

IN THE MATTER OF : BEFORE THE  
**Regina Robert-Knipp** : HOWARD COUNTY  
Petitioner : BOARD OF APPEALS  
 : HEARING EXAMINER  
 : BA Case No. BA-22-005C  
.....

### **DECISION AND ORDER**

On June 22, 2022, the undersigned, serving as the Howard County Board of Appeals Hearing Examiner, and in accordance with the Hearing Examiner Rules of Procedure (“Rules”), heard the petition of **Regina Robert-Knipp**, Petitioner, for a Conditional Use for Kennels and Pet Grooming Establishments (Section 131.0.N.31) and a Pet Day Care Facility (Section 131.0.N.39). The Petitioner provided certification that notice of the hearing was advertised and certified that the property was posted as required by the Howard County Code.

The Petitioner was not represented by counsel. The following people appeared or testified in support of the petition: Regina Robert-Knipp; Lea Newbern; Corinne Espeut; Jessica Chiu; Stacey Keller and Suzanne Swisher. The following person was in attendance to observe and ask questions: Jennifer Phillips.

### **PROCEDURAL MATTERS**

In an April 4, 2022, memo to me, Geoff Goins of the Division of Public Service and Zoning Administration, Howard County Department of Planning and Zoning (“DPZ”), stated that the Conditional Use Plan filed by the Petitioner was missing required information. He stated that he believed that the required information could be obtained through additional communication between his staff and the Petitioner and proceeded to forward the application for hearing.

At the hearing on June 22, 2022, the Petitioner stated that, in response to a phone call with

Mr. Goins, she submitted a revised Conditional Use Plan (“Revised Plan”) with the additional information – the Revised Plan was dated as received on April 19, 2022. I confirmed that the DPZ Technical Staff Report dated June 8, 2022 (“Staff Report”) was based on the Revised Plan.

### **FINDINGS OF FACT**

Based upon the preponderance of the evidence presented at the hearing and in the record, I find the following facts:

A. **Property.** The subject property, known as 755 E. Watersville Road, Tax Map 2, Grid 22, Parcel 75 (the "Property"), comprises 111.31 acres. The Conditional Use Area (“Site”) comprises 2.00+/- acres. The Property is in the RC-DEO (Rural Conservation: Density Exchange Option) zoning district. The irregular-shaped Property includes a stream located in the northeast corner of the Property, forested areas along the north and northeast Property boundaries, and a small wetland area is in the northwest corner. The Property rises from an elevation of 624 feet at the far northeast corner to 733 feet at the southeast corner adjacent to Old Frederick Road.

B. **Vicinal properties.** To the north, south, east and west are RC-DEO zoned parcels used for Single-Family Detached Dwelling units. To the south is a parcel used for a religious facility.

C. **Roads.** Watersville Road has two (2) travel lanes within a variable 60-foot right-of-way. The speed limit is 25 miles per hour. Traffic count data is not available for this portion of Watersville Road.

D. **Water and Sewer Service.** The Property is not in the Planned Service Area for Water and Sewer. The Property is served by private water and septic facilities.

E. **General Plan.** The Property is designated Rural Resource on the Designated Types Map of PlanHoward 2030. Watersville Road is designated as a Minor Collector.

**F. Zoning History.**

- BA-85-50E - Special exception for public utility use; structure & communication tower for cellular phone. Granted on March 24, 1986.
- BA-07-004C - Conditional Use for a farm tenant house in an RC-DEO (Rural Conservation Density Exchange Option) Zoning District. Granted May 21, 2007. Extension of approval denied June 1, 2009.

**G. Current Use.** The Property is the site of a farm, several structures including two single family detached dwellings, two (2) farm buildings, a communications tower and several smaller accessory structures.

