Tax Map/Block/Parcel No. 29-2-297

Building Permit/Zoning Certificate No. 97-0156

Case 4201

OFFICIAL DECISION BOARD OF ZONING APPEALS CARROLL COUNTY, MARYLAND

APPLICANT:

William C. Hartman 2400 Bear Run Road

Taneytown, Maryland 21787

REQUEST:

A conditional use request for an indoor paintball

LOCATION:

2400 Bear Run Road on property zoned "A"

Agricultural District in Election District 2

BASIS:

Article 6, Section 6.3(o); Ordinance 1E (The

Carroll County Zoning Ordinance)

On March 26, 1997, the Board of Zoning Appeals held a hearing on the request of William C. Hartman residing at 2400 Bear Run Road, Taneytown, Maryland for a conditional use request to use one of the barns located on the property for an indoor paintball range. The property consists of 31.41 acres and has zoning classification of "A" Agriculture. The applicant appeared and testified in support of this application. The following are the Board's findings and conclusion.1

The property is a working farm and improved with several barns and a residence. The owner of the property and his son, seek to modify an existing barn building to permit its use as a place to engage in the game of paintball. The games will be open to the public. Admission will be charged to help defray the cost of insurance. The games will be played on Saturdays only. Participants will pay a nominal charge, \$2.00 or \$3.00 for admission and the opportunity to spend the day inside the barn playing the activity. Not more than 20 people will be at one time in the building. The hours of operation will be 10:00 a.m. to 6:00 p.m. There will be no horseplay, no drinking, no smoking, and no disorderly conduct permitted. The activity will be well supervised and refereed. It is limited to persons over the age of ten. The windows in the barn will be screened to prevent the paintball from damaging them. There will be no outside activity.

A neighbor, Mr. Albert Liebno, appeared and testified in opposition to the request indicating that he is concerned that

<sup>1</sup>The Board extended the time for the written decision pursuant to Section 17.4.10 of the Ordinance.

the noise generated from the use would be disruptive to the quiet enjoyment of his property. Based on the testimony presented, the Board finds that the use proposed at the location with the conditions imposed hereafter will not pose a unique adverse impact at this location. The Board approves the request subject to the following conditions.

1. The use be limited to the present owner.

2. A maximum of 20 people, including referees, are permitted to utilize the barn at any one time.

3. The Saturday hours of operation are to be limited between the hours of 10:00 a.m. and 6:00 p.m. with no Sunday hours.

4. No loud music will be played.

5. No parking will take place on the road.

6. The windows of the barn are to be covered.

7. A landscape buffer between the driveway and the main road is to be installed, consisting of double rows of pine trees. The landscaping shall be placed perpendicular to the barn and to the driveway.

8. No sign larger than 12" by 18" is to be placed on the property identifying the use.

Schumacher,

9. The use is restricted to the barn.

The Board notes that the farm is encumbered by an Agricultural Land Preservation Agreement. This use is contingent on the applicants securing approval from the Maryland Agricultural Land Preservation Foundation.

5/21/97

Date

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