

Tax Map/Block/Parcel
No. 12-16-569

Building Permit/Zoning
Certificate No. 90-2677

Case 3428

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

APPLICANT: Christine Gorsuch
314 Avalone Lane
Westminster, Maryland 21157

REQUEST: A conditional use for a kennel for not more than ten adult dogs, and a variance reducing the minimum distance requirements pertaining thereto

LOCATION: 925 Leppo 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: September 27, 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, subject to the conditions imposed below.

From evidence developed during the public hearing, the location of the kennel within the dwelling, attached run, and paddock area will comply with the minimum distance requirements. Consequently, the requested variance is dismissed for reason that it is unnecessary.

The pertinent findings determining the Board's authorization include the facts that, as noted above, the kennel will be located within the newly constructed dwelling with a fenced run attached thereto. The paddock area will also be fenced for security purposes. The kennel will be limited to Newfoundland dogs, with a breeding program of one to three litters a year. No commercial boarding or grooming is planned. Accordingly, the Board finds no indication that establishment and operation of the kennel, as proposed and conditioned below, will unduly affect the adjoining properties or public interests.

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

1. The kennel shall be limited to not more than ten adult Newfoundland dogs, with not more than a total of

twenty canines kept on the premises at one time. For purposes of clarification pertaining to this decision, dogs are not considered to be adult until one year of age.

2. No commercial boarding or grooming is authorized in establishment of the kennel.
3. No identification sign is authorized in conjunction with establishment of the kennel.
4. Due to the particular circumstances in this case, the authorization for the establishment and operation of the kennel is restricted solely to the applicant, 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.

Oct. 5, 1990
Date

JDN/bmh/c3428dec
October 4, 1990

John Totura
John Totura, Chairman