Tax Map/Block/Parcel
No. 76 10 274

Building Permit/Zoning
Certificate BP-01-0218

Case ZA-549

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Steven M. Weaver Mary B. McCullough 13225 Schubert Place Silver Spring, Maryland 20904
REQUEST:	A variance from the required minimum setback of 100 feet to 85 feet for building a private stable and a variance from the required minimum setback of 200 feet to 100 feet from existing dwelling on adjoining property
LOCATION:	7488 Flag Drive Mt. Airy, Maryland 21771
APPLICABLE REGULATIONS:	Code of Public Laws and Ordinances, Chapters 223.35B.(1); 223-72; and 223-181
HEARING HELD:	March 7, 2001

FINDINGS & CONCLUSIONS

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

Facts which support the request for relief from the strict terms of the Ordinance, in this case, a variance from the required minimum setback of 100 feet to 85 feet for building a private stable relative to the curtilage of the adjoining property to the east and a variance from the required minimum setback of 200 feet to 100 feet from the existing dwelling on adjoining property, are as follows:

The applicants have a contract to purchase a 4.2-acre property, contingent upon permit approval to build a private stable. Because of the terrain of the property, a hardship exists since there is only one suitable location on the property to build a small stable, which is in the northeast corner of the property. The property has a slope from north to south, which makes it more desirable to build the stable towards the front of the property. There is a screen of fir trees along the property line. The applicants could not build the stable towards the back of the property, due to the runoff from the slope and a 20-ft. drainage utility, which excludes a large portion of the center of the property from any type of permanent structure. Also, there is a railroad track near the property, which would not be conducive to the stabling of horses. The side yard is to the rear of the house. In the rear yard of the property the stable is sited because of the setback requirements from the property to the north, which is less

than three acres, which meets the setback requirements from that property and are also well within the 200 feet setback requirement from the house for a two-stall barn stable. The property is currently zoned half Conservation and half Agricultural. The proposed stable will be limited to two horses.

There were no neighbors present at the hearing opposing the applicant's request; therefore, the granting of these variances should have no adverse effect on any adjoining property owners, and failure to grant the requested relief will result in undue hardship to the Applicant.

This approval is valid for one year from the date of this decision.

NOTE:

Appeals of decision made pursuant to Chapter 223-183 may be made to the Board of Zoning Appeals within thirty (30) days of the date of the Zoning Administrators decision in accordance with Chapter 223-188 of the Code of Public Local Laws & Ordinances.

A decision of the Zoning Administrator made pursuant to Chapter 223-183 is final, and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

3/14/01
DATE

Robert A Bair
ROBERT A. BAIR
ZONING ADMINISTRATOR

cc: Zoning Enforcement