

APPLICATION

PERCOLATION TESTING

A _____

P _____

HOWARD COUNTY HEALTH DEPARTMENT
BUREAU OF ENVIRONMENTAL HEALTH
3525-H ELLICOTT MILLS DRIVE/ELLICOTT CITY, MARYLAND 21043
TELEPHONE: 313-2640

DISTRICT _____

DATE _____

TO: THE COUNTY HEALTH OFFICER
ELLICOTT CITY, MARYLAND

I HEREBY APPLY FOR THE NECESSARY TEST PRIOR TO APPLICATION FOR PERMIT TO CONSTRUCT (OR RECONSTRUCT) A SEWAGE DISPOSAL SYSTEM.

PROPERTY OWNER Scott & Linde Wilson

ADDRESS 1650 Marriottsville Rd PHONE 410 442-5008

AGENT OR PROSPECTIVE BUYER _____

ADDRESS _____ PHONE _____

PROPERTY LOCATION:

SUBDIVISION Woodlands Grant II LOT NO. 8

ROAD AND DESCRIPTION _____

TAX MAP _____ PARCEL # _____

SIZE OF LOT 1.36 Acres TYPE BLDG. _____
(SINGLE FAMILY DWELLING OR COMMERCIAL)

THE SYSTEM INSTALLED UNDER THIS APPLICATION IS ACCEPTABLE ONLY UNTIL PUBLIC FACILITIES BECOME AVAILABLE. I FULLY UNDERSTAND THE FEE CONNECTED WITH THE FILING OF THIS PERC TEST APPLICATION IS NON-REFUNDABLE UNDER ANY CIRCUMSTANCES. I ALSO AGREE TO COMPLY WITH ALL M.O.S.H.A. REQUIREMENTS IN TESTING THIS LOT.

