Tax Map/Block/Parcel
No. 70-6-196

Building Permit/Zoning
Certificate 95-3697

Case ZA-228

OFFICIAL DECISION
ZONING ADMINISTRATOR
CARROLL COUNTY, MD.

**APPLICANT:** Lora and Dick Brinkley
3802 Akers Drive
Mt. Airy, MD 21771

**REQUEST:** A variance reducing the minimum setback requirement from an unimproved lot from 100 feet to about 50 feet for a private stable.

**LOCATION:** 3802 Akers Drive, in E.D. 13, lot 15A in Ridgely Estates, a subdivision recorded at 25/115.

**APPLICABLE REGULATIONS:** Art. 4, Sec. 4.12; Art. 5, Sec. 5.3; Art. 15, Sec 15.5;

**HEARING HELD:** December 6, 1995

## FINDINGS AND CONCLUSION

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

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

a) applicants purchased the property for the purpose of keeping their horses at home. In fact, financing was arranged taking into consideration the elimination of board costs.

b) The 3 acre lot qualifies for a private stable but not for an agricultural barn.

c) Zoning regulations require that a private stable be placed in the rear yard. In this case placement of a stable in the rear yard is severely limited by, the placement of the dwelling 333 feet back from Akers Drive, by the tapering side lot lines, and by the location of the well and an inground pool.

d) The adjoining property where the reduction of the 100 foot setback is requested is requested fronts on Demitt Court and is a large lot. The home site will likely be out of sight of the subject property

DATE: 12-13-95

Solveig L. Smith
Solveig L. Smith, Zoning Administrator

CC: Zoning Enforcement
Code: Case 228.DEC