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-1280
Zoning Administration
Carroll County, Maryland

APPLICANT:	Jennifer Arbaugh
REQUEST:	Reduction of 3.0 acres to 2.76 acres for farm animals, and an increase in the number of animals from 5 to 40, and a reduction of a side yard setback of 75 feet to 20 feet.
LOCATION:	507 Clear Ridge Road Union Bridge, MD 21791
MAP/BLOCK/PARCEL:	37/19/536
APPLICABLE REGULATIONS:	Chapters 223-75, 223-35(B) and 223-16
HEARING HELD:	April 6, 2011

FINDINGS AND CONCLUSIONS

Based on the testimony and evidence presented at the hearing the variances are denied.

Facts which support the request for relief from the strict terms of the Ordinance, in this case, a variance in the number of acres from 3.0 acres to 2.76 acres, and various side yard setbacks, and an increase in the number of animals from 5 to 40, are as follows:

Upon visiting the property, I observed that the conditions on the property were not ideal for raising the number of farm animals requested. The proposed housing for the animals appeared to be poorly built and the size of the building would not be adequate for the number of animals. The property itself had numerous zoning violations on it including untagged vehicles and piles of junk lying around the property. There were many neighbors present at the hearing testifying about the care and treatment of the animals on the property. Under current County zoning regulations, the property may have up to 18 chickens or may have up to 3 goats or sheep, which in either case would be the equivalent of 3 large dogs, which County residents may have.

However, they may not have both eighteen chickens and 3 goats or sheep. They may have 6 chickens and 2 goats or 12 chickens and 1 goat or sheep; the combined total may not exceed the equivalent of 3 large dogs.

Therefore, the request for a variance to the lot size reduction of 3.0 acres to 2.76 acres is denied. The request for an increase in the number of animals is denied. The reduction in side yard setbacks is denied. However, the property owner may maintain the number of animals, and the structures to house them must be 75 feet from the property line, in accordance with a Declaratory Ruling 1-2010 issued by the Office of Zoning Administration. A copy of the Declaratory Ruling is included with 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 21 2011
Date

Jay C Voight
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Zoning Administrator