

**Tax Map/Block/Parcel
No. 2-22-44**

Case 5479

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

APPLICANT: Pamela L. Wilson
5136 Teeter Road
Taneytown, Maryland 21787

ATTORNEY: n/a

REQUEST: A conditional use for a commercial kennel for less than 10 dogs and a variance from the required 30 ft. right side setback to 10 ft.

LOCATION: The site is located at 5136 Teeter Road, Taneytown, MD 21787, on property zoned "A" Agricultural District in Election District 1.

BASIS: Code of Public Local Laws and Ordinances, Section 223-71 A (12), 223-75 and 223-16

HEARING HELD: April 23, 2009

FINDINGS AND CONCLUSION

On April 23, 2009, the Board of Zoning Appeals (the Board) convened to hear a conditional use request for a commercial kennel for less than 10 dogs and a variance from the required 30 ft. right side setback to 10 ft. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The Applicant resides on this 3.2 acre (+-) parcel in the Agricultural zone. The property is improved with her residence and several outbuildings. She wishes to use a 10' x 24' building on the property as a commercial boarding kennel. She hopes to board up to 10 dogs. In addition, she hopes to provide dog grooming services for the public. The kennel would be open 7 days per week, with pick up and drop off hours from 7:00 a.m. to around 7:00 p.m.

The property is shaped like a trapezoid, and is surrounded by woods. In addition, the property includes a well, septic system, and livestock grazing area. This narrow lot is 250 feet wide. The area selected for the kennel was designed to minimize any impacts on the closest neighbor. The surrounding neighborhood is sparsely populated.

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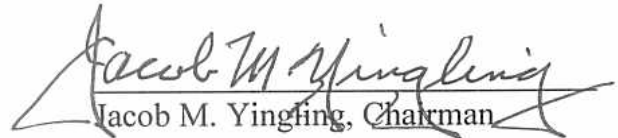
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Based on the above, the Board found that the keeping and occasional grooming of up to 10 dogs at this location will not general noise, dust, fumes, odors, or excessive traffic greater here than elsewhere in the Agricultural zone. The property is remote, naturally screened, and well suited for a small scale boarding kennel and grooming business. Traffic will be negligible. As a result, the request for a conditional use for a commercial boarding kennel with grooming services was approved.

Turning to the variance, the Board found that the lot had a unique, trapezoid shape. The lot is long and narrow. Due to its narrow width, and the existence of the well, septic, and outbuildings, there is nowhere else on the lot where the proposed kennel could be feasibly located. In addition, the chosen location for the kennel building is the furtherest from the adjoining neighbor. A strict application of the setbacks in this case would result in undue hardship and practical difficulty. As a result, the variance was granted.

5/20/09
Date


Jacob M. Yingling, Chairman