

Tax Map/Block/Parcel
No. 64-7-122

Case 5442

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Wendy Bauerlien
1321 Arnold Road
Westminster, Maryland 21157

ATTORNEY: N/A

REQUEST: A variance from the lot size requirement of 3 acres to 2.07 acres and variances from property lines and distance requirements as required in 223-16 for a stable to allow farm animals.

LOCATION: The site is located at 1321 Arnold Road, Westminster, MD 21157, on property zoned "A" Agricultural District in Election District 4.

BASIS: Code of Public Local Laws and Ordinances, Section 223-75 and 223-16

HEARING HELD: December 2, 2008

FINDINGS AND CONCLUSION

On December 2, 2008, the Board of Zoning Appeals (the Board) convened to hear a variance request from the lot size requirement of 3 acres to 2.07 acres and variances from property lines and distance requirements as required in 223-16 for a stable to allow farm animals. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The subject property is 2.07 acres in the Agricultural zone. It is improved with a residence and barn. The property is served by well and septic system. The barn has existed at this location for over 50 years. Most of the surrounding properties are being used for agricultural purposes, although there are residences across the street. The Applicant has been keeping over 50 large and small animals on the property, and has been using the barn to house the animals. Approximately 70% of the lot is enclosed by fencing. Manure is stored on the property and removed periodically to nearby farms. The lot was created in the 1980's and was 2.07 acres when purchased by the Applicant.

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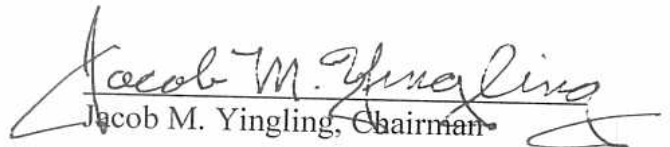
The Board found the keeping of animals at this location to be an appropriate use of the property, which is consistent with most of the surrounding area. In addition, the Board found that the size of the lot and its location near other properties and the location of the barn were not self created conditions and that a strict application of the lot size, property lines, and distance requirements would result in practical difficulty and unreasonable hardship. Accordingly, the requested variances were granted. However the Board was concerned that the lot is too small and too near other residential uses to accommodate up to 5 farm animals.

As a result the requested variances were conditioned upon the Applicant keeping no more than: 1 donkey; 1 steer; 12 chickens in a confined area; and 5 goats.

No other animals (other than the domesticated pets) shall be housed at this location. In addition, it was suggested by the Board that the manure pile on the property be relocated as an accommodation to the neighbors.

Date

1/6/09


Jacob M. Yingling, Chairman