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
March 4, 2003

HEARING HELD:

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
dend 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 Administrator's 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