

Tax Map/Block/Parcel
No. 13-6-463

Building Permit/Zoning
Certificate No. 95-2695

Case 4050

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANTS: Robert Crown and Lisa Crown
4744 Kridlers Schoolhouse Road
Manchester, Maryland 21102

REQUEST: A conditional use for a kennel for ten or less dogs within the existing dwelling that does not conform with the minimum yard requirements; and, variances reducing the minimum distance requirements of 200 feet and lot area of 5 acres

LOCATION: 4744 Kridlers Schoolhouse Road in Election District 6

BASES: Article 5, Sections 5.2(b) and 5.5; Article 4, Section 4.12; Article 15, Section 15.5.4(d); Ordinance 1E (The Carroll County Zoning Ordinance)

HEARING HELD: August 30, 1995

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 state Open Meetings Act, the Board authorized the conditional use and variances, subject to the conditions of authorization imposed below.

The pertinent findings determining the Board's decision include the facts that the applicants wish to keep five dogs within their home. The 3.21 acre lot complies with the minimum lot area and lot width requirements for dwellings within the "C" Conservation District, but does not comply with the minimum requirements for the establishment of a kennel. In addition, the dwelling was evidently constructed prior to the adoption of Ordinance 1E, and one of the side yards does not conform with the minimum requirement of 50 feet. Separate kennel facilities are neither proposed nor will be constructed. In considering the testimony and evidence comprising the record, the Board finds no indication that establishment of the kennel as requested, and in compliance with the conditions of authorization imposed below, will unduly affect residents of adjoining properties, the values of those properties, or public interests.

In order to promote the intent and purpose of the zoning ordinance, the Board hereby imposes the following conditions of authorization:

1. The authorization for the establishment of the kennel shall be limited to use of the dwelling and to not more than five adult dogs.

2. Due to the particular circumstances in this case, the authorization for the kennel is restricted solely to the applicants, and shall not inure to the benefit of assigns or heirs. This condition shall not preclude reapplication by others to this Board in the future for a kennel on the premises in accordance with the provisions of the zoning ordinance.
3. The applicants shall establish a security fence to contain the dogs on the premises within 90 days of the date of this decision.
4. The intent of this decision is to allow the applicants to keep not more than five adult dogs within their home for their personal enjoyment, but not for commercial purposes such as boarding or grooming. This condition shall not preclude occasional breeding of a dog for the production of puppies; however, such breeding shall only be on a limited basis.

Sept. 13, 1995
Date

Claude R. Rash
Claude Rash, Chairman

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