

Tax Map/Block/Parcel
No. 12-12-517

Building Permit/Zoning
Certificate No. 94-2897

Case 3958

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

APPLICANT: Kelly Bair
4501 Old Hanover Road
Westminster, Maryland 21158

REQUESTS: A conditional use for a kennel for not more than ten dogs and variances reducing the minimum required rear yard of 50 feet to about 42 feet and distance requirements of 200 feet pertaining thereto

LOCATION: 4501 Old Hanover Road in Election District 3; Bountiful Venture subdivision, Remaining Portion, recorded in Carroll County Plat Records in book 22, page 90

BASES: Article 6, Sections 6.3(j) and 6.7; Article 4, Section 4.12; Article 15, Section 15.5.4(d); Ordinance 1E (The Carroll County Zoning Ordinance)

HEARING HELD: September 26, 1994

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 and in accordance with the provisions of the state Open Meetings Act, the Board authorized the conditional use and variance of the minimum required rear yard, subject to the conditions that the kennel is limited to not more than seven adult dogs, aged one or more years, and installation of sound absorbing materials in at least one of the exterior runs to minimize the sound of dogs and puppies barking. As the kennel will comply with the minimum distance requirements of 200 feet, no variance is necessary. The pertinent findings determining the Board's decision include the facts that the kennel's interior pens will be located in the existing pole building, connecting with the exterior runs near the rear property line, which adjoins open farmland. The applicants propose to breed and raise purebred Doberman pinschers, German shepherds and collies for sale. Each female will be limited to one litter per year. Although individual training of dogs will be conducted on the premises, there will be no commercial boarding or grooming in conjunction with the kennel. As proposed, including sound abatement practices, operation of the kennel will not unduly affect residents of adjoining properties, the values of those properties, or public interests.

10-5-94
Date

Claude R. Rash
Claude R. Rash, Chairman