**H. Site Description.** The area proposed for the Conditional Use is shown on the Revised Plan as an approximately 2-acre rectangular portion of the Property located at the end of an approximately 592-foot driveway with egress and ingress from Watersville Road (“Site”). The 2-acre Site includes an existing 2400 SF insulated climate-controlled pole barn in the middle of the Site. The Petitioner proposes adding a fenced-in area (the fence will be a 6-foot aluminum chain link fence) attached to the pole barn (approximately .75 acres) for the dogs for outdoor play, a drop-off/pickup area, and 10 parking spaces. The Petitioner states that trash and refuse will be cleaned up immediately and placed in a stainless-steel mini trash can awaiting removal from the Site at the end of each day.

The Revised Plan shows the existing pole barn angled differently and in a slightly different location on the Property than the actual angle and location of the pole barn on the ground. Rather than require the Petitioner to submit another revised plan, for purposes of this Decision and Order, I will describe the Site as follows: the approximately 2-acre rectangular portion of the Property which surrounds the existing 2400 SF pole barn at the end of the driveway that is accessed off Watersville

Road. The shorter eastern and western edges of the pole barn and attached .75-acre fenced-in play area are equidistant from the eastern and western boundaries of the Site. The long north edge of the pole barn will be about half the distance from the north edge of the Site as the long south edge of the pole barn is from the south edge of the site. The parking spaces and drop-off/pickup area will be on the south long edge of the pole barn.

I. **Proposal.** The Petitioner seeks to operate on the Site a pet boarding, grooming, day care, and training facility with a total combined capacity of 30 dogs. The facility will board ten to fifteen (10-15) dogs at a time. The anticipated number of dogs in day care will be about twenty (20), depending on the number currently housed for boarding. The hours of operation for the daycare will be 7:30 a.m. to 5:30 p.m. The hours for boarding will be seven (7) days a week, 24 (24) hours per day. Dog training classes with up to ten (10) dogs will be offered in the evenings or weekends with 1-hour maximum duration. Dog grooming will occur one (1) day per week one (1) dog at a time. There may be up to five (5) employees onsite at any time.

L. **Testimony.**

1. **Regina Robert-Knipp, Petitioner.** Ms. Robert-Knipp presented an opening statement, and she adopted the recommendations and findings of the Staff Report. The proposed use will be in a 2,400 square foot metal pole barn on the Property. A .75 acre fenced outdoor exercise area will be used and a fence will be installed around the play area. She testified that the hours of daycare operation will be Monday through Friday with drop-off from 7:30 to 9:30 AM and pickup from 3:30 to 5:30 PM. There will be indoor and outdoor play during the day with downtime from 12PM to 1PM daily, and with night hours from 9PM to 7AM. The plan is for there to be a groomer one to two days per week and a trainer one day per week. She stated that she uses an extensive

vetting process for the dogs to avoid aggressive or excessive barking dogs. She stated that the reason they selected the Property is because of the space it provides and that the 111-acre farm includes a sound buffer from neighbors.

2. **Jessica Chiu.** Ms. Chiu has a dog that is a current client of Petitioner. Ms. Chiu states that she works from home and that her office is in the front of her home and faces the rear of the Site. She stated that the noise from the Site is minimal.

3. **Corrine Espeut.** Ms. Espeut testified that she has known the Petitioner for many years and that she is great with dogs. She stated that the operation is organized, and that the Petitioner adheres to her regimented times for pickup and drop-off.

4. **Stacey Keller and Suzanne Swisher** are current clients of the Petitioner and testified to her professionalism and superb experience with dogs.

### **CONCLUSIONS OF LAW**

Based upon the foregoing Findings of Fact, I conclude as follows:

**A. Evaluation of petition according to Section 106.1.D.I (Criteria for a Conditional Use on ALPP Purchased Easements and ALPP Dedicated Easements).**

The Property is subject to a Howard County Agricultural Easement (HO- 17-03-E).

