

Case 3276

OFFICIAL DECISION  
BOARD OF ZONING APPEALS  
CARROLL COUNTY, MARYLAND

APPLICANTS: James Emerick and Joyce Emerick  
4353 Baughman Mills Road  
Lineboro, Maryland 21088

REQUESTS: A conditional use for a kennel for not more than  
ten dogs, and a variance to the minimum distance  
requirements pertaining thereto, if necessary

LOCATION: 4353 Baughman Mills Road in Election District 6

BASES: Article 6, Sections 6.3(j) and 6.7; Article 15,  
Section 15.5; Ordinance 1E (The Carroll County  
Zoning Ordinance)

HEARING HELD: November 28, 1989

FINDINGS AND CONCLUSION

The application, testimony and evidence comprising the record of this case are hereby included by reference in this decision. Based on the record, the Board hereby authorizes the conditional use, subject to the conditions noted below. As the kennel facilities will comply with the minimum distance requirements, no variance is necessary.

The pertinent findings justifying the authorization include the facts the applicants presently maintain five (5) dogs on the premises, primarily within the dwelling. At sometime in the future, an exterior kennel with runs may be added to an existing accessory building. However, operation of the kennel is limited to not more than ten (10) dogs. The dogs are considered to be pets and may be shown as a hobby.

In considering the record of this case, there is no evidence that establishment of the kennel, as requested and conditioned below will unduly affect residents of adjoining properties, the value of those properties, or the public interest.

In order to promote the intent and purpose of the Zoning Ordinance, the Board hereby conditions the authorization as follows:

1. In accordance with the applicants' testimony, no commercial boarding, grooming or breeding is authorized in conjunction with the kennel.
2. No business identification sign for the kennel is authorized.
3. Due to the circumstances in this case, the authorization for the establishment and operation of the kennel is restricted solely to the applicants in this case, and shall not inure the benefit of assigns. This condition shall not preclude application by others in the future for establishment of a kennel in compliance with the provisions of the zoning ordinance.

Dec. 11, 1989  
Date

John Totura  
John Totura, Chairman