

Tax Map/Block/Parcel
No. 12-21-76

Building Permit/Zoning
Certificate No. 04-0025

Case 4912

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

APPLICANT: Frank Costin
3929 Littlestown Pike
Westminster, Maryland 21158

ATTORNEY: Brad Bauhof, Esquire

REQUEST: An application for a conditional use for a race course for dirt bikes and a variance from the distance requirements, as needed.

LOCATION: The site is located at 3929 Littlestown Pike, Westminster, MD 21158, on property zoned "A" Agricultural District in Election District 3.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-71 A (9) and 223-16

HEARING HELD: February 25, & March 31, 2004

FINDINGS AND CONCLUSION

On February 25, and March 31, 2004, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use for a racecourse for dirt bikes and a variance from the distance requirements, as needed. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Applicants own 2.55 acres (+-) of land in the "A" Agricultural zone. They have constructed a racetrack on the parcel on which Mr. Costin and other family members ride motorcycles. The track is used from 3:30-5:30 P.M. on weekdays, and after 12:00 noon on weekends. There have been up to three riders at a time on the course.

A representative of the Carroll County Health Department testified that the noise of the motorcycles in this close a proximity to neighboring homes likely constituted a violation of the State's noise regulations. Neighbors testified that the noise and dust from the motorcycles on the track have disrupted the peaceful enjoyment of the neighborhood, and they have concerns for their children's safety, as they reside close to the track.

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The Board finds that the use is in fact a race course, and the close proximity to homes makes the adverse effects from the course (i.e. dust, noise) worse here than elsewhere in the zone. Accordingly, the conditional use is denied.

4-23-04

Date


Jacob M. Yingling, Chairman