

**Tax Map/Block/Parcel**  
**No. 38-15-284**  
**Case 5718**

**OFFICIAL DECISION**  
**BOARD OF ZONING APPEALS**  
**CARROLL COUNTY, MARYLAND**

**APPLICANT:** Vanessa Kay Armstrong  
1219 Old Taneytown Road  
Westminster, Maryland 21157

**ATTORNEY:** Isaac Menasche

**REQUEST:** A request for an expansion of an existing conditional use for a kennel to 35 dogs during the day and 15 during the night (prior case 5457, January 6, 2009).

**LOCATION:** The site is located at 1219 Old Taneytown Road, Westminster, MD 21157, on property zoned "A" Agricultural District in Election District 7.

**BASIS:** Code of Public Local Laws and Ordinances, Chapter 223-71 A (12)

**HEARING HELD:** August 30, 2013

**FINDINGS AND CONCLUSION**

On August 30, 2013, the Board of Zoning Appeals (the Board) convened to hear the request for an expansion of an existing conditional use for a kennel to 35 dogs during the day and 15 during the night (prior case 5457, January 6, 2009). Based on the testimony and evidence presented, the Board made the following findings and conclusions.

Vanessa Kay Armstrong testified that she is the owner of "We've Gone to the Dogs." In 2009 the Board approved a conditional use for a kennel (Case 5457) of no more than 18 dogs on the property. Ms. Armstrong has property that is 7 and 1/4 acres. She resides right next door to the kennel. She personally conducts an evaluation of the dogs that can come to her kennel, which includes a dog personality profile. The kennel includes two indoor play areas and some outdoor play areas. When dogs arrive at the site they are assigned to a playgroup. The dogs are placed according to their size and temperament. She and her staff actively play with the dogs during the day. Most of the dogs are crated for meal times. She employs three full time workers and also has two or three part time workers. Her kennel has been designated by Angie's List as one of the top kennels in the Baltimore area. She has separate fenced in areas for the dogs. There have not been any fights at the kennel, and no dog has ever gotten loose at the site. Most

of her clients have been with her for years. She must regularly rejects new dogs because of her existing client base and her current limit of 18 dogs. If she was granted the proposed use she would probably hire at least two more employees. Her current request to the Board is based on the current demand and is the maximum that she could personally handle.

Based on an August 12, 2013 letter from Philip R. Hager, Secretary, Planning & Zoning Commission and an August 5, 2013 memorandum from Scott E. Graf, Comprehensive Planner, Bureau of Comprehensive Planning, the property was consistent with the policies and recommendations contained in the Carroll County Master Plan, the Carroll County Master Plan for Water & Sewerage, and other functional plans. The request was also compatible with the vision and goals for the area. The Board accepted and agreed with this finding. The Board also considered a concern by Planning of “up to 35 dogs during the day and 15 at night on a parcel of this size with several nearby dwellings.” The Board did not find that there were several nearby dwellings near the kennel based on all of the evidence.

The Board was convinced that authorization of the request with regard to a conditional use was consistent with the purpose of the zoning ordinance, appropriate in light of the factors to be considered regarding conditional uses of the zoning ordinance, and would not unduly affect the residents of adjacent properties, the values of those properties, or public interests. Based on the findings of fact made by the Board above, the Board found that the proposed project would not generate adverse effects (i.e. noise, traffic, dust, water issues, lighting issues, property depreciation, etc.) greater here than elsewhere in the zone. For all of these reasons the Board granted the conditional use.

9-5-13

\_\_\_\_\_  
Date



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Harvey Tegeler, Chairman

Decisions of the Board of Zoning Appeals may be appealed to the Circuit Court for Carroll County within 30 days of the date of the decision pursuant to Article 66B, Section 4.08 of the Annotated Code of Maryland Rules of Procedure.

Pursuant to Section 223-192C of the County Code, this approval will become void unless all applicable requirements of this section are met. Contact the Office of Zoning Administration at 410-386-2980 for specific compliance instructions.

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