CARROLL COUNTY GOVERNMENT
225 N. Center Street
Westminster, Maryland 21157
410-386-2980 888-302-8978
FAX 410-876-9252
T.D.D. 410-848-5355

Office of Zoning Administration
Neil M. Ridgely
Zoning Administrator

Notice of Decision

Case # ZA-792
Permit # 03-3392

Variance Request: For a reduction in the minimum lot size from 3 acres to 2.36 acres to keep two alpacas on property located at 514 Clear Ridge Road, Union Bridge, MD, election district 2 by Michael David Cullinane.

Basis for Variance: Chapters 223-75 and 223-181 of the Carroll County Code of Public Local Laws and Ordinances.

Decision: Approved, with condition

Basis for Decision: A site visit to the property indicated that there is ample space to the front and rear of the home to raise a limited number of Alpacas. Although the Carroll County Code of Public Local Laws and Ordinances does not address Alpacas as a species, the Zoning Administrator did a considerable amount of internet research on these animals and spoke at length with Ms. Nicky Ratliff, Director of the Carroll County Humane Society about the characteristics and space requirements for these animals. Generally, it is accepted by animal welfare specialists that a minimum of 500 square feet be provided one Alpaca and that an additional 625 square feet be available for each additional Alpaca. Those square footages would be an absolute minimum and there is additional information within the Alpaca breeding industry that a minimum of one acre be provided for four Alpacas.

Testimony was given at the hearing by neighbors expressing concern about the potential for an adverse effect on their potential subdivision and generally trying to find out more information about Cullinane's intentions. Any insinuation that the keeping of a few Alpacas on a parcel in this rural area would be a problem must be dismissed out of hand. There are several goats, horses and cows being kept on nearby farms and parcels. Within reason, the presence of farm and domestic animals in a rural area is considered the norm. There are legitimate concerns that the Cullinane's could eventually desire to have more that the two mentioned in their variance request and those concerns will be addressed in the conditions set within this approval.

It is the Zoning Administrator's opinion that approval of the variance request will not:

- Adversely affect the public health, safety, security, morals, or general welfare.
- Result in dangerous traffic conditions or jeopardize the lives or property of people living in the neighborhood.

Denial of the variance request would result in an unnecessary hardship for the Cullinanes

within reasonable expectations of the peaceable use of their property.
In making this determination, the Zoning Administrator cannot answer in the affirmative to the criteria provided in Section 223-191 of the Carroll County Code that:

- There would be a detrimental effect on the people working or residing in the area
- There would a negative impact on the orderly growth of the community
- There would be a detrimental effect on the peaceful enjoyment of people in their homes.
- That the use would have a negative effect on the conservation of property values.
- That there would be any effect from odors, dust, gas, smoke, fumes, vibrations, glare, and noise upon surrounding property values.
- That any associated structures, such as a barn or loafing shed, would negatively impact the neighborhood.

Conditions of Approval: This approval is granted with the following conditions:

1. That the number of Alpacas on the property not exceed four in number, of any age. Should the Cullinanes desire to increase the number of Alpacas to a number greater than four, they must reapply for a new variance, which would thereby provide a new hearing and an opportunity for the neighbors to testify as to the positive or negative effects of the Alpacas granted in this approval.
2. That the Cullinanes provide at least one leeward facing shelter for the animals. Any shed or barn to be constructed must have an approved Carroll County Building Permit.
3. The height of the fence for containment of the animals is not to exceed five (5) feet in height.
4. The variance does not transfer with the property; it is solely for this applicant. Should the property be sold and the new owners wish to continue with raising or keeping Alpacas, they would have to apply for a new variance.
5. The decision is limited to the species Alpaca only.

For the above stated reasons this variance is approved with the stated conditions.

15 October 2003

Neil M. Ridgely
Zoning Administrator

Per Section 223-182 or the Carroll County Code of Public Local Laws and Ordinances, appeals of this decision must be made within 30 days of the date of the decision to the Board of Zoning Appeals pursuant to Section 223-188 of the Carroll County Code. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.