

Tax Map/Block/Parcel
No. 13-76-1

Building Permit/Zoning
Certificate No. 02-4038

Case 4748

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

APPLICANT: Roberta & William Spicer
7100 Shadyside Drive
Mount Airy, Maryland 21771

ATTORNEY: N/A

REQUEST: An application for a conditional use for a kennel (up to 25 dogs) in and existing barn.

LOCATION: The site is located at 7100 Shadyside Drive, Mt. Airy, MD 21771, on property zoned "A" Agricultural District in Election District 13.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-71 (A) (12)

HEARING HELD: December 3, 2002

FINDINGS AND CONCLUSION

On December 3, 2002, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use for a kennel (up to 25 dogs) in an existing barn. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Applicants have owned their 28+-acre property for 18 years. Currently, they are raising hay and beef cattle on the farm. The Applicants are proposing to operate a kennel for the purpose of raising quality champion AKC registered Labrador Retrievers. The kennel operation will be exclusively for maintaining their own breeding stock, providing stud service and raising puppies for sale. The kennel site on the property is within the required limits regarding distance from the nearest residence. The existing barn on the property is primarily for agricultural use with a 20 ft. lean-to extension off both sides of the barn. The kennel runs will be completely enclosed on one lean-to extension that adjoins the wooded area. There are 6 x 6 pens with 27 Ft. x 6 Ft. runs. The kennel will not be open to the public. It will only be a breeding facility. Advertising is through the Internet and from previous and repeat customers. The property is currently fenced for the cattle. Eight dogs will be acquired from the Applicant's sister's operation and there are currently 3 stud dogs on the property.

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The Board finds that existing mature trees amply screen the proposed site. In addition, the construction of a modern building for the kennel will create a healthy environment for the dogs. The proposed use will not generate adverse effects greater here than elsewhere in this zone. Accordingly, the conditional use request is granted.

12-23-02

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman