

Tax Map/Block/Parcel
No. 61-14-295

Building Permit/Zoning
Certificate No. 91-1303

Case 3568

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANTS: John W. Abbott, Sr. and Dorothy E. Abbott
4216 Roop Road
Mount Airy, Maryland 21771

REQUEST: A conditional use for a private stable, and
variances to the minimum lot area, yard and
distance requirements pertaining thereto

LOCATION: 4216 Roop Road in Election District 9

BASES: Article 6, Section 6.4(h); Article 5, Section
5.3(b); Article 15, Section 15.5; Ordinance 1E.
(The Carroll County Zoning Ordinance)

HEARING HELD: June 26, 1991

FINDINGS AND CONCLUSION

The application, testimony and evidence comprising the record of this case are hereby included by reference in this decision.

Attention is directed to the fact that the public notice identifying the request as a conditional use for a private stable was incorrect. Private stables are permitted as accessory uses subject to the provisions of Article 5, Section 5.3(b) of the zoning ordinance. The variances to the minimum lot area, yard and distance requirements governing the private stable are applicable.

Based on the record, the Board hereby authorizes the requested variances, subject to the conditions noted below.

The pertinent findings determining the Board's decision include the facts that the applicants are requesting authorization for only one horse, which will be kept on the property approximately seven months of the year, running from September through March.

When the applicants purchased the property about 1980, it was improved with a shed located adjacent to the southwesterly corner of the property. Since that time, they have used the shed as a private stable. From April through about the end of August, the horse is kept elsewhere.

In order to promote the intent and purpose of the zoning ordinance, the Board hereby imposes the following conditions of authorization:

1. In order to minimize the effects of the use of the property for the private stable, not more than one horse may be kept on the property.
2. Due to the particular circumstances in this case, authorization of the variances to the minimum lot area, yard and distance requirements pertaining to the private stable are hereby specifically restricted to the applicants, and shall not inure to the benefit of heirs or assigns. This condition shall not preclude reapplication to this Board by others in the future for variances governing private stables in accordance with the provisions of the zoning ordinance.

July 3, 1991
Date

John Totura
John Totura, Chairman

JDN/bdc/C3568DEC
June 27, 1991