No. 22-5-215

Building Permit/Zoning Certificate 95-0214

Case ZA-166

OFFICIAL DECISION
ZONING ADMINISTRATOR
CARROLL COUNTY, MD.

APPLICANT: Genevieve Diegel
1120 Bradley Drive
Westminster, MD 21158

REQUEST: A variance reducing the minimum lot area requirement from 3 acres to 1.6390 acres for a private stable and variances to minimum distance requirements and minimum setback requirements.

LOCATION: 1120 Bradley Drive, in E.D. 6, lot 1 in Hash Farm, a subdivision recorded at 32/16.

APPLICABLE REGULATIONS: Art. 6, Sections 6.4(h) and 6.7, Art. 5, Sec. 5.3(b), Article 15, Section 15.5.

HEARING HELD: March 1, 1995

BACKGROUND:

The applicant testified that she was unaware of the three acre area requirement for a stable and that she considers her lot to be in a "farming area". The stable is to house one small pony for grandchildren. She originally stated that additional land was not available. The subject property adjoins a large farm tract and the pasture area is located directly adjacent to the larger property.

A neighbor testified in protest that the property is part of a cluster of smaller lots in a subdivision intended for residential uses, and that a pony stable is inappropriate. He stated that he purchased his property with the knowledge that lots in the subdivision are not large enough to comply with requirements for a stable.

FINDINGS AND CONCLUSION

Based on the testimony and evidence presented at the hearing, I find that a variance to the minimum lot area cannot be supported; and further, that variances to distance and setback requirements for the existing stable are not justified.

However, in further discussion with the applicant, it became apparent that there may a possibility of acquiring additional land. If such were the case, the stable can be re-located to comply with distance and setback requirements and no variances would be required.

To allow for a determination regarding the additional land, the variances are granted for a period of 60 days from the date of the hearing, (for this purpose May 1, 1995.)

No later than May 1, 1995, the applicant shall furnish proof that additional property has been secured by lease, or satisfactory assurance that the property will be enlarged by means of a revised subdivision plat to comply with the three acre requirement. If the area requirement is met, and relocation of the stable use occurs, the existing structure now in use for a stable will be restricted to use as an accessory or utility shed on the property.

DATE: 3-10-95

Solveig L. Smith

Solveig L. Smith, Zoning Administrator

CC: Zoning Enforcement

Code: Case 166.DEC