

**Tax Map/Block/Parcel
No. 49-10-15**

**Building Permit/Zoning
Certificate No. 05-3289**

Case 5139

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

APPLICANT: Barbara & Forrest Taylor
4504 Sam's Creek Road
New Windsor, MD 21776

ATTORNEY: N/A

REQUEST: A variance from the required 200 ft. setback to 76 ft. on each side of a metal storage building to replace the existing barn.

LOCATION: The site is located at 4504 Sam's Creek Road, New Windsor on property zoned "A" Agricultural District in Election District 11.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-72 H, 223-35 B, 223-16 and 223-186

HEARING HELD: October 24, 2005

FINDINGS AND CONCLUSION

On October 24, 2005, the Board of Zoning Appeals (the Board) convened to hear a request for a variance from the required 200 ft. setback to 76 ft. on each side of a metal storage building that would replace an existing barn. The Board made the following findings and conclusion:

The Applicants reside on a 7-acre parcel of "A" Agricultural land. In addition to the residence, there is a 40' x 30-35' barn on the property. The barn is in a deteriorating condition, and the Applicants would like to replace it with a new metal storage building. The storage building will include three stalls in the southeast corner for the Applicants' horses. The rest of the building will be used for the storage of farm equipment. There will also be the occasional storage of the vintage armaments, which the Applicant collects as a hobby.

OFFICIAL DECISION

C5139

Page Two

The new building will be approximately 60' x 80'. However, it will be located 76' on each side of the property line, whereas the old barn is 35' away from the property line. Although the lot is fairly large, it is not wide at any point. There is no place to put the building which does not infringe on the setback. The selected location was chosen to minimize the impacts on the neighboring properties.

Based on the fact that the new building will replace an existing structure and that the lot cannot accommodate the building anywhere due to its shape without infringing upon the setbacks, we find that a hardship has been proven. Therefore, a variance from the 200 ft. setback to 76 feet on each side of a metal storage building is granted.

11/16/05
Date


Jacob M. Yingling, Chairman