

Tax Map/Block/Parcel
No. 70-12-19

Building Permit/Zoning
Certificate No. 98-0097

Case 4296

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANTS: Susan Keane, D.V.M. and Jonathan Bramson, V.M.D.
9318 Old Scaggsville Road
Laurel, Maryland 20723

REQUEST: A conditional use request for a veterinary clinic/animal hospital and variances to the lot area, distance and parking requirements

LOCATION: 6201 Ridge Road on property zoned "C" Conservation District in Election District 13

BASES: Article 5, Section 5.2(b) and 5.5; Article 4, Section 4.12; and Article 14, Section 14.1; Ordinance 1E (The Carroll County Zoning Ordinance)

On February 25, 1998, the Carroll County Board of Zoning Appeals (the "Board"), convened to hear the request for a conditional use for a veterinary clinic/animal hospital and variances to the lot area, distance and parking requirements at 6201 Ridge Road on property zoned "C" Conservation District in Election District 13 by Susan Keane, D.V.M. and Jonathan Bramson, V.M.D. Appearing on behalf of the applicants was Clark R. Shaffer, Esquire.

The applicants are contract purchasers of Lot 1 of Falling Green subdivision, "a cluster subdivision", consisting of 3.1017 acres. The applicants seek to establish a veterinary clinic on the property. The property is improved by a farmhouse constructed in 1865. Also located on the property is an existing garage, 24' by 50'. The applicants propose to construct a 50' x 30' addition to the existing garage which will serve as the veterinary clinic. The lot area requirement for the conditional use in the Conservation zone is 10 acres. The distance requirements are 400 feet from:

- "(a) any lot in an "R" District; or:
- (b) any lot of less than 3 acres occupied or intended to be occupied by a dwelling not located on the same lot as the said use or buildings; or,
- (c) any lot occupied by a school, church or institution for human care; or,
- (d) the curtilage area within a lot of 3 or more acres improved by a dwelling."

Article 4, Section 4.12

The applicants seek permission to reduce the lot area to

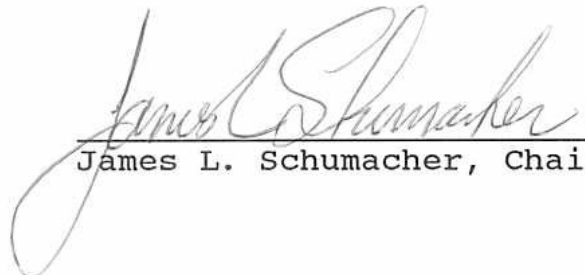
3.1017 and the distance requirements to: 150 feet from Lot 2, 175 feet from Lot 4, and 175 feet from the lot across from Ridge Road. In addition, they seek a parking variance from 14 to 12 spaces.

The subject property was part of a 152 acre farm which was subdivided by the owner and the contract seller herein, Falling Green, L.L.C. The subject property is bordered on two sides by Parcel A, comprising of 20 acres of open space. In addition, the open space next to Maryland Route 27 is heavily wooded and shields the subject property from the road. The applicants seek to operate their animal clinic, Monday through Friday and Saturday mornings. At first the operation will be run by Dr. Susan Keane. Eventually, Dr. Bramson will also join the practice full-time. They will cater to small animals and have no more than two full-time and one part-time employees. They propose to erect a small 4' x 6' sandblasted sign in the open space facing Maryland Route 27 to advertise their business. The hospital will be completely enclosed and will not have any exterior kennels nor will it permit boarding of animals other than recuperating patients. Due to the unique configuration of the lot and location of the open space contiguous to the lot, the Board finds that the use proposed should be well suited for the location and hereby approves the use and variance requested subject to the following conditions:

1. A double row of pine trees must be placed between Lot 1 and 2 to help screen the use from the adjoining properties.
2. Hours of operation are restricted to normal business hours during the week, half day on Saturdays and no Sunday hours.
3. No more than two full-time and one part-time employees may be employed.
4. The practice shall be limited to small animals.
5. The use will be subject to a site plan review.
6. The prospective contract purchasers of Lot 2 must be notified of this use prior to signing a contract of sale.

March 20, 1998
Date

IM/bmh/c4296dec.bmh
March 19, 1998


James L. Schumacher, Chairman