

Tax Map/Block/Parcel
No. 69-1-187

Building Permit/Zoning
Certificate No. 96-0048

Case 4084

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANTS: Kevin Patton and Carolyn Hricko
4800 Arlington Drive
Sykesville, Maryland 21784

REQUEST: A conditional use for a kennel for four dogs and variances reducing the minimum lot area, lot width, setback, and distance requirements of 200 feet pertaining thereto

LOCATION: 4800 Arlington Drive in Election District 5; Lakeland Heights subdivision, Section 2, lot 1 recorded in Carroll County Plat Records in book 7, page 36

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

HEARING HELD: February 28, 1996

FINDINGS AND CONCLUSION

The application, testimony and evidence comprising the record of this case are hereby included by reference in this decision. Based on the record and in accordance with the state Open Meetings Act, the Board authorized the conditional use and variances, subject to the conditions of authorization noted below. The pertinent findings determining the decision include the following facts.

When the applicants purchased their home in April of 1995, they were unaware that only three adult dogs are permitted without authorization of a conditional use for a kennel. If they had known of the regulation, they would not have purchased the home. From time to time, the dogs' barking has adversely affected residents of adjacent homes. The applicants now understand that the barking has disturbed the neighborhood's peace and quiet and that they must take corrective action to reduce the barking and its adverse affects. From the record, it is evident as long as the barking is substantially reduced, no one in the neighborhood wishes to force the applicants to choose and dispose of one of their dogs. The dogs have been neutered or spayed, and the applicants plan landscaping and a privacy fence to restrict the dogs' view of passing pedestrians and vehicles to minimize barking.

Based on the record, the Board hereby authorizes the conditional use and variances to allow the applicants to keep the fourth dog, subject to the conditions that: (1) the authorizations are solely for the four existing dogs and that when the number is reduced to three dogs the authorization shall become void; (2) boarding, breeding, and commercial grooming of dogs are prohibited; (3) concerted efforts shall be maintained to remove wastes in compliance with the requirements of the Carroll County Health Department, and (4) the authorizations are solely for the applicants and shall not inure to the benefit of assigns or heirs.

3/15/96

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman