

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Irvin S. Martin
P.O. Box 391
Mt. Airy, Maryland

REQUEST: A variance reducing the minimum required side yard and minimum distance requirements for a proposed agricultural barn

LOCATION: 3850 West Watersville Road in Election District 13; Dales Delight subdivision; Lot 1 recorded in Carroll County Plat Records in Book 21, Page 53.

BASES: Article 5, Sections 5.1(a) and 5.5; Article 4, Section 4.12; Article 15, Section 15.5; Ordinance 1E

HEARING HELD: June 5, 1989

FINDINGS AND CONCLUSION

Based on the application, testimony and evidence comprising the record of this case, the Board hereby authorizes reduction of the minimum distance requirement of 200 feet to 120 feet from the westerly side property line for the proposed agricultural barn. As the location of the agricultural barn will comply with the minimum required side yard of 100 feet specified for other uses in Section 5.5 of Ordinance 1E, the variance for reduction of the minimum required side yard is unnecessary and moot.

The pertinent findings justifying the authorization include the facts that the area of the lot is 5 acres. The proposed location of the agricultural barn will be at least 200 from the front property line abutting the two residential lots which are unimproved and front on West Watersville Road. The unimproved residential lot adjoining the westerly side property line extends in excess of 400 feet northward from West Watersville Road, and is the lot from which reduction of the minimum distance requirement is requested. The likelihood of a dwelling being located within the rear portion of that lot is remote, and it is unlikely that the establishment of the agricultural barn as proposed will unduly affect the use of the lot for residential purposes in the future. The applicant, Mr. Martin, indicated that the barn would be used to shelter one or two steers, possibly sheep, or other farm animals. Although location of the agricultural barn will be to the northwest and rear of Mr. Martin's home, location of the barn further from the westerly side property line is limited by the existing sewerage disposal system and the area reserved for replacement systems.

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Attention is directed to the fact that this decision is of no effect upon covenants or restrictions regarding use of the applicant's property stated in deeds recorded in the land records of Carroll County.

June 20, 1989
Date

John Totura
John Totura, Chairman