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Office of
Zoning Administration

Official Decision
Case ZA-1132
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Ellwood and Denise Bartlett, Case No. 5481
LOCATION:	4720 Turkey Foot Road, Westminster, Maryland 21158
ZONING:	"A" Agricultural District
DATE OF HEARING:	Thursday, April 30, 2009
REQUEST:	An accessory use for a resident private kennel housing no more than (12) dogs within a dwelling.
CODE PROVISIONS:	§ 223-12, 223-181.1

FINDINGS AND CONCLUSIONS

Based on the testimony and evidence presented at the hearing, the Accessory Use is **DENIED.**

Findings:

Facts which support the request for relief, in this case permission to establish a private kennel as an Accessory Use within a dwelling pursuant to §223-12, are as follows:

The applicant has requested an accessory use for a private kennel for no more than twelve (12) dogs (personal use). The property owner currently houses eight (8) animals on his property (three German Shepherds, and five varying breeds of small to sized dogs), to which each animal is presently spayed/neutered, and fully licensed. The property owner is seeking the accessory use for private use only, and has no intention of breeding, selling, boarding, grooming or otherwise commercially operating a dog kennel. The site is located at 4720 Turkey Foot Road, Westminster, Maryland 21158 on property zoned "A" Agricultural District in Election District 6.

A number of homeowners from the community appeared in opposition to the approval of the Accessory Use. It is apparent from the evidence that there is a legitimate concern within the community as to the feasibility of housing such an exorbitant number of animals on a single property. Additionally, it appears that the community at large has strong reservations regarding the barking of the dogs, and the noise which said barking will generate.

Conclusions:

After review of the testimony and evidence the Zoning Administrator finds that the large number on animals sought to be kept on the property will result in an extremely high probability of substantial negative impact on the community at large. Therefore, said adverse effects will result in the denial of Applicant's Accessory Use.

Note: This Decision may be appealed to the Board of Zoning Appeals within thirty (30) days of the date issued in accordance with Sections 223-182 and 223-188 of the County Code.

A Decision of the Zoning Administrator made pursuant to Section 223-181.1 is final and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

5/7/09
Date

Michael D Murray
Zoning Administrator