

**Tax Map/Block/Parcel
No. 19-3-128**

**Building Permit/Zoning
Certificate No. 00-0620**

Case 4491

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

APPELLANT: Craig D. Austin
3481 Francis Scott Key Highway
Taneytown, Maryland 21787

ATTORNEY: n/a

REQUEST: An appeal of the denial of a building permit to construct a 40' x 60' pole barn for storage.

LOCATION: Located at 3481 Francis Scott Key Highway, Taneytown, MD 21787, on property zoned "A" Agricultural in Election District 1

BASIS: Article 17, Section 17.2(a); Zoning Ordinance IE

HEARING HELD: May 23, 2000

FINDINGS AND CONCLUSION

On May 23, 2000, the Board of Zoning Appeals (the Board) convened to hear the appeal of Craig D. Austin of the denial of a building permit to construct a 40' x 60' pole barn for storage located on approximately 2.6279 acres at 3481 Francis Scott Key Highway, Taneytown, Maryland 21787 in Election District 1 on property zoned "A" Agricultural. Based on the testimony and evidence presented, the Board makes the following findings and conclusions.

The subject property abuts the Taneytown corporate limits to the north, east and south. The property is zoned "A" Agricultural, but is designated as an Industrial Zone on the Taneytown and Environs Comprehensive Plan. The current land use is agriculture to the north, south and east. The property west of the proposed use is vacant, and the nearest house is 600 feet from the site. The Applicant wishes to house his recreational vehicle and, in the future, an antique fire engine for his personal use.

The reason for the denial of the building permit is that the maximum size for a detached building on a lot in the Agricultural Zone that is less than five acres is 1,500 square feet. In addition, the proposed location requires a variance from the 50' rear yard depth requirements for the Agricultural Zone, Article 6, Section 6.7.

The Board finds that the Applicant's property is unique, in that it is bounded by future industrial and/or agricultural uses, rather than residences. Therefore, the Board finds that in this unique case, the building permit for the 40' by 60' building should be issued. In addition, given the surrounding non-residential uses, a variance from the rear yard depth requirements from 50' to 34' is appropriate. Provided, the 40' x 60' building shall not be used for commercial purposes and is to be for the Applicant's personal use only.

6/8/00

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman

H:\Zoning Administration\BZA_CASE.DOC\c4491dec.wpd