

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY MARYLAND

APPLICANTS: Karen Parry and Eugene Parry
2208 Carrollton Road
Westminster, Maryland 21157

REQUESTS: A conditional use for a kennel for not more than 10 dogs for the purpose of raising and breeding Newfoundland dogs, and a variance request for the reduction of the minimum distance requirements of 200 feet pertaining thereto.

LOCATION: 2208 Carrollton Road in Election District 4.

BASES: Article 5, Section 5.2(c); Article 4, Section 4.12; Article 15, Section 15.5; Zoning Ordinance 1E.

HEARING HELD: October 1, 1987

FINDINGS AND CONCLUSION

The record of this case is hereby included by reference in this decision. Based on the testimony and evidence comprising the record, the Board hereby authorizes the requests, subject to the conditions noted below. The pertinent findings include the following facts:

The 21.662 acre property is improved with a dwelling and accessory building, which was once used as a mill. The north branch of the Patapsco River traverses the property, as well as tracks of the Western Maryland Railroad Company. Although the location of the proposed kennel facilities is less than the minimum distance requirement of 200 feet pertaining to adjacent residential properties, the facilities will be separated from a number of the properties by the river and railroad tracks. As established by the photographs presented by the applicant, the proposed area of the kennel facilities is not readily visible from adjacent properties. While concern was expressed regarding potential adverse affects to adjacent properties, the Board finds that establishment of the kennel as requested and conditioned below, will not unduly affect the adjoining properties or public interest. In order to promote the intent and purpose of the zoning ordinance, the Board hereby imposes the following conditions of authorization:

1. Establishment of the kennel shall be as generally indicated on plats identified as Applicants' Exhibits 1 and 2.
2. Operation of the kennel shall be limited specifically to Newfoundland dogs, and not more than 10 adult dogs one year old or older and 20 dogs less than one year old--a total of 30 canines--shall be kept on the premises.
3. No commercial boarding or grooming shall be conducted in conjunction with operation of the kennel.
- 4, No employees shall be hired to operate the kennel.
5. No identification sign is authorized for erection in conjunction with establishment of the kennel.
6. Authorization for establishment and operation of the kennel shall be limited to the applicants. The authorization shall become null and void upon transfer of the subject property, except that the applicants' heirs or contract purchasers may reapply to the Board for reauthorization of the conditional use.

The applicants attention is directed to Carroll County Ordinance Number 26, the Animal Control Ordinance, and to any future duly adopted amendment or ordinance pertaining to kennels or dogs.

Nov. 3, 1987

Date

John Totura

John Totura, Chairman