

Tax Map/Block/Parcel  
No. 47-23-93

Building Permit/Zoning  
Certificate No. 05-3720

Case 5154

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

**APPLICANT:** Robin Walsh  
828 Wesley Road  
Finksburg, MD 21048

**ATTORNEY:** Bradley W. Bauhof

**REQUEST:** A conditional use for a breeding kennel for up to 50 dogs (Labrador Retrievers) for the purpose of breeding, training and selling with no intention to have a public or private boarding facility.

**LOCATION:** The site is located at 828 Wesley Road, Finksburg, on property zoned "A" Agricultural District in Election District 4.

**BASIS:** Code of Public Local Laws and Ordinances, Chapter 223-16, 223-71 A (12) and 223-186 A (2)

**HEARING HELD:** January 4, & February 22, 2006

**FINDINGS AND CONCLUSION**

On January 4, & February 22, 2006, the Board of Zoning Appeals (the Board) convened to hear a request for a conditional use for a breeding kennel for up to 50 dogs (Labrador Retrievers) for the purpose of breeding, training and selling dogs. The Board made the following findings and conclusion:

The Applicant has resided at the subject property for six years. The property is 132 acres with a barn/kennel located in the center of the parcel. The barn/kennel is not visible to the public. Her closest neighbor is approximately 500 ft. from her home. The rest of the property is used for farmland and for horse pastures.

The Applicant breeds and sells Labrador Retrievers. There are between four to six litters of puppies per year, producing between 2 to 10 puppies. Most puppies are "pre-sold" and there is sometimes a waiting list.

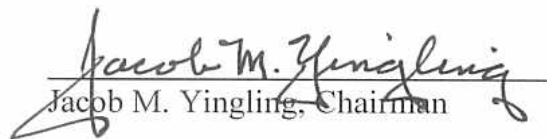
There is no customer traffic or boarding of dogs at the property. The Applicant runs the kennel with one full time employee and some part time help. There are indoor/outdoor runs for the dogs.

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The Board finds that the proposed use at this location, with certain conditions, will not generate adverse effects above and beyond those normally associated with such a use. Accordingly, the conditional use is granted, subject to the following conditions, which are imposed to minimize noise and to prevent overcrowding of dogs to protect the health, safety and welfare of the community.

1. The Applicant may keep up to thirty (30) adult dogs on the property on a permanent basis.
2. In accordance with the Code of Public Local Laws and Ordinances, §103-19, a site plan must be submitted, which includes a fenced in exercise area for the dogs.
3. The conditional use is granted to the Applicant and is non-transferable.

3/20/06  
Date

  
Jacob M. Yingling, Chairman