

Tax Map/Block/Parcel  
No. 59-23-419

Building Permit/Zoning  
Certificate No. 91-2390

Case 3615

**OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY, MARYLAND**

**APPLICANT:** Marvin R. Miller  
3227 Murray Road  
Finksburg, Maryland 21048

**ATTORNEY:** Charles D. Hollman, Esquire  
189 E. Main Street  
Westminster, Maryland 21157

**REQUEST:** Variances reducing the minimum requirements of lot area, lot width, side, and rear yard for a proposed agricultural building

**LOCATION:** 3237 Murray Road in Election District 4

**BASES:** Article 5C, Sections 5C.1(a) and 5C.5; Article 15, Section 15.5; Ordinance 1E (The Carroll County Zoning Ordinance)

**HEARING HELD:** September 26, 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 variances. The pertinent findings determining the Board's decision include the facts that the .596 of an acre lot predates the zoning ordinance and is zoned "R-40,000" Residence District. Mr. and Mrs. Miller plan to construct a dwelling on the property in conjunction with the proposed facility. Although agriculture is a principal permitted use in the district, aquiculture or aquaculture is not specifically listed. In this case, the proposed building will shelter facilities for raising fish for sale to a cannery or for stocking ponds. The facilities are designed to purify and recirculate the water with no odors, noise or waste, other than evaporation. The proposed site, which is in the rear of the lot, is screened by existing trees, and additional screening is planned. As proposed, there is no indication that the building will unduly affect the adjoining properties or public interest. Accordingly, the Board is convinced that the variances are in keeping with the intent and purpose of the zoning ordinance, and are justified in order to preclude practical difficulty and unreasonable hardship that would otherwise occur.

Oct. 1, 1991  
Date

  
John Totura, Chairman

JDN/bmh/c3615dec  
September 30, 1991