Jay C. Voight, Zoning Administrator

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Office of Zoning Administration

Department of
Land Use, Planning, & Development
Carroll County Government
225 North Center Street
Westminster, Maryland 21157

Official Decision
Case ZA-1273
Zoning Administration
Carroll County, Maryland

APPLICANT:	Constance Farley
REQUEST:	A private kennel for more than 3 dogs as an accessory use
LOCATION:	705 William Avenue, Westminster, MD 21157
MAP/BLOCK/PARCEL:	46/20/88 ~ Lot 65
APPLICABLE REGULATIONS:	Chapter 223, Article III, § 223-12
HEARING HELD:	April 6, 2011

FINDINGS AND CONCLUSIONS

Based on the testimony and evidence presented at the hearing the accessory use is denied.

Facts which support the request for relief from the strict terms of the Ordinance, in this case, an accessory use for a private kennel for more than 3 dogs are as follows:

Based upon my site visit and observing the property and the existing number of animals on the property, along with the testimony of neighbors about the treatment of the animals, the use is denied. The applicant applied for 5 dogs to be approved. During testimony, the applicant stated that there are 6 dogs on the property along with 6 cats. The size of the applicant's lot is 12,750 square feet which is a small lot, and with a house and a large pool, leaves little room for both dogs and cats. In addition to it being a small lot, the applicant has installed a 6 foot tall opaque fence around the front of the property for the dogs to use as a run area. The size of the run area may be adequate for 3 dogs, but not 6 dogs. According to testimony given at the hearing, there has been a chronic problem of dogs getting out of the fenced area and running loose throughout the neighborhood.

According to testimony given, the dogs on the property are constantly barking at all hours of the day.

Brian Rupp of the Carroll County Humane Society, Chief Enforcement Officer, also testified that there has been a lack of effort by the applicant to follow dog licensing rules in the county.

Based on the testimony and evidence presented at this hearing, the application for a private kennel for 10 dogs or less is denied.

Note: An appeal of a Decision made pursuant to Chapter 223-181.2 may be made to the Board of Zoning Appeals within thirty (30) days of the date of the Zoning Administrator's decision in accordance with Chapter 223-182 and 223-181 of the Code of Public Local Laws and Ordinances.

A decision of the Zoning Administrator made pursuant to Chapter 223-181 is final and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

April 19 2011
Date

Jay C Voight
Jay C. Voight
Zoning Administrator