

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANTS: Richard R. and Kathleen A. Schmitt
3911 Bixler Church Road
Westminster, Maryland 21157

REQUESTS: Variances reducing the minimum required lot width of 200 feet to about 194 feet, one minimum required side yard of 30 feet to about 15 feet, and the minimum distance requirements governing the location of a proposed agricultural barn to be used as a stable.

LOCATION: 3911 Bixler Church Road in Election District 3; Hideway Estates subdivision, Amended Plat A, lot 4 recorded in Carroll County Plat Records in Book 16, page 76.

BASES: Article 6, Sections 6.3(a) and 6.7; Article 4, Section 4.12; Article 15, Section 15.5; Ordinance 1E.

HEARING HELD: December 6, 1988

FINDINGS AND CONCLUSION

Based on the application, testimony and evidence comprising the record of this case, the Board hereby authorizes variances reducing the minimum required lot width and one side yard as requested, subject to the condition noted below. The proposed location of the new barn will comply with the minimum distance requirements pertaining thereto, and therefore reduction of those requirements is not necessary. The pertinent findings justifying the authorizations include the facts that location of the proposed barn on the property is restricted by the topography, and by the minimum required lot width of 200 feet. The proposed location of the barn, which will replace any existing building, is appropriate and suitable in light of the slope of the property. Reduction of the minimum required lot width is not considered to be significant, and the authorization of the variances as requested and conditioned below will not unduly affect the adjoining properties or public interest. In order to promote the intent and purpose of the zoning ordinance, the Board hereby imposes the following condition of authorization:

1. Establishment in use of the proposed agricultural building for the stable shall be limited to not more than four horses or ponies at one time. In order to comply with this condition,

the Board authorizes a period of one year from the date of this decision to reduce the number of equines from six to four. In the event that the required reduction is not accomplished prior to the expiration date, the applicant may request an extension in writing to the Zoning Administrator, for a period not to exceed six months. The Zoning Administrator may authorize such extension upon good cause shown.

Dec. 12, 1988
Date

John Toturs
John Toturs, Chairman