

Tax Map/Block/Parcel
No. 48-14-229
Case 5638

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANTS: Bradley and Tracey Rill
427 Lees Mill Road
Hampstead, Maryland 21074

ATTORNEY: Clark R. Shaffer

REQUEST: An application for a conditional use for a commercial kennel for more than ten (10) dogs, a variance from the 3 acre requirement to 2 acres, a variance from the side yard setback of 30 ft. to 20 ft., a variance from the distance requirement of 400 ft. to 240 ft.

LOCATION: The site is located at 427 Lees Mill Road, Hampstead, MD 21074, on property zoned "A" Agricultural District in Election District 8.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-71 A (12), 223-75 A and 223-16

HEARING HELD: May 30, 2012

FINDINGS AND CONCLUSION

On May 30, 2012, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use for a commercial kennel for more than ten (10) dogs, a variance from the 3 acre requirement to 2 acres, a variance from the side yard setback of 30 ft. to 20 ft., a variance from the distance requirement of 400 ft. to 240 ft. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

Tracey Rill has been breeding dogs at the kennel for approximately thirteen years. At this time the kennel area is fenced in. The property is surrounded by her parents' farm. Her parents approved of the kennel and were present for support at the hearing. In the thirteen years of its existence, there have not been any complaints from neighbors about the kennel. No one came to the hearing to protest the granting of the conditional use. The only traffic to the kennel is when people pick out their puppies and then come back to pick them up eight weeks later. All of her customers are referrals, and there is no advertising for the kennel. Mrs. Rill does not board dogs at her kennel.

The Board is convinced that authorization of the request is consistent with the purpose of the zoning ordinance, appropriate in light of the factors to be considered regarding conditional uses of the zoning ordinance, and will not unduly affect the residents of adjacent properties, the values of those properties, or public interests. The Board approves a conditional use not to exceed 25 adult dogs and the variances specifically set forth in the application.

6/13/2012
Date


Richard J. Simmons, Chairman

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Decisions of the Board of Zoning Appeals may be appealed to the Circuit Court for Carroll County within 30 days of the date of the decision pursuant to Article 66B, Section 4.08 of the Annotated Code of Maryland Rules of Procedure.

Pursuant to Section 223-192C of the County Code, this approval will become void unless all applicable requirements of this section are met. Contact the Office of Zoning Administration at 410-386-2980 for specific compliance instructions.

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