J. M. For Scott Wilson
(SIGNATURE OF APPLICANT)

APPROVED BY _____ FOR _____ DATE _____

DISAPPROVED BY _____ FOR _____ DATE _____

HOLD PENDING FURTHER TESTS _____

REASONS FOR REJECTION OR HOLDING _____

PERCOLATION TEST PLAT/PRELIMINARY PLAT - TITLE OR I.D. # _____ DATE _____

SITE DEVELOPMENT PLAN/FINAL PLAT - TITLE OR I.D. # _____ DATE _____

THIS IS NOT A PERMIT

COUNTY #

SOIL PROFILE

0' Heavy Brown SIL

2 1/2' Dark red brown heavy micaceous SL

4' tan brown orange L very micaceous

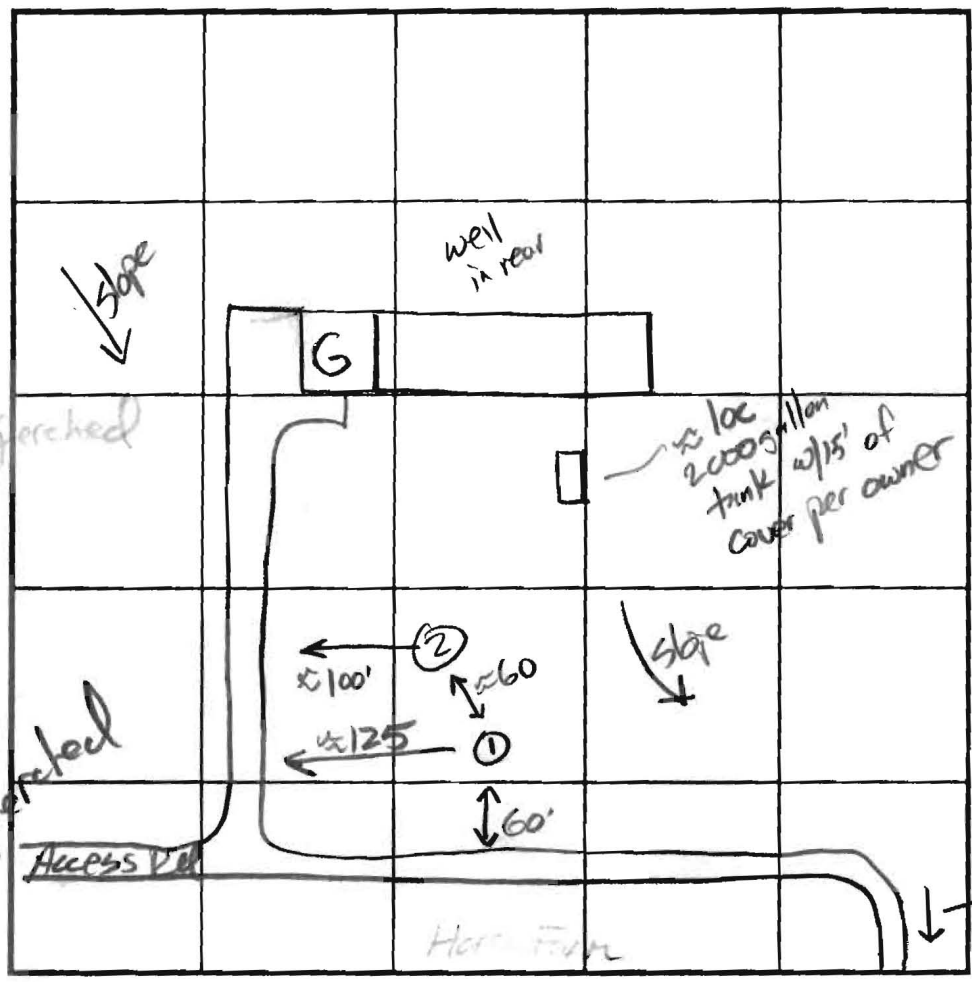
7 1/2' tan/brown orange L

14' H₂O 2' Perched

4 1/2' Dark brown SIL

6' Brown micaceous L

14'



SOIL PROFILE

0'

DATE	TEST NO.	DEPTH	PRE-WET		TEST - 1" DROP		TIME	
			START	STOP	START	STOP		
11/18/02	1	6 1/2 14	10:45:30	11:18:30	3/4" Peak slow		F	
11/18/02	1	7 1/2 V 14	material	similar texture	as #2		8-15	
11/18/02	2	7 1/2 14	11:14:00	11:17:00	11:17:00	11:27:00	10	ok
	2	perched @ 4 1/2						F

REMARKS Recommended installing curtain drain above future system

TYPE OF SOIL Utilizing new design criteria. Perched H₂O @ 4 1/2 in test #2

TESTED BY J. Boris ALSO PRESENT Mr. Wilson

TRENCH DESIGN DATA: AVERAGE PERCOLATION TIME 10 TRENCH WIDTH 3

INLET DEPTH 6 MAXIMUM BOTTOM DEPTH 10 SO. FT./BEDROOM 210



HOWARD COUNTY HEALTH DEPARTMENT

Joyce M. Boyd, M.D., County Health Officer
February 22, 1994

Handwritten notes: OBS. TEST AT LOW EDGE OF BARN/KENNEL. NEW FEE = 1267106 JCE (PAID 49877) AGAIN FEE 225 FOR 2 STRUCTURES

Mr. Don Mason
TSA Group, Inc.
8480 Baltimore National Pike, Ste. 418
Ellicott City, MD 21043

RE: Percolation Test Application
Proposed Kennel and Manager's Residence
Rachuba/Wolpert Property
Tax Map 10, Parcel 30
Marriottsville Road

Dear Mr. Mason:

As discussed with you by telephone, a percolation test date of March 14, 1994 has been tentatively established for the above referenced project.

It is strongly suggested that you contact this office to request a preview conference well in advance of the scheduled test date. Review of the proposal and the existing property file shows the project to be somewhat more complex than originally anticipated.

The existing property file shows a number of failed test holes from August, 1978. While a survey plat of these test locations appears not to have been generated, the test notes are detailed enough that the locations can be approximated with reasonable accuracy. These test locations seem to occupy most, if not all, of the area currently proposed for testing.

The proposed manager's residence would require establishment of a septic easement separate from that for the kennel. A separate test application fee (\$225) would be applicable.

If the proposal is for subdivision, then any occupied or plumbed structures on the residue parcel would be subject to establishment of separate 10,000 Sq. Ft. sewage disposal easements.

Should testing be successful, approval would be contingent upon qualification for a groundwater appropriations permit. Application procedures can best be discussed in our preview conference.

