

**Tax Map/Block/Parcel  
No. 51-13-52**

**Building Permit/Zoning  
Certificate No. 04-3660**

**Case 5000**

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

**APPLICANT:** Todd Mitchell  
1723 Bowersox Road  
New Windsor, MD 21776

**ATTORNEY:** n/a

**REQUEST:** Conditional use for a kennel for less than 10 dogs, and variances as needed from the required setbacks.

**LOCATION:** The site is located at 1723 Bowersox Road, New Windsor, on property zoned "A" Agricultural District in Election District 11.

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

**HEARING HELD:** January 5 & February 22, 2005

**FINDINGS AND CONCLUSION**

On January 5 & February 22, 2005, the Board of Zoning Appeals (the Board) convened to hear a conditional use for a kennel for less than 10 dogs. The Board made the following findings and conclusion:

The Applicant is seeking conditional use approval for a "kennel" to enable his family to keep up to nine dogs. The dogs are kept in the house, and are mostly Chesapeake Bay Retrievers. Some dogs are temporary "rescues" from shelters that are cared for by the Applicant. The Applicant and his family have a lot of experience with this breed, and train some of the dogs as service dogs to assist the handicapped.

The Board finds that the proposed use here will not generate adverse effects above and beyond those normally associated with such a use. However, the imposition of conditions on this approval are appropriate.

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1. No more than nine (9) dogs may be housed on the premises.
2. An "above ground" fence must be installed in an area behind the house no closer than 100 feet to the right of the property line and no closer than 150 feet from the left side of the property line to contain the dogs when they are not in the house.
3. The Applicant shall submit a site plan for this use to the County.
4. No kennel license should be issued until all conditions of this decision are met.

The grant of a variance is appropriate in this case due to the size and shape of the lot and the unusual aspect of this "kennel", in which the dogs largely reside indoors. Therefore, a variance from the 200 foot setback is granted for 100 feet on the right side, 113 feet for the front yard, and 150 feet from the left side of the property.

Date

3/11/05

  
Jacob M. Yingling, Chairman