

**Tax Map/Block/Parcel**  
**No. 64-7-173**  
**Case 5867**

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

**APPLICANT:** Shane Fitzgerald  
3950 Sykesville Road  
Finksburg, MD 21048

**ATTORNEY:** n/a

**REQUEST:** A request for a conditional use for an Indoor Archery Range and a reduction of the required setback of 1,000 feet to 15 feet to 3984 Sykesville Road, 46 feet to 3929 Sykesville Road, 105 feet to the curtilage area of 4014 Sykesville Road, 60 feet to 4000 Sykesville Road, and 233 feet to 3949 Sykesville Road.

**LOCATION:** The site is located at 3950 Sykesville Road, Finksburg, Maryland on property zoned “B-NR” Business Non-Residential and “A” Agricultural in Election District 4.

**BASIS:** Code of Public Local Laws and Ordinances, Sections 158.077 (D)(1), 158.070 (E)(L), and 158.040

**HEARING HELD:** July 28, 2015

**FINDINGS AND CONCLUSION**

On July 28, 2015, the Board of Zoning Appeals (the Board) convened to hear a request for a conditional use for an Indoor Archery Range and a reduction of the required setback of 1,000 feet to 15 feet to 3984 Sykesville Road, 46 feet to 3929 Sykesville Road, 105 feet to the curtilage area of 4014 Sykesville Road, 60 feet to 4000 Sykesville Road, and 233 feet to 3949 Sykesville Road. Based on the testimony and evidence presented, the Board made the following findings and conclusions.

Shane Fitzgerald testified that he had been in business for more than twenty years and has had indoor archery ranges during that time. He is proposing to put an indoor archery range in an existing building. He stated that all of the activities of the indoor archery range would be contained within the building. There were no plans for any outdoor targets. He stated that he has never had an arrow exit the building and that his operation was safe. He stated that his facility would be in compliance with safety requirements of the trade association for the archery commission, a national association.

Monte Stahle testified in opposition to the request. Mr. Stahle stated that the archery range was inherently unsafe. He was concerned that arrows may exit the building and enter his property. He is often outside in his yard gardening or mowing among other things. He believed that the pole barn was too close to his property line and the property line of the building owner. The pole barn was also fairly close to his house.

On July 6, 2015 Nokomis Ford, Planning Technician, wrote a memorandum to the Board. She wrote that the case has been reviewed for consistency with the policies and recommendations contained in the *2014 Carroll County Master Plan*, the Carroll Water & Sewer Master Plan, and other functional plans. Ms. Ford further wrote that the property had a land use designation of Village-Commercial in the *2014 Carroll County Master Plan* and is surrounded by commercial and large lot residential land. The request of the applicant was compatible with the vision and goals for the area as expressed in Chapter 15. She further wrote that the “staff finding is that this request is consistent with the *2014 Carroll County Master Plan* and would not have an adverse effect on the current use of the property or its surrounding environs.”

The Board was convinced that authorization of the request with regard to a conditional use was consistent with the purpose of the zoning ordinance, appropriate in light of the factors to be considered regarding conditional uses of the zoning ordinance, and would not unduly affect the residents of adjacent properties, the values of those properties, or public interests. Based on the findings of fact made by the Board above, the Board found that the proposed project would not generate adverse effects (i.e. noise, traffic, dust, water issues, lighting issues, property depreciation, etc.) greater here than elsewhere in the zone. The Board approved the conditional use requested by the applicant and the variance requested.

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Date

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Gary E. Dunkleberger, Chairman

Decisions of the Board of Zoning Appeals may be appealed to the Circuit Court for Carroll County within 30 days of the date of the decision pursuant to Land Use Article, Section 4-401 of the Annotated Code of Maryland.

Pursuant to Section 158.133 (H)(3) of the County Code, this approval will become void unless all applicable requirements of this section are met. Contact the Office of Zoning Administration at 410-386-2980 for specific compliance instructions.