

**Tax Map/Block/Parcel  
No. 37-19-24**

**Case 5424**

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

**APPLICANT:** Stacey Louise Graft  
238 Clear Ridge Road  
Union Bridge, Maryland 21791

**ATTORNEY:** n/a

**REQUEST:** A conditional use for a kennel for less than 10 dogs and a variance from the required 200 ft. setback to 107 ft.

**LOCATION:** The site is located at 238 Clear Ridge Road, Union Bridge, MD 21791, on property zoned "A" Agricultural District in Election District 2.

**BASIS:** Code of Public Local Laws and Ordinances, Section 223-16 and 223-71 A (12)

**HEARING HELD:** June 25, 2008

**FINDINGS AND CONCLUSION**

On June 25, 2008, the Board of Zoning Appeals (the Board) convened to hear a conditional use request for a kennel for less than 10 dogs and a variance from the required 200 ft. setback to 107 ft. Based on the testimony and evidence presented, the Board made the following findings and conclusion.

The Applicant is constructing a house on this 4.5 acre lot in the Agricultural zone. The lot is "L" shaped, and is narrow but deep. The Applicant wishes to keep 9 dogs in a 16 ft. x 8 ft. shed on the property. They are personal pets but 4 dogs will be used to breed puppies for sale. No dogs will be boarded at the property. The shed will have heat and air conditioning. There will be no outdoor runs. The Applicant will be in the residence on the property most days. The kennel building will be 250 feet from the residence.

The Board finds there would be few, if any adverse effects from the proposed use. There will be no noise, dust, fumes, glare or diminution of property values resulting from a kennel at this location. The dogs will be kept indoors, thereby eliminating barking noise. There will be no customer traffic to the property, as dogs will not be boarded there. In summary, the adverse

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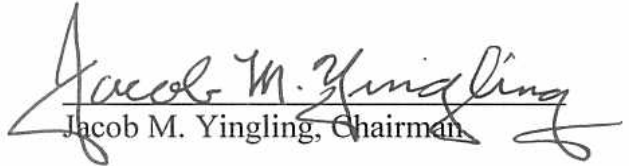
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effects, if any, from the proposed use would be no greater here than elsewhere in the zone. Accordingly, the request for a conditional use for less than ten dogs is granted.

Turning to the variance request, the Board noted the odd, "L" shape of the lot, which is narrow but wide. Due to the configuration of the lot, there is nowhere on the property where a kennel could be located which would not require a variance. Accordingly, the Board found that denial of the requested variance would result in undue hardship and practical difficulty. Accordingly, the variance from the required 200 ft. setback to 107 ft. was granted.

7/23/08  
Date

  
Jacob M. Yingling, Chairman