Please contact me at your earliest convenience to schedule the conference. Thank You.

Yours truly,

Craig Williams
Craig Williams, Program Director
Water and Sewerage Program

CONF HELD
ENGINEER WILL CONSIDER INFO
& REVISE PROPOSAL AS APPROPRIATE
TEST DATE AS ORIGINALLY
SCHEDULED,

cc: Fred Wolpert
Jane Nadeau



OFC APPT 1/13/95 8:30
DONT SEND
WOLPERT
TO BE PRESENT TOO,
(CW)

HOWARD COUNTY HEALTH DEPARTMENT

Joyce M. Boyd, M.D., County Health Officer MR

January 10, 1995

Mr. Fred Wolpert
7363 Old Columbia Road
Columbia, MD 21046

RE: Willow Wood Farm
Tenant House Status
1650 Marriottsville Road

Dear Mr. Wolpert,

This office has received the contractor's request for a septic sytem repair permit for the above referenced property.

This request is contradictory to the terms of the percolation certification plan signed on December 21, 1994, as amended by our letter of December 9, 1994 (copy enclosed). In order to honor your request, terms of the certification plan would need to be re-evaluated.

Please contact me at 313-2640 to discuss this matter, or if you have any other questions.

Very truly yours,
Mark Rifkin (CW)
Mark Rifkin, R. S.
Sanitarian
Water & Sewerage Program

MR
cc: Chris Malagari, TSA
Jack Fyock

* NOTE: CHRIS MALAGARI HAS AGREED TO MEET WITH US FRIDAY MORNING. HOPEFULLY, THIS WILL ALL BE RESOLVED AT THAT TIME. (CW)

H:\USERS\DATA\WOLPERT



HOWARD COUNTY HEALTH DEPARTMENT

Joyce M. Boyd, M.D., County Health Officer

December 9, 1994

MEMORANDUM

TO: Chris Malagari
TSA Group
8480 Baltimore National Pike
Ellicott City, MD 21043

FROM: Mark Rifkin *MR*
Water & Sewerage Program
Bureau of Environmental Health

RE: Willow Wood Farm

This is to advise that this office has approved your percolation certification plan for the above-referenced property for signature subject to the following conditions:

that the existing shack, septic system, hand dug well and pump house are properly abandoned prior to approval of the building permit for the barn conversion; and

that a Groundwater Appropriations Permit be applied for and issued prior to building permit approval.

These conditions were discussed with you, Chris Malagari, on December 12, 1994.

This office's approval is based on your acceptance of these conditions.

MR
cc: Mr. Fred Wolpert

REESE AND CARNEY

ATTORNEYS AT LAW

10715 CHARTER DRIVE

COLUMBIA, MARYLAND 21044

(410) 740-4600

WASHINGTON AREA

(301) 621-5255

BALTIMORE FAX (410) 730-7729

WASHINGTON FAX (301) 621-5273

OF COUNSEL

CHARLES A. REESE

255 N. WASHINGTON STREET

SUITE 505

ROCKVILLE, MARYLAND 20850

(301) 782-6210

DAVID A. CARNEY
DANIEL H. SCHERR
DAVID C. HJORTSBERG
LAURENCE B. RABER
KEVIN J. KELEHAN
JUDITH S. BRESLER
JEFFREY A. KREW
MICHAEL S. MOLINARO
L. ROLAND STURM
JOAN M. BECKER
CONWELL F. SAPP
BETH JACKSON YEAGER
SUSAN E. BEASLEY
CATHLEEN F. WARD

May 6, 1994

Via Hand Delivery

Department of Planning & Zoning
3430 Courthouse Drive
George Howard Building
Ellicott City, Maryland 21043

Attn: Mr. J. Robert Lalush, Planner II
Division of Comprehensive Planning & Zoning

**RE: BA 94-19E Willow Wood Country Club for Pets
Petition for Special Exception**

Dear Mr. Lalush:

In response to your letter of May 2, 1994, we are attaching 19 copies of a corrected Supplement to the Petition that contains responses to all of the information requested in your letter, in reference to the captioned special exception.

