

Tax Map/Block/Parcel
No. 11-5-274

Building Permit/Zoning
Certificate No. 90-1329

Case 3373

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANTS: Kathy D. Lawson and W. Douglas Dowdy
2201 Blacks School House Road
Taneytown, Maryland 21787

REQUESTS: A conditional use for a kennel for more than
ten dogs, and a variance to the minimum distance
requirements pertaining thereto

LOCATION: 2201 Blacks School House Road in Election
District 3

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

HEARING HELD: June 26, 1990

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 conditional use and variance to the minimum distance requirements pertaining thereto, subject to the conditions imposed below. The pertinent findings justifying the authorizations include the facts that the 10.235 acre property was originally the homesite of a much larger farm; the accessory building proposed for the kennel is appropriately located on the property to minimize any adverse affects to adjoining properties; and, there is no indication that operation of the kennel, as proposed and in compliance with the conditions imposed below, will 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. In accordance with the applicants' presentation to the Board, operation of the kennel shall be restricted to Australian cattle dogs.
2. Not more than twenty of the Australian cattle dogs, regardless of age, may be maintained on the property at the same time.

3. The kennel facilities, consisting of eight runs, and the existing one acre exercise area shall not be enlarged.
4. The dogs shall be contained within the runs, or within the exercise area.
5. In accordance with the applicants' testimony, the purpose of the kennel operation is for a breeding program for Australian cattle dogs.
6. No commercial boarding or grooming shall be permitted.
7. No business identification sign is authorized in conjunction with operation of the kennel.
8. Due to the particular circumstances in this case, the authorization for the establishment and the operation of the kennel is restricted solely to the applicants, and shall not inure to the benefit of assigns or heirs. This condition shall not preclude reapplication by others to this Board in the future for a kennel on the premises in accordance with the provisions of the zoning ordinance.

July 6, 1990
Date

JDN/bmh/c3373dec
July 5, 1990

John Totura
John Totura, Chairman