1. **Conditional Uses shall not be allowed on agricultural preservation easements unless they support the primary agricultural purpose of the easement property, or are an ancillary business which supports the economic viability of the farm, and are approved by the hearing authority in accordance with the applicable provisions of Sections 130.0 and 131.0 of these regulations.**

The proposed use, which will take place on the Site (a small area of the Property), is an ancillary business which, through rent charged to the Petitioner's business, will support the economic viability of the farm. The proposed use will be located primarily inside an existing pole barn and in a relatively small outdoor area.

- 2. On an ALPP purchased or dedicated easement property, the area devoted to Conditional Uses may not exceed a cumulative use cap equal to 2% of the easement or up to a maximum of 1 acre for preservation parcels created as part of the Cluster Subdivision process.**

The proposed use along with the other conditional uses on the Property do not exceed the 2% cap. The Site consists of a 2,400 square foot (0.06-acre) pole barn, a 31,920 square foot (0.75 acre) fenced outdoor exercise area and an estimated 5,000 square feet (0.11 -acre) of parking area for 10 cars, which totals 39,320 square feet (0.92-acres). The existing Cell Tower (approved through BA-85-50E) use area is 2000 square feet (0.05-acres). The combined 41,320 square footage equals 0.97% of the 109.07-acre easement and is less than the 2% cumulative use cap.

**B. General Criteria for Conditional Uses (Section 131.0.B of the Howard County Zoning Regulations).**

- 1. The proposed Conditional Use plan will be in harmony with the land uses and policies in the Howard County General Plan which can be related to the proposed use.**

While Howard County General Plan policies do not directly address Conditional Use requests for pet daycare and kennel operations, such uses can be compatible with residential and commercial areas when property sited. The proposed facility is located within an 111-acre farm and the primary activity will take place inside an existing pole barn.

*Thus, I find that the proposed use will be in harmony with the Howard County General Plan and PlanHoward 2030.*

- 2. The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site are such that the overall intensity and scale of the use(s) are appropriate for the site.**

The kennel and pet day care facility will occur primarily inside an existing 2,400 square foot metal pole barn, except for a proposed 0.75 acre fenced outdoor exercise area. The 111-acre property exceeds the 1-acre minimum lot size requirement for pet day care facilities. The exercise area, existing pole barn building and uses comply with the required bulk regulations and conditional use criteria. The Functional Road Classification Map of PlanHoward 2030 designates Watersville Road as a Minor Collector, which is an appropriate classification for the types and number of vehicles associated with the proposed use.

*Therefore, I find that the nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site are such that the overall intensity and scale of the use is appropriate for the site.*

### **3. Adverse Effects.**

- a. The impact of adverse effects such as, but not limited to, noise, dust, fumes, odors, intensity of lighting, vibrations, hazards or other physical conditions will not be greater at the proposed site than it would generally be elsewhere in the same zoning district or other similar zoning district.**

I do not find that there are adverse effects of dust, fumes, odors, intensity of lighting, vibrations or other hazards that are greater at the Site than would generally be elsewhere in the RC-DEO district. There was no evidence that noise emanating from the Site is greater than elsewhere in the RC-DEO district.

*Therefore, I find that the impact of the adverse effect of dog barking from within the*

*building on the Site will not be greater at the proposed site than it would generally be elsewhere in the RC-DEO zoning district.*

- b. The location, nature and height of structures, walls or fences, and the nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than it would generally elsewhere in the same zoning district or other similar zoning districts.**

The Site is adequately buffered from adjacent residential dwellings because the Site is located well within the boundaries of a 111-acre farm. There was no evidence that the proposed use will hinder the use or development of adjacent land or structures. One neighbor who lives close by testified that noise is minimal. The ingress and egress into the Site will be via an existing driveway. No new structures are being proposed. The existing and proposed buildings and structures comply with all setback and height requirements. The Petitioner indicates that the existing metal pole barn is 16 feet in height and 2400 square feet in area with windows and doors. Site improvements will include a six-foot chain link fence around the .75 acre play area with perimeter landscaping around the building.

