Carroll County Government
225 North Center Street
Westminster, Maryland 21157
410-386-20980
Toll-Free 1-888-302-8978
Fax 410-840-8931
TT 410-848-9747

Office of
Zoning Administration

Official Decision
Case ZA-1142
Zoning Administrator
Carroll County, Maryland

APPLICANT:	Stephen Manetto, Case No. 1142
LOCATION:	4804 Westfield Drive, Hampstead, Maryland 21074
ZONING:	"R-20,000" Residential District
DATE OF HEARING:	Wednesday, July 1, 2009
REQUEST:	An accessory use for a resident private kennel housing no more than (4) 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 **GRANTED.**

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 four (4) dogs (personal use). The property owner currently houses four (4) animals on his property (varying breeds of medium to large 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 4804 Westfield Drive, Hampstead, Maryland 21074 on property zoned "R-20,000" Residential 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 these animals on a single property. Additionally, it appears that the community at large has strong reservations regarding the behavior of the dogs, and the threat to the community which said behavior will generate.

However, although the opposition is noted here for the record (and continues to be a strong factor in the decision of the Zoning Administrator), it has come to the attention of the Zoning Office that the neighbors objecting to the granting of this accessory use, would remove their objections if the owner of the property would build a privacy fence to keep the dogs contained.

Conclusions:

After review of the testimony and evidence the Zoning Administrator finds that the number animals sought to be kept on the property will not result in an extremely high probability of substantial negative impact on the community at large. Therefore, lack of said adverse effects will result in the granting of Applicant's Accessory Use so long as the following conditions are met:

1.) The Applicant must erect a privacy fence upon the rear portion of Applicant's property to keep the dogs properly confined.
2.) The dogs must be kept confined to the rear portion of Applicant's property and must not be let loose on any other portion of the property unless properly bound by leash or kept under the control of the Applicant.

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.

7/14/09
Date

Michael D. Murray
Zoning Administrator