Tax Map/Block/Parcel
No. 77-11-294

Building Permit/Zoning
Certificate No. 92-3037

Case 3808

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANTS: Breezy Meadow Farm
James Talley and Diana Talley
7512 Old Washington Road
Woodbine, Maryland 21797

REQUEST: Variances reducing the minimum required side yard of 100 feet and rear yard of 50 feet to about 36 feet each for a proposed agricultural storage barn

LOCATION: 7512 Old Washington Road (Md. Rt. 97) in Election District 14; Talley's Hallowell subdivision, lot 2 recorded in Carroll County Plat Records in book 13, page 90

BASES: Article 5, Sections 5.1(a) and 5.5; Article 15, Section 15.5.4 (d); Ordinance 1E (The Carroll County Zoning Ordinance)

HEARING HELD: November 25, 1992

FINDINGS AND CONCLUSION

The application, testimony and evidence comprising the record of this case are hereby included by reference in this decision. Based on the record, the Board approved the variances. The pertinent findings determining the Board's decision include the facts that the dimensions of the agricultural barn, 40 feet by 80 feet--not 36 feet by 50 feet as noted on Permit Application 92-3037, dictate that the building be considered a principal permitted use, not an accessory use customarily incidental and subordinate to the principal permitted use of the property; the barn is a pole building, with an earth floor and without plumbing or electrical service; location of the barn on the property is restricted by the topography, stormwater surface runoff, and a subsurface drainage system; the barn will be used for storage of crops and equipment, but not for farm animals; authorization of the variances is necessary to preclude practical difficulty and unnecessary hardship in the use of the property and, there is no evidence that the barn will unduly affect the residents of adjacent properties, the values of those properties, or the public interests.

12/1/92
Date

William Law
William Law, Chairman

JDN/c3808dec.bmh

CARROLL COUNTY GOVERNMENT
225 N. Center Street
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410-386-2980 ! 888-302-8978
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Zoning Administrator
Neil Ridgely

June 29, 2005

Mr. Carl Keener
7514 Old Washington Rd.
Woodbine, Md. 21797

RE: Variance Case ZA-918

Dear Mr. Keener:

Having reviewed the evidence and testimony for your application for a variance at 7514 Old Washington Rd., I have decided that the case was heard in error and I will have your $150.00 application fee refunded. The error stemmed in part from a misunderstanding of the existing situation and not having all of the pertinent facts prior to the hearing.

Should you have the lots reconfigured as set forth in the survey produced at the hearing, and if the reconfiguration is approved by the Carroll County Planning and Zoning Commission, the previous decision of the Board of Zoning Appeals in Case 3808, Breezy Meadow Farm, James Talley and Diana Talley, would apply to the property line on the south side of the property since it is unchanged in the reconfiguration of the lots.

However, if your proposed plan to reconfigure the lots is approved by the Planning Commission you must apply to the Bureau of Permits and Inspections within 30 days of recording the new plat for a change of use for the building from agricultural to residential.

Sincerely,

Neil Ridgely /cf

Neil M. Ridgely
Zoning Administrator

Cc: file
Chuck McLean, DCA
All opponents and adjoining property owners