*Therefore, the I find the use will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than generally elsewhere.*

- c. The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.**

The Petitioner proposes 10 parking spaces. The Zoning Regulations do not contain a parking requirement for pet daycare facilities or for pet boarding. The Petitioner seeks to operate



a pet boarding, grooming, day care, and training facility with a total combined capacity of 30 dogs which breaks down as follows:

- **Overnight boarding.** The facility will board (overnight) 10-15 dogs 7 days per week, 24 hours per day.
- **Daycare.** The anticipated number of dogs in day care will be 20, depending on the number currently housed for boarding. She testified that the hours of daycare operation will be Monday through Friday with drop-off from 7:30 to 9:30 AM and pickup from 3:30 to 5:30 PM. The hours of operation for the day care will be 7:30 a.m. to 5:30 p.m.
- **Training and Grooming.** Dog training classes with up to 10 dogs will be offered in the evenings or weekends with 1-hour maximum duration. Dog grooming will occur one (1) day per week one (1 ) dog at a time.
- **Employees.** There may be up to five (5) employees onsite at any tune.

There must be space for each of the cars to park temporarily while dropping off or picking up pets, for owners attending training and grooming appointments, and for employees. The Petitioner has stated that she wants approval for up to 30 dogs at any one time. If dogs are boarded for multiple nights, the cars dropping off those dogs would not arrive daily, but only on the drop-off and pickup days. The Petitioner has stated she plans to have the daycare arrivals and pickups during a two-hour window in the mornings and afternoons. Assuming the staggering can be done, and assuming no dogs are boarded, and the daycare is full, there could be at least 15 dogs dropped off and picked up in each of the drop-off and pickup hours. Ten (10) parking spaces could be sufficient because the pet owners would be at the facility for only a brief period.

There may be some queuing of cars in the driveway area until a space becomes available, but the driveway is long enough to accommodate it. If five (5) of the available spaces are used for employees, there would only be five (5) spaces for customers and that number could be inadequate during the morning and afternoon drop-off and pickup hours. However, if some of the 30 dogs allowed are boarded, the likelihood that all 30 would be dropped off or picked up on the same day would be lessened.

The current parking area is gravel. The Petition states that there will be one ADA-compliant parking space that will be either pavers or poured concrete. The Plan submitted by Petitioner does not adequately show the location and configuration of parking spaces. The Staff Report states that the gravel parking spaces would require a Design Manual Waiver and recommends that Design Manual Requirements be required by the hearing authority for the driveway, parking and pickup areas to eliminate the need for a Design Manual Waiver. However, the Design Manual Vol. IV, Preface Page 2 of 6 states: "If for any reason [an engineer or developer] find[s] it necessary to use procedures and criteria other than those included in standards, a design professional shall identify the deviations, design objectives, and justification for change in the Design Manual Waiver Request and apply to the County for approval." Thus, the Design Manual allows waivers, and I do not have the authority to remove that option. Any driveway and parking area will need to comply with all applicable laws and regulations. There appears to be sufficient area along the southern edge of the Site to locate the parking spaces.

- d. **The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate. For proposed Conditional Use sites which have driveway access that is shared with other residential properties, the proposed Conditional Use will not adversely impact the convenience or safety of shared use of the driveway.**

Precise sight distance measurements can only be determined by a detailed sight distance analysis, which is typically conducted during Site Development Plan review. Per the Staff Report, the estimated sight distance on Watersville Rd. exceeds 500 feet in both directions. According to the American Association of State Highway and Transportation Officials (AASHTO) guidelines, based on an estimated stopping sight distance of 155 feet for a car going 25 miles per hour, the existing access point on Watersville Road appears to provide safe access with adequate stopping sight distance. Ingress and egress to the proposed use will occur by way of an existing driveway. This driveway will be shared with an existing vacant single-family home. The Petitioner asserts that the use will not share the driveway with any other businesses.

*Thus, I find that this criterion has been met (subject, of course, to the Site Development Plan process).*

4. **The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.**

The closest environmentally sensitive area is a stream located over 750 feet to the east of the Site. This distance exceeds the stream buffer requirement.

