

Case 3215

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: Betty June Shrader
Albert Gutberlet
4523 Baughman Mill Road
Lineboro, Maryland 21088

REQUEST: A conditional use for a kennel for more than 10 dogs, and variances as may be determined necessary.

LOCATION: 4523 Baughman Mill Road in Election District 6

BASES: Article 6, Sections 6.3 (j) and 6.7;
Article 15, Section 15.5; Ordinance 1E

HEARING HELD: July 28, 1989

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, the board hereby authorizes the requests, subject to the conditions of authorization imposed below. The pertinent findings justifying the authorizations include the facts that the establishment of the kennel facilities on the 4.591 acre property, as proposed and conditioned below, will not unduly affect the adjoining properties or public interest. The purpose of the kennel is to provide temporary shelter and placement, if possible, of homeless dogs. When possible, dogs that have become separated from their homes are returned to their owners. Veterinary care is provided as necessary. Dogs that cannot be returned to their owners or placed are normally kept by the applicant.

In order to promote the intent and purpose of the Carroll County Zoning Ordinance, the Board hereby imposes the following conditions of authorization:

1. Establishment and operation of the kennel shall be subject to the provisions of the Animal Control Ordinance of Carroll County.

2. In accordance with the applicant's testimony, the kennel facilities located to the east of the dwelling shall be moved westward to increase the distance from the facilities to the adjoining property to the east.
3. The establishment and operation of the kennel shall be limited to a maximum of 20 dogs of any age at one time.
4. Due to the particular circumstances in this case, the authorization of the conditional use and variances pertaining thereto are limited solely to the applicant, Betty June Schrader, and shall not inure to the benefit of heirs or assigns. This condition shall not preclude reapplication to this Board for a conditional use and variances, if necessary, to operate a kennel on the premises in accordance with the provisions of Ordinance 1E.

In accordance with provisions of Article 17, Section 17.4.9 of Ordinance 1E, the Board extended the time to issue this decision.

Sept. 6, 1989
Date

John Totura
John Totura, Chairman