With respect to the landscaping that would be required consistent with the criteria, we believe that the unique feature of this attractive barn as it would be adapted in the architectural plans, should have as little as possible landscaping. The landscaping that is suggested in the Supplement would provide screening for the small outdoor pen area. The north and west side of the barn is not visible from adjacent properties and we believe that the facilities would be more functional without any landscaping along those sides of the barn.

As to the amount of parking for the proposed facilities, the historical experience of the Preston Kennels which have a similar amount of pets and employees, has shown that the existing 30 parking spaces have been more than adequate to serve the needs of the staff and customers, with usage seldom, if ever, more than 60% of that capacity. The Parking Regulations are not specific as to kennel operations and, for that reason, the Petitioner did not have a specific guide for the amount of parking. You will note from the Special Exception Plan, that most of the parking already exists next to the barn area and the Petitioner is proposing an additional 2,500 square feet of parking area to satisfy the parking needs for this facility.

914 MAY -6 PM 1:02

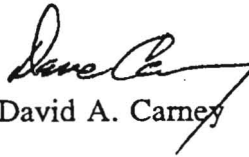
6100010 0113: 78
MAY 10 1994
10:00 AM

Mr. J. Robert Lalush
May 6, 1994
Page Two

If you have any further questions or need any additional supplemental information, please advise.

Very truly yours,

REESE AND CARNEY


David A. Carney

DAC/mlk

w/enclosures

cc: Willow Wood Farm, LLC (Attn: Mr. & Mrs. Frederick Wolpert)
TSA Group, Inc.

34 MAY 11 2015 13
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MAY 11 2015

IN RE:	*	BEFORE THE
Willow Wood Farm, LLC	*	BOARD OF APPEALS OF
Petitioner	*	HOWARD COUNTY
	*	MARYLAND
		Case No:

**** **

SUPPLEMENT TO PETITION

Background and History

The principals of Willow Wood Farm, LLC, trading as Willow Wood Country Club for Pets, are Frederick Wolpert and Marcia Wolpert (hereinafter the "Wolperts"), who are the existing owners of the Preston Kennels, and have operated that kennel since 1991, when they relocated to Maryland from Pennsylvania.

For 13 years prior to that, the Wolperts operated the Main Line Animal Inn in Chester City, Pennsylvania, which was a facility that cared for on an average of 159 dogs and cats on an ongoing basis. In addition thereto, the Wolperts are the owners of the property Willow Wood Farm, the 116 acre horse farm located at the intersection of Marriottsville Road and Route 99.

The facilities include 14,000 square foot modern masonry with extensive white-rail horse fences. In this attractive setting, the Petitioners propose to modify the existing horse farm into a heated and air-conditioned state of the art self-contained kennel and grooming facility.

Substantially all of the kennel activities and all of its proposed grooming activities would be located indoors, in a refurbished barn and a workshop.

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 HOWARD COUNTY
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Along three and a half sides of the existing barn for a width of approximately 15 feet, the Petitioners propose to add a 6,624 addition and further propose to locate the grooming facilities in approximately half of the existing workshop building. The existing and expanded barn would be a check-in and waiting room, several offices, an employee lounge, petfood preparation areas, several pet lounges, a laundry, several supply rooms, isolation holding areas, dog pens and run areas for large and small dogs, a separate cattery area, all of which will be surrounded by sky lights and low windows, to provide abundant natural light for the pets. On the rare occasions when the dogs would require out-door activities, there would be 12 fenced outdoor play yards, all contained within the confines of the building structure. The enclosed grooming area would contain laundry facilities, reception areas, grooming, and drying areas.

The Petitioner's plans are consistent with the present industry standards that are furnished by experienced pet care providers. The term "country club" is an appropriate one as it relates to these proposed facilities.

The adaptation of the existing facilities and proposed uses, are consistent with the Howard County General Plan, and the specific criteria of Section 141;B.z. of the Zoning Regulations and the criteria of C.32 for kennel and grooming facilities.

