD 21158

REQUEST: Variances reducing the minimum setback requirements from 100 feet to about 95 feet and 50 feet from lots 8 and 9 respectively, for a private stable.

LOCATION: 1253 Stone Road, in Election District 7, Lot 7 in Section 3 of Francis Heisterman Property, a subdivision recorded at 18/9

APPLICABLE REGULATIONS: Article 6, Section 6.4(h) Article 5, Section 5.3; Article 15, Section 15.5

HEARING HELD: July 7, 1994

FINDINGS AND CONCLUSION

Based on the testimony and evidence presented at the hearing, the variance is granted.

During the hearing the applicants requested approval for housing three (3) horses in the proposed barn. Although a verbal approval was given, further examination of the file indicates that only a "private stable" was advertised and can be considered in this application. A "private stable" as defined in the zoning ordinance is limited to two (2) horses or ponies. Stabling for three (3) or more horses requires approval as an agricultural barn and would require a 200 ft. setback from lot 8. The notice given was based on information available at the time of application and did not address a setback for an agricultural barn. Therefore, this approval is limited to a private stable for two (2) horses or ponies.

Facts which support the request for relief from the strict terms of the ordinance, in this case a requirement for a 100 foot setback for a private stable are as follows:

a) The well on this property is located almost in the center of the 5 acres. Location of the well and the water line limits the location of the barn to approximately the proposed location.
b) Topography of the property limits placement of the barn further to the rear.
c) The building permit for this barn was approved in error. The error was not discovered until the footers and the water line had been installed.

DATE: July 18, 1994

Solveig L. Smith
Solveig L. Smith, Zoning Administrator

CC: Zoning Enforcement
Code: Case125.FC