OFFICIAL DECISION
ZONING ADMINISTRATOR
CARROLL COUNTY, MD.

APPLICANT: Paul and Barbara Matulevich
1253 Stone Road
Westminster, MD 21158

REQUEST: Variances reducing the minimum setback requirements
from 100 feet to about 95 feet and 50 feet from
lots 8 and 9 respectively, for a private stable.

LOCATION: 1253 Stone Road, in Election District 7, Lot 7 in
Section 3 of Francis Heisterman Property, a
subdivision recorded at 18/9

APPLICABLE REGULATIONS: Article 6, Section 6.4(h) Article 5,
Section 5.3: Article 15, Section 15.5

HEARING HELD: July 7, 1994

FINDINGS AND CONCLUSION

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

During the hearing the applicants requested approval for
housing three (3) horses in the proposed barn. Although a verbal
approval was given, further examination of the file indicates that
only a "private stable" was advertised and can be considered in
this application. A "private stable" as defined in the zoning
ordinance is limited to two (2) horses or ponies. Stabling for
three (3) or more horses requires approval as an agricultural barn
and would require a 200 ft. setback from lot 8. The notice given
was based on information available at the time of application and
did not address a setback for an agricultural barn. Therefore,
this approval is limited to a private stable for two (2) horses or
ponies.

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

a) The well on this property is located almost in the center
   of the 5 acres. Location of the well and the water line
   limits the location of the barn to approximately the
   proposed location.

b) Topography of the property limits placement of the barn
   further to the rear.

c) The building permit for this barn was approved in error.
The error was not discovered until the footers and the
water line had been installed.

DATE: July 18, 1994

Solveig L. Smith, Zoning Administrator

CC: Zoning Enforcement