*Therefore, the proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.*

**5. The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.**

The closest historic site is 16457 Old Frederick Rd. (HO- 101 St. Paul's Episcopal Church) and is over 1,300 feet away. While the Site is visible from the church, the view is buffered slightly by crops and farm vegetation. I do not find that the proposed use will have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.

*Therefore, the proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.*

**C. Evaluation of petition according to Section 131.0.N.31 (Specific Criteria for Kennels and Pet Grooming Establishments):**

**A Conditional Use may be granted in the RC, RR or R-20 Districts for kennels or pet grooming establishments, and in the B-1 District for kennels, provided that:**

**1. For kennels housing or training eleven or more animals at one time, the following requirements shall apply:**

**a. Minimum lot size ...5 acres.**

The Property is 111.31 acres.

**b. Minimum setback for outdoor training and exercise areas and outside pens and runs from any lot line ...200 feet.**

The fenced-in outdoor play area (based on where the play area would be located given my description of the Site) is well over 200 feet from any lot line.

**c. Minimum structure setback**

**i. From public street right-of-way ...100feet**

**ii. From any other lot line ...200 feet**

The pole barn is over 300 feet from any lot line and over 500 feet from the public street right of way.

- d. The Hearing Authority may reduce the 200 foot setback from lot lines for structures and outdoor training and exercise areas and outside pens or runs to a distance no less than 150 feet if it finds that the setback reduction will not adversely affect neighboring properties due to visual impact, noise, dust, odors or other causes, and that the outdoor training area, pen, run or structure will be located at least 200 feet from existing dwellings on different lots. Outside pens and runs and outdoor training and exercise areas for which this setback reduction is approved shall be enclosed by solid fences or walls.**

This section is not applicable, as the Petitioner is not requesting reductions to any setbacks.

- 2. For pet grooming establishments not located completely within a residence, or for kennels housing or training no more than eight animals at any one time, the following requirements shall apply.**

- a. Minimum lot size ...3 acres.**

The Property is 111.31 acres.

- b. Minimum setback for outdoor training and exercise areas and outside pens and runs from any lot line ...150 feet.**

The fenced-in outdoor play area (based on where the play area would be located given my description of the Site) is well over 200 feet from any lot line.

- c. Minimum structure setback:**
- i. From public street right-of-way ...75 feet**
  - ii. From any other lot line ...100 feet.**

The pole barn is over 300 feet from any lot line and over 500 feet from the public street right of way.

- 3. For pet grooming establishments in which all business activities take place within a residence, the minimum lot size shall be 40,000 square-feet.**

No activities will take place within a residence; therefore, this criterion does not apply.

- 4. All parking areas and outside pens and runs, and as appropriate, all buildings shall be screened by landscaping or other suitable means from adjoining properties and public street rights-of-ways.**

The Petitioner asserts that the building will be surrounding by landscaping but has not provided details about the landscaping around the building or about landscaping around parking areas and outside pens. Petitioner will be required as a condition of approval to provide landscaping around the outside fenced play area and around the parking and drop-off/pickup areas. Petitioner will not be required to provide landscaping to screen the existing pole barn. (Petitioner asserts that crops produced by the farm, including corn and beans, will provide additional screening from adjoining residential properties and Watersville Road, but this screening would be seasonal at best.)

- 5. Disposal of wastes must be such that odors or other emissions are not perceptible at lot lines.**

A small metal trash bin will be kept on the premises to store waste until the end of the business day. The Petitioner indicates that all waste will be removed at the end of the day.

- 6. The lot shall have frontage on and direct access to a collector or arterial road designated in the General Plan.**

Watersville Rd. is designated as a Minor Collector in PlanHoward 2030.

