

Tax Map/Block/Parcel
No. 61-23-59

Building Permit/Zoning
Certificate No. 96-2371

Case 4132

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARL COUNTY, MARYLAND

APPLICANT: Kelly E. Drechsler
2417 Liberty Road
Westminster, Maryland 21157

ATTORNEY: Michelle Ostrander, Esquire
23 North Center Street
Westminster, Maryland 21157

REQUEST: A conditional use request for a kennel for ten or less dogs and variances to the minimum yard requirements pertaining thereto

LOCATION: 2417 Liberty Road (Md. Rt. 26) in Election District 9

BASES: Article 5, Sections 5.2(b) and 5.5; Article 15, Section 15.5.4(d); Ordinance 1E (The Carroll County Zoning Ordinance)

On August 29, 1996, the Carroll County Board of Zoning Appeals held a hearing on the above captioned case. The hearing was continued to September 26, 1996 to afford the applicant an opportunity to present additional testimony. At the continuation of the hearing, the applicant was represented by Michelle Ostrander, Esquire. The applicant seeks a conditional use for a kennel of six dogs on property which is owned by her mother and uncle and leased to her. The applicant's mother appeared at the hearing and joined in the request.

FINDINGS AND CONCLUSIONS

The applicant, Kelly E. Drechsler testified that she has five adult Siberian Huskies on the property located at 2417 Liberty Road, Westminster, Maryland 21157. The property is owned by her mother and her uncle and is leased to her and her husband who reside there. It is a 60 acre parcel that is zoned "C" Conservation. The applicant does not want to board dogs, or offer grooming services. She seeks a kennel license to permit her to keep the dogs she has. They are her pets. She breeds the dogs and seeks permission to continue to do so. She will permit her dogs to breed so that there are no more than two litters per year. The dogs are kept in kennels which were old chicken houses located behind the house. She intends to install 4 foot fencing to completely enclose the area where the dogs are located. The closest house or residential lot is located across Route 26 some

200 feet from the kennel. As the exact number of feet is unclear, the applicant sought a variance to the distance requirement in the event one is needed.

The Board finds the testimony of the applicant to be credible and concludes that the kennel at the location proposed will not have adverse effects on the neighborhood. Therefore, the Board approves the request. To the extent a variance to the distance requirements is needed, one is granted. The Board will limit the use to that which the applicant has requested:

- (1) No commercial boarding is allowed. The applicant, may if the need arises, under special circumstances, occasionally board other dogs.
- (2) No grooming is permitted.
- (3) No more than six adult dogs are allowed.
- (4) The fencing contemplated must be constructed.
- (5) Breeding is limited to no more than 2 litters per year.

10/22/96

Date

Karl V. Reichlin

Karl V. Reichlin

IM/bmh/c4132dec.bmh
October 15, 1996