

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY MARYLAND

APPLICANT: Aaron Eugene Green
2907 Bird View Road
Westminster, Maryland 21157

REQUEST: A request to allow enlargement of an existing dog kennel classified as a nonconforming use.

LOCATION: 2907 Bird View Road in Election District 4.

BASIS: Article 4, Section 4.3(a)(1); Zoning Ordinance 1E.

HEARING HELD: November 24, 1987

FINDINGS AND CONCLUSION

The record of this case is hereby included by reference in this decision. Based on the testimony and evidence comprising the record, the Board hereby authorizes enlargement of the existing dog kennel, subject to the conditions imposed below. The findings justifying the authorization include the facts that the principle uses of the 135.73 acre site include the applicant's residence and farming; dogs have been kept on the property from prior to the adoption of Zoning Ordinance 1E in 1965; improved kennel facilities are proposed, augmenting the existing shelters; and, enlargement of the kennel facilities as conditioned below will permit reasonable use of the property which will not unduly affect the adjoining properties or public interest.

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

1. Operation of the kennel shall be limited solely to Beagles.
2. Operation of the kennel shall be limited to not more than 12 adult dogs, one year of age or older, and a maximum total of 35 canines at any time.

3. A security fence shall be erected to enclose the kennel area, including all individual dog shelters and the combined shelter and caged run structure. The security fence shall be of sufficient height and constructed of appropriate material(s) to retain the dogs within the enclosure. Landscape screening, consisting of white pines, shall be established adjacent to the southerly and westerly sides of the enclosure. Not more than one acre of land--43,560 square feet--shall be enclosed by the fence, defining the kennel facility. Attention is directed to the fact that substantially less than one acre may be enclosed to reduce the area of the facility and cost of fencing.
4. The applicant shall submit a sketch of the kennel facility showing the location and dimensions of the security fence, all individual dog shelters, the combined shelter and caged run structure, and the white pines providing the landscape screening to the Zoning Administrator and the Animal Control Division of the Humane Society of Carroll County, Inc. Construction and use of the combined shelter and caged runs structure, and the individual dog shelters shall be subject to the approval of the Animal Control Division of the Carroll County Humane Society, Inc.
5. Operation of the kennel shall be subject to the requirements of the Carroll County Health Department.
6. The applicant is directed to comply with all conditions of authorization not later than May 1, 1988, and to continue in compliance thereafter as long as the kennel is maintained on the premises.

The applicant's attention is directed to Carroll County Ordinance Number 26, which is known as the Animal Control Ordinance, and to any duly adopted amendment or ordinance pertaining to kennels or dogs.

Jan. 13, 1988

Date

John Totura
John Totura, Chairman