The Zoning Regulations could not have anticipated that anyone would propose a kennel and grooming facility on a large horse farm with the substantial buffer created by the size of this farm. Other than passing vehicular traffic on the public roads, other than signage, the public will not realize that the facility contains kennel

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DECEMBER 11 2008

or grooming activities. Although the Petitioner will comply with all of the appropriate regulations of the County, including the requirements of the Board of Appeals for screening as set forth in Section 141C.32, such screening should be limited for a number of significant reasons, the chief of which is the outstanding quality and appearance of the existing farm and barn facilities. Along three sides of the property, namely, its northerly, westerly and southerly sides, the Petitioners are the owners of adjacent parcels and none of the residents to the other side of those properties, would be able to see the kennel activities and its functions. Along the easterly side of the property across Marriottsville Road along the wood hill line, are several residences, none of which have significant visibility to the area in which the kennel would be located.

In addition to the kennel and grooming facilities on the westerly side of the existing barn, the petitioners would also propose to install a residence that would be utilized by the caretaker of the kennel. That proposed residence would not exceed approximately 2,000 feet in size. The existing Zoning Regulations, would permit this residence to be constructed without special exception because the 24.58 acre parcel on which the proposed kennel is located, has no other residential improvements.

bedrooms

mlk\willow.sub

APR 11 11 45 AM '18
COUNTY BOARD
REGISTRATION

roads, other than signage, the public will not realize that the facility contains kennel or grooming activities. Although the Petitioner will comply with all of the appropriate regulations of the County, including the requirements of the Board of Appeals for screening as set forth in Section 131C.32, such screening should be limited for a number of significant reasons, the chief of which is the outstanding quality and appearance of the existing farm and barn facilities. Along three sides of the property, namely, its northerly, westerly and southerly sides, the Petitioners are the owners of adjacent parcels and none of the residents to the other side of those properties, would be able to see the kennel activities and its functions. Along the easterly side of the property across Marriottsville Road along the wood hill line, are several residences, none of which have significant visibility to the area in which the kennel would be located.

The barn has an existing row of trees along the stream area running parallel to Marriottsville Road, which provides some measure of landscaping and buffering for the proposed use. The Petitioner suggests that the landscaping consisting of either evergreen or spruce trees running adjacent to and along the easterly side of the dog runs be installed.

As to waste disposal, the Petitioners propose to handle and remove waste similar to that which is utilized at the Preston Kennels, namely, to scoop and bag the waste and place it in the dumpsters which are presently serviced three times per week by a commercial trash service. The Petitioners have not experienced any offensive odors when this procedure is followed. On a regular basis, the inside concrete dog

runs will be washed down as part of the ongoing maintenance operations.

With respect to parking, the Petitioners have 30 parking spaces at the Preston Kennels and use no more than 20 of those spaces for the kennel. Preston employs 19 individuals on a part-time and full-time basis and can service 200 dogs and cats. Based on the comparable sizes between the Preston Kennels and the proposed Willow Wood facilities, the Petitioner's experience is that the proposed 32 parking spaces for Willow Wood far exceed the needs for employee and customer parking.

In addition to the kennel and grooming facilities on the westerly side of the existing barn, the petitioners would also propose to install a residence that would be utilized by the caretaker of the kennel. That proposed residence would not exceed approximately 2,000 feet in size. The existing Zoning Regulations, would permit this residence to be constructed without special exception because the 24.58 acre parcel on which the proposed kennel is located, has no other residential improvements.

mlk\willow.sub

MARK

TSA GROUP, INC.
planning • architecture • engineering • surveying

8480 Baltimore National Pike • Suite 418 • Ellicott City, Maryland 21043 • (410) 465-6105

TO: Bureau of Environmental Health

DATE: 10/5/94

PROJECT NO.: 647

RE: _____

Willow Wood County Club
for Peto.
Water Consumption

ATTENTION: Craig Williams

ATTACHED ARE THE FOLLOWING ITEMS:

COPIES	DATE	DESCRIPTION
1	5/17	Water Consumption Justification
1	8/26	Response letter to Jane Nadeau's letter dated 8/8/94

THESE ARE TRANSMITTED AS CHECKED BELOW:

- FOR APPROVAL FOR REVIEW & COMMENT
 FOR YOUR USE AS REQUESTED

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HOWARD COUNTY
HEALTH DEPT.
94 OCT -5 PM 12:14

REMARKS: Craig: What is the status of this?
We are moving forward with the project
and we need to know what direction to go in.
Thanks.

