

Tax Map/Block/Parcel
No. 12-11-290

Building Permit/Zoning
Certificate No. 91-0191

Case 3519

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Edward G. Blankenship, Jr.
531 Leppo Road
Westminster, Maryland 21157

REQUEST: Variances reducing the minimum required front yard, one side yard, and the distance requirements pertaining to an agricultural building in which farm animals are kept

LOCATION: 531 Leppo Road in Election District 3

BASES: Article 6, Sections 6.2(a) and 6.7; Article 4, Section 4.12; Article 15, Section 15.5; Ordinance 1E. (The Carroll County Zoning Ordinance)

HEARING HELD: March 28, 1991

FINDINGS AND CONCLUSION

The application, testimony and evidence comprising the record of this case are hereby included by reference in this decision. Based on the record, the Board hereby authorizes the requested variances, subject to the conditions of authorization imposed below. The pertinent findings determining the Board's decision include the following facts.

Although there are residential subdivision lots located to the northeast, east and south of the 3.45 acre lot, the site and surrounding properties are zoned "A" Agricultural District as shown on zoning map 12B. From examination of the plot plan submitted with the application and the site location map used to post the hearing notice on the property, the agricultural building apparently fails to comply with the minimum distance requirements from the dwelling to the east, located on lot 11 of Section 2 of Twin Lakes subdivision. The agricultural building, which is presently used to shelter seven goats, also does not comply with the minimum required front yard of 40 feet and the easterly side yard of 30 feet. However, dense landscape screening of evergreens significantly reduces visibility of the building from Leppo Road and the dwelling on lot 11. While the building is more readily visible from the property to the west, the distance between the agricultural building and the dwelling on that property exceeds the minimum requirement of 200 feet.

Location of the agricultural building, other than as it is presently situated, is restricted by topography of the site, and potential contamination of surface and subsurface water.

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

1. Authorization for the use of the agricultural building to shelter farm animals shall be limited to goats.
2. Due to the particular circumstances in this case, the authorization of the variances for the agricultural building is restricted solely to the applicant, and shall not inure to the benefit of assigns or heirs. This condition shall not preclude reapplication by others to this Board in the future regarding the agricultural building in accordance with the provisions of the zoning ordinance.

April 3, 1991
Date

JDN/bdc/C3519DEC
April 1, 1991

John Totura
John Totura, Chairman