- 7. On an ALPP purchased or dedicated easement property, the following additional criteria are required.**

- a. The use shall not interfere with farming operation or limit future farming production.**
- b. Any new building or building addition associated with the use,**

**including any outdoor storage and parking area shall count towards the cumulative use cap of 2% of the easement.**

The Property is encumbered by Howard County Purchased Easement HO-17-03-E. There is no evidence that this use will interfere with the farming operation or limit future farming activities. The combined 41,320 square footage of all conditional use areas equals 0.97% of the 109.07-acre easement and is less than the 2% cumulative use cap.

**D. Evaluation of petition according to Section 131.0.N.39 (Specific Criteria for Pet Daycare Facilities):**

**a. The minimum lot size shall be one acre.**

The Property is 111.31 acres.

*This criterion is met.*

**b. All day care business functions must be completely enclosed within a building. Indoor noise must not be perceptible at lot lines.**

The pet daycare facility will be conducted primarily inside the building except for an outdoor exercise area allowed in accordance with Sec.

131.0.N.39.7. There is no evidence that barking from inside the facility on the Site can be heard beyond the lot lines.

*This criterion has been met.*

**c. The Hearing Authority may set hours of operation and limitations on the number and type of pets cared for.**

The Petitioner proposes, and a approve, the following hours of operation:

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**Daycare** - Monday through Friday 7:30 a.m. to 5:30 p.m. with drop-off from 7:30 to 9:30 AM and pickup from 3:30 to 5:30 PM.

**Overnight Boarding** – seven (7) days per week, twenty-four (24) hours per day.

**Grooming** – Dog grooming will occur one (1) day per week one (1 ) dog at a time.

**Training** – Dog training classes with up to ten (10) dogs will be offered in the evenings or weekends with 1-hour maximum duration.

The Petitioner has requested approval for up to a cumulative total of thirty (30) dogs in daycare and overnight boarding.

**d. The facility shall not be located on a shared driveway.**

The facility is not located on a shared driveway.

*This criterion has been met.*

**e. Parking areas shall be located and landscaped to minimize visibility from roads and adjacent residential properties.**

The parking area will be screened from the north by the existing pole barn.

From the south, the parking area will be approximately 500 feet from the

road, and 400 feet from the nearest residential property. The Petition

indicates that the parking area will be landscaped but does not provide

detail about the types of vegetation, nor a landscape plan. Additionally, the

Petition states that the parking area will be screened by crops grown on the

farm such as corn and beans.

*This criterion will be met with the conditions set forth in the order.*

**f. There shall be no overnight boarding of pets.**

Dog boarding is proposed at the facility. The Petitioner is requesting



approval of dog boarding through the Kennel conditional use.

- g. Outdoor areas for walking or exercising pets may be permitted provided that pets shall not be left unattended in such an area. The Hearing Authority may set a limit on the number of pets permitted simultaneously in the outdoor area. The perimeter of this outdoor area shall be fenced and landscaped to ensure that animals are confined to the property and to minimize the visibility of the enclosure. All fencing shall comply with all requirements for fences as noted elsewhere in Section 128.0. The petitioner must clearly delineate the outdoor area on the Conditional Use plan.**

The petitioner states that dogs will not be left unattended in the fenced outdoor areas. A six-foot tall chain link fence is proposed around the outdoor area to confine the animals in this area. The outdoor area is over 300 feet from the closest property line.

*This criterion has been met.*

- h. Disposal of wastes must be such that odors or other emissions are not perceptible at lot lines.**

A small metal trash bin will be kept on the premises to store waste until the end of the business day. The Petitioner indicates that all waste will be removed at the end of the day and brought home to the operator's residence.

*Based on the testimony, this criterion has been met.*

- i. On an ALPP purchased or dedicated easement property, the following additional criteria are required: (1) The use shall not interfere with farming operations or limit future farming production. (2) Any new building or building addition associated with the use, including any outdoor storage and parking area shall count towards the cumulative use cap of 2% of the easement.**

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The proposed use will be located within an existing pole barn and will not interfere with the existing farming operations or limit future farming production. The Petitioner asserts that combination of the fenced outdoor area and the new parking lot would be under the 2% cumulative use cap. The combined 41,320 square footage of all the combined CU area equals 0.97% of the 109.07-acre easement and is less than the 2% cumulative use cap.

