

Tax Map/Block/Parcel  
No. 57-6-8  
Case 5707

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

**APPLICANT:** Rebecca Muller  
2420 Salem Bottom Road  
Westminster, Maryland 21157

**ATTORNEY:** N/A

**REQUEST:** An application for an expansion of an existing conditional use for a kennel from 10 dogs to 20 dogs (Prior Case 5263, October 24, 2006)

**LOCATION:** The site is located at 2420 Salem Bottom Road, Westminster, MD 21157, on property zoned "A" Agricultural District in Election District 7.

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

**HEARING HELD:** June 25, 2013

**FINDINGS AND CONCLUSION**

On June 25, 2013, the Board of Zoning Appeals (the Board) convened to hear the request for an expansion of an existing conditional use for a kennel from 10 dogs to 20 dogs (Prior Case 5263, October 24, 2006). Based on the testimony and evidence presented, the Board made the following findings and conclusions.

Rebecca Muller received the conditional use for a kennel for 10 dogs in 2006. She is now requesting an increase of the kennel from 10 dogs up to 20 dogs. The kennel is located on a dairy farm owned by her father, Tom Muller. There are approximately 59 acres on the farm located in the Agricultural zone. She is the only employee at the kennel. Ms. Muller breeds the dogs and sells them. She breeds Westmoreland Terriers and Pembroke Corgi dogs. However, she does not board dogs. On average she has four litters of dogs to sell a year. She takes her dogs to the veterinarian for their shots. She advertises by word of mouth and in local newspapers. She wants to expand the kennel already there by 24 feet to make it 20' X 40' instead of 20' X 20'. Little traffic is added with the expansion of the kennel when the puppies are sold and picked up about four times a year. The site of the kennel is fairly remote. The nearest house is hundreds of feet away.

Based on a June 5, 2013 letter from Philip R. Hager, Secretary, Planning & Zoning Commission and a June 4, 2013 memorandum from Scott E. Graf, Comprehensive Planner, Bureau of Comprehensive Planning, the property was consistent with the policies and recommendations contained in the Carroll County Master Plan, and the Carroll County Master Plan for Water & Sewerage, and other functional plans. Planning staff did not perceive that the requested expansion of an existing dog kennel would have an adverse impact on the surrounding community. The Board accepted and agreed with this finding.

The Board was convinced that authorization of the request with regard to an expansion of a conditional use to up to 20 dogs was 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 would not unduly affect the residents of adjacent properties, the values of those properties, or public interests. Based on the findings of fact made by the Board above, the Board found that the proposed project would not generate adverse effects (i.e. noise, traffic, dust, water issues, lighting issues, property depreciation, etc.) greater here than elsewhere in the zone.

6-27-13  
Date

  
Harvey Tegeler, Chairman

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.