COPY TO: _____

RECEIVED BY _____

SIGNED: Chris Malagan

Health

IN THE MATTER OF : BEFORE THE HOWARD COUNTY
WILLOW WOOD FARM, LLC, BY : BOARD OF APPEALS
FREDERICK WOLPERT, :
ITS MANAGING MEMBER, t/a : Case No. BA 94-19E
WILLOW WOOD COUNTRY CLUB :
FOR PETS :
Petitioner :

: : : : : : : : : :

DECISION AND ORDER

On September 20, 1994, the Howard County Board of Appeals met to consider the petition of Willow Wood Farm, LLC, by Frederick Wolpert, its Managing Member, t/a Willow Wood Country Club for Pets, for a special exception for a kennel and pet grooming establishment on a parcel of land consisting of twenty four point five eight (24.58) acres zoned RC (Rural Conservation) in the Third Election District, located on the west side of Marriottsville Road, twelve hundred (1,200) feet north of Old Frederick Road, also known as 1654 Marriottsville Road, Marriottsville, Howard County, Maryland, and more particularly described as part of Parcel 30, Blocks 16 and 22, Tax Map 10.

The Petitioner was represented by David Carney, Esquire. Vicinal property owner Jonathan Jones appeared and testified in opposition to the petition. Since this matter is before the Board of Appeals pursuant to its original jurisdiction, the hearing was conducted in accordance with Section 2.209 of the Howard County Code. Testifying in support of the petition were Mr. Robert Mobeley, an architect; Mr. Steven Shipp, architect

and land planner; and Mr. Frederick Wolpert, the Petitioner. Notice of the hearing was advertised, the property was posted, and the Board members viewed the property in accordance with the regulations. All of the Board members were present; Chairperson George L. Layman presided. Prior to the introduction of testimony, the following items were incorporated into the record by reference: the appropriate provisions of the Howard County Charter; the appropriate provisions of the Howard County Code; the Howard County Zoning Regulations; the recommendation of approval of the Planning Board; the recommendation of approval of the Technical Staff Report; the General Plan for Howard County; the General Plan of Highways; and the Petition and Plat submitted by the Petitioner.

FINDINGS OF FACT

Based on the evidence presented at the hearing, the Board of Appeals makes the following Findings of Fact:

1. The Petitioner, Willow Wood Farm, LLC, by Frederick Wolpert, its Managing Member, t/a Willow Wood Country Club for Pets, is the lessee of the subject property; Petitioner Mr. Frederick Wolpert and Ms. Marcia Wolpert are the owners of the subject property, a parcel of land consisting of twenty four point five eight (24.58) acres zoned RC (Rural Conservation) in the Third Election District, located on the west side of Marriottsville Road, twelve hundred (1,200) feet north of Old Frederick Road, also known as 1654 Marriottsville Road, Marriottsville, Howard County, Maryland. The subject property

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HOWARD COUNTY
HEALTH DEPT.
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is irregularly shaped, although roughly the shape of a backward "L", with an unimproved pipestem running four hundred forty two (442) feet eastward from the southeasternmost corner onto Marriottsville Road. The site is improved with a fourteen thousand (14,000) square foot, masonry block stable and a twenty five hundred twenty (2,520) square foot masonry block garage and workshop south of the stable. A seventy (70) foot wide asphalt paved area is located between the two (2) structures and another paved area about fifty (50) feet in width is located on the north and west sides of the complex. A twenty (20) foot wide asphalt driveway connects this stable area to the main driveway, which accesses an adjacent parcel also owned by the Petitioner, before terminating on Marriottsville Road. Generally open fields with fenced corrals, there is no residence on the site. A line of mature deciduous trees are located on the banks of a stream between the special exception area and Marriottsville Road. The site is bordered on the west, north and south by a fifty five (55) acre lot which is owned by the Petitioner. The tax map shows the subject property and the fifty five (55) acre lot as Parcel 30, a single lot. The fifty five (55) acre lot is improved a principal dwelling one hundred twenty (120) feet north of the site, and an unoccupied tenant house one hundred forty one (141) north of the site. About sixty (60) feet west of the site are two (2) residential lots, each improved with a single family detached dwelling. South of the site are Lots 2, 3, and 4 of the Marriottsville Estates subdivision, each over eleven (11) acres in area and owned by the Petitioner. South of

these three (3) lots is Lot 1, owned by Mr. Jonathan Jones.