*This criterion is not applicable.*

**ORDER**

Based upon the foregoing, it is this 25th day of July 2022, by the Howard County Board of Appeals Hearing Examiner:

**ORDERED**, that the Petition for a for a Conditional Use for Kennels and Pet Grooming Establishments (Section 131.0.N.31) and a Pet Day Care Facility (Section 131.0.N.39) shall be and hereby is **GRANTED**;

**PROVIDED, HOWEVER,**

1. The conditional uses will apply only to the uses and structures as described in the Conditional Use Petition and Revised Plan and on the Site as described as follows: the approximately 2-acre rectangular portion of the Property which surrounds the existing 2400 SF pole barn at the end of the driveway that is accessed off Watersville Road. The shorter eastern and western edges of the pole barn and attached .75-acre fenced-in play area are equidistant from the eastern and western boundaries of the Site. The long north edge of the pole barn will be about half the

distance from the north edge of the Site as the long south edge of the pole barn is from the south edge of the site. The parking spaces and drop-off/pickup area will be on the south long edge of the pole barn. The conditional use approval shall not apply to any other activities, uses, structures, or additions on the Property;

2. Any Site Development Plan, or its equivalent, shall include a note containing all conditions of approval;
3. Petitioner shall comply with all federal, state, and local laws and regulations;
4. The hours of operation, limits on numbers of pets, and numbers of employee shall be as follows:

**Overnight boarding.** The facility may board (overnight) up to 15 dogs 7 days per week, 24 hours per day. Dogs boarded may be dropped off from 7:30AM to 5:30PM Monday through Friday, and on during a preset two-hour window on Saturday mornings and Sunday afternoons.

**Daycare.** The facility may accept for daycare up to twenty (20) dogs per day, depending on the number currently housed for boarding. The hours of daycare operation will be Monday through Friday 7:30 a.m. to 5:30 p.m. with drop-off from 7:30 to 9:30 AM and pickup from 3:30 to 5:30 PM. Petitioner shall attempt to have customers arrive at staggered times for drop-off and pickup.

**Training and Grooming.** Dog training classes with up to 10 dogs may be offered in the evenings (after 5:30 PM) or weekends with 1-hour maximum duration. Dog grooming will occur one (1) day per week one (1) dog at a time.

**Employees.** There may be up to five (5) employees onsite at any tune.

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5. There shall be at least ten (10) parking spaces with one space dedicated to being ADA compliant. The driveway and parking areas will need to comply with all applicable laws and regulations. The parking spaces shall be located along the southern edge of the Site between the southern boundary of the Site and the pole barn/play area.
6. The outdoor play area shall be fenced as set forth in the Petition. Dogs will not be left unattended in the fenced outdoor area.
7. The outer perimeter of the fenced play area shall be landscaped with a Type “D” screen as set forth in the Howard County Landscape Manual.
8. The parking spaces and drop-off/pickup areas shall be screened with a Type “D” screen as set forth in the Howard County Landscape Manual.
9. The Petitioner shall ensure that waste will be removed from the Site at the end of each day.

**HOWARD COUNTY BOARD OF APPEALS**  
**HEARING EXAMINER**

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Katherine L. Taylor

Date Mailed: \_\_\_\_\_

**NOTICE:** A person aggrieved by this decision may appeal it to the Howard County Board of Appeals within 30 days of the issuance of the decision. An appeal must be submitted to the Department of Planning and Zoning on a form provided by the Department. At the time the appeal petition is filed, the person filing the appeal must pay the appeal fees in accordance with the current schedule of fees. The appeal will be heard *de novo* by the Board. The person filing the appeal will bear the expense of providing notice and advertising the hearing.