Tax Map/Block/Parcel
No. 24 6 496

Building Permit/Zoning
Certificate BP-02-1112

Case ZA-647

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	John F. Phillips 5282 Wertz Road Hampstead, Maryland 21074
REQUEST:	A variance from the required three acres needed to 2.96 acres for livestock and the construction of a barn to house horses.
LOCATION:	5282 Wertz Road Hampstead, MD 21074
APPLICABLE REGULATIONS:	Code of Public Local Laws and Ordinances, Chapters 223-75 and 223-181
HEARING HELD:	May 7, 2002

FINDINGS & CONCLUSIONS

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

The Applicant is four-one hundreds of an acre under the requirement for horses according to the Zoning Ordinance. The Applicant is proposing to have one to two horses on the property. Prior to purchasing the property, the Applicant was informed that Carroll County's acreage requirement for horses was two acres, the same as Baltimore County. It was after settlement that the Applicant learned the requirement was three acres in Carroll County. The Applicant is proposing to construct a barn that will have an opening for the horse/s to go in and out with a closed section for storing hay and riding equipment.

Mr. Charlie Cha (Wungkeon), a new adjoining property owner who did not receive notice, was present at the hearing to address several concerns with the Applicant regarding cleanliness and safety hazards for his children. The Applicant stated that he will recycle the horse manure as compost for fertilization of trees and bushes. The Applicant is planning to erect a 5 Ft. high wood fence on the back end of the property with the remainder of the fence at 4 Ft. and 6" from the property line for safety.

According to the ordinance, the distance requirement for the barn is 200 Ft. from the curtilage area(the yard area and any residential type buildings surrounding the house), which means 200 Ft. from the property line in the rear yard. If the Applicant restricts the number of horses to two, and is a private stable, than the requirement is 100 Ft. from the property line and 200 Ft. from the house. There is no distance requirement from the Applicant's house.

This approval is valid for one year from the date of a Zoning Certificate.

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.

May 17 2002
DATE

GAYLE FRITZ
ACTING ZONING ADMINISTRATOR, DESIGNEE

cc: Zoning Enforcement