2. The Petitioner seeks a special exception to operate a kennel and pet grooming establishment of the subject property, and proposes to utilize three (3) buildings for the use. As proposed, the existing fourteen thousand (14,000) square foot barn and containing an eight hundred sixty one (861) square foot office is to be enlarged with a sixteen (16) foot deep, six thousand six hundred twenty four (6,624) square foot addition around three (3) sides, creating a total area of twenty one thousand, four hundred eighty five (21,485) square feet. The barn would be converted into heated and air conditioned state-of-the art kennels, and contain check-in and waiting rooms, several offices, an employee lounge, pet food preparation area, isolation holding areas, dog pens and indoor run areas for large and small dogs, and a separate cat area, all of which will be surrounded by skylights and low windows. On the occasions when dogs would require outdoor play, twelve (12) fenced play yards are proposed to be located adjacent to the east of the barn. When dogs are outdoors, the Petitioner will maintain one (1) employee per three (3) dogs. The existing garage/workshop is to remain, and a thirteen hundred eighty (1,380) square foot grooming shop containing laundry facilities, reception areas, grooming and drying areas will be constructed adjacent to the west. Six (6) fenced outdoor pens are planned to be located south of the grooming shop; the Petitioner stressed that these pens will be used merely to hold dogs awaiting grooming for short periods of time. The barn is located two hundred forty

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(240) feet from the closest lot line; the outdoor runs are to be situated at least two hundred seventy (270) feet from the nearest lot line. The proposed pet grooming facility will be one hundred sixty (160) feet from the closest lot line, and the a small fenced yard at the rear of the grooming facility will be situated at least one hundred forty (140) feet from the nearest lot line. Animal solid waste is to be scooped, bagged and placed in dumpsters which are to be serviced about three (3) times a week; the Petitioners have not experienced any offensive odors when this procedure is followed in the other kennel which they own and operate. The inside areas are to be washed regularly. All chemicals used in the kennel and pet grooming operations are to be disposed of in accordance with the requirements of the Bureau of Environmental Health and other regulatory agencies. The thirty two (32) proposed parking spaces will be adequate for the proposed use. Up to one hundred sixty two (162) dogs and approximately thirty two (32) cats will be accommodated in the facility. The Petitioners also intend to construct a caretaker/manager's residence, not to exceed two thousand (2,000) square feet in area. The proposed residence would be situated immediately west of the barn structure, one hundred sixty five (165) feet south of the closest lot line.

3. The proposed kennel will hire up to nine (9) employees in addition to three (3) or four (4) office staff; the grooming shop will employ up to five (5) persons, but not all employees will work during the same shift. The hours of operation are from 8:00 a.m. to 6:00 p.m. on Mondays through Fridays, and from

8:00 a.m. to 5:00 p.m. on Saturdays; the kennel will be closed on Sundays. The grooming facility will be closed on Sundays and Wednesdays. Staff will be required to leave the site at 6:00 p.m. Pets may only be dropped off or picked up by appointment only between the hours of 9:00 a.m. and 5:00 p.m. on the days that the facility is open. All exterior security lights which may be installed will be directed downward and inward so as not to shine or reflect onto adjacent properties or roads. No landscaping is proposed. No retail sales are proposed.

4. Mr. Jones, a vicinal property owner, testified that he did not object to the use, but requested that all exterior lighting be shielded so as not to shine or reflect onto adjacent properties. Mr. Jones also suggested that some additional landscaping be installed along the southern lot line.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board makes the following Conclusions of Law:

GENERAL SPECIAL EXCPTION CRITERIA

1. The enclosed barn/kennel is two hundred forty (240) feet from the closest lot line; the outdoor runs will be at least two hundred seventy (270) feet from the nearest lot line. The pet grooming facility is to be one hundred sixty (160) feet from the closest lot line, and the fenced area to the rear a minimum of one hundred forty (140) feet from the nearest lot line. In accordance with ~~section 131.5.1~~ ^{section 131.5.1} of the Howard County Zoning

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HEALTH DEPT.
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Regulations, the location and size of the use, the nature and intensity of the operation involved in the use, the large size of the site in relation to the use, and the location of the site with respect to Marriottsville Road are such that the proposed use will be in harmony with the land uses indicated in the 1990 General Plan for Howard County.

