

Tax Map/Block/Parcel  
No. 31-1-346

Building Permit/Zoning  
Certificate No. 92-0660

Case 3698

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

**APPLICANTS:** Kenneth R. Mays and Mary L. Mays  
51 John Owings Road  
Westminster, Maryland 21157

**ATTORNEY:** John T. Maguire, Esquire  
189 East Main Street  
Westminster, Maryland 21157

**REQUESTS:** To revise the conditions of authorization imposed by the Board in Case 3387, or to reauthorize the conditional use for the kennel revising the conditions of authorization; and, to dismiss the Notice of Violation dated January 27, 1992 for keeping other than Newfoundland dogs

**LOCATION:** 51 John Owings Road in Election District 7

**BASES:** Article 17, Section 17.2; Article 5, Sections 5.2(c) and 5.5; Ordinance 1E (The Carroll County Zoning Ordinance)

**HEARING HELD:** April 27, 1992

**FINDINGS AND CONCLUSION**

The application, testimony and evidence comprising the record of this case are hereby included by reference in this decision. This case stems from the Notice of Violation dated January 27, 1992 for violation of condition 2 of Case 3387 regarding establishment of a kennel as a conditional use. Based on the record, the Board hereby finds no violation of the conditions of authorization imposed in Case 3387 and dismisses the Notice of Violation. In so finding, the Board affirms the interpretation of condition 2 of the decision advocated by the appellants in the case herein. That interpretation permits the appellants to keep no more than fifteen adult Newfoundland dogs on the premises at any one time. That number is diminished by as many adult dogs, not to exceed four, as kept or maintained within the dwelling at any one time. The breed of dogs maintained within the dwelling may differ from that of Newfoundland dogs. Newfoundland dogs kept on the premises must be maintained in separate kennel facilities established for that purpose. Accordingly, the requests to revise the conditions of authorization imposed in Case 3387, or to reauthorize the conditional use, revising the conditions are moot.

Date

*May 4, 1992*

John Totura, Chairman

*John Totura*

JDN/bmh/c3698dec  
April 30, 1992