Tax Map/Block/Parcel
No. 72 4 494

Building Permit/Zoning
Certificate BP-02-4732

Case ZA-728

Official Decision
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Michael C. Marchak 6160 Hidden Hollow Drive Sykesville, Maryland 21784
REQUEST:	A variance from the required minimum side yard setback of 30 Ft. to 12 Ft. and from 3 acres to 1.93 acres to have a private stable on the property.
LOCATION:	6160 Hidden Hollow Drive Sykesville, Maryland 21784
APPLICABLE REGULATIONS:	Code of Public Local Laws and Ordinances, Sections 223-35B, 223-75 and 223-181
HEARING HELD:	March 4, 2003

FINDINGS & CONCLUSIONS

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 Section 223-16 and 223-75 of the Carroll County Code, in this case, a reduction in the minimum side-yard setback of 20 feet to 12 feet and from 3 acres to 1.93 acres to have a horse on the property located at 6160 Hidden Hollow Drive are as follows:

The property was inspected on February 25,2003. It lies at the far end of a use in-common driveway, which serves approximately 6 residences. Running parallel to Hidden Hollow Drive is a BGE Electrical Transmission line with an approximate 200 ft. wide right-of-way. Mr. Marchak had already begun construction on a stable on his property. One would have to travel the full length of Hidden Hollow Drive to see and access the stable. A temporary exercise ring was located in the BGE ROW, directly across from the Marchak residence. The site was properly posted and all adjoining property owners were notified of the hearing by mail.

Mr. Marchak testified at the hearing that it was his desire to keep a horse on his property for his daughter and that he had a long-term lease with BGE to use a portion of the ROW for the exercise area. There were no members of the public appearing in opposition to the variance, nor has the zoning office been notified by telephone or mail of any opposition.

Per Section 223-181, strict compliance with the terms of the zoning ordinance would be impractical, given the location of the subject property and the Marchak's lease for the use of additional, adjoining land from the utility company. In that the property leased from Baltimore Gas & Electric

brings the total acreage to the 3 acres required by the law, the spirit of the ordinance is not violated.

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

NOTE:

Appeals of decision made pursuant to Section 223-181 may be made to the Board of Zoning Appeals within thirty (30) days of the date of the Zoning Administrators decision in accordance with Section 223-182 of the Code of Public Local Laws & Ordinances.

A decision of the Zoning Administrator made pursuant to Section 223-182 is final, and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

3-12-03
DATE

NEIL RIDGELY
ZONING ADMINISTRATOR

cc: Zoning Enforcement