2. In accordance with section 131.B.2 of the Zoning Regulations, because of the large size of the subject property, the distance to the residential properties not owned by the Petitioner, and the indoor nature of the use, the proposed use will not adversely affect vicinal properties.

3. With respect to section 131.B.3 of the Zoning Regulations, the location, nature and height of the proposed structures and the nature and extent of the existing landscaping are such that the use will not hinder or discourage the development and use of adjacent land.

4. As required by section 131.B.4 of the Zoning Regulations, the proposed parking spaces are adequate for the use, and the proposed ingress and egress drive is designed so as to achieve maximum safety.

SPECIFIC SPECIAL EXCEPTION CRITERIA FOR
KENNELS AND PET GROOMING ESTABLISHMENTS

5. In accordance with the requirements of section 131.N.32.a of the Howard County Zoning Regulations, the site exceeds the five (5) acre minimum lot size for kennels housing eleven (11) or more dogs, all outdoor pens are to situated at

least two hundred (200) feet from any lot lines and public street rights-of-way.

6. The provisions of section 131.N.32.b and c of the Zoning Regulations are inapplicable to the instant petition.

7. As required by section 131.N.32.d of the Zoning Regulations, all parking areas, runs, and structures are adequately screened by distance and existing vegetation from adjoining properties.

8. In accordance with section 131.N.32.e of the Zoning Regulations, the disposal of animal waste shall be such that no odors or emissions shall be perceptible at any lot line.

9. Exterior lighting shall be directed downward and inward so as not to shine or reflect onto adjacent properties or roads, in accordance with section 131.N.32.f of the Zoning Regulations.

10. The Petitioner may construct a caretaker's residence not to exceed two thousand (2,000) square feet as an accessory use to the kennel, in accordance with section 131.N.31.g of the Zoning Regulations. The site has no residential improvements, and a single family dwelling would be allowed without a special exception as a matter of right use.

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HOWARD COUNTY
HEALTH DEPT.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is this 27th day of October, 1994, by the Howard County Board of Appeals, ORDERED:

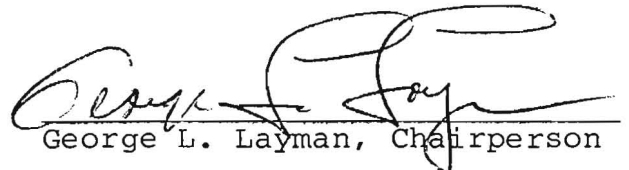
That the petition of Willow Wood Farm, LLC, by Frederick Wolpert, its Managing Member, t/a Willow Wood Country Club for Pets, for a special exception for a kennel and pet grooming establishment be, and the same is hereby, **GRANTED**, subject to the following conditions:

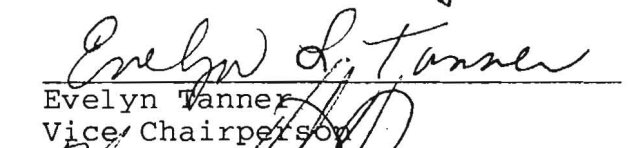
1. The Petitioner shall comply with all applicable Federal, State and County laws and regulations.
2. All chemicals used in the kennel and pet grooming operations shall be disposed of in accordance with the requirements of the Bureau of Environmental Health.
3. The Petitioner shall comply with testimony presented and shall limit the hours of operation to between 8:00 a.m. to 6:00 p.m. on Mondays through Fridays, and from 8:00 a.m. to 5:00 p.m. on Saturdays; the kennel shall be closed on Sundays and the grooming facility closed on Wednesdays and Sundays; pets shall be dropped off or picked up only between the hours of 9:00 a.m. and 5:00 p.m. on the days that the facility is open.
4. Dogs shall only be kept in the outdoor runs between 9:00 a.m. and 5:00 p.m.

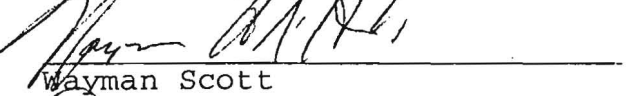
HOWARD COUNTY BOARD OF APPEALS

ATTEST:


 John M. Andrews, Jr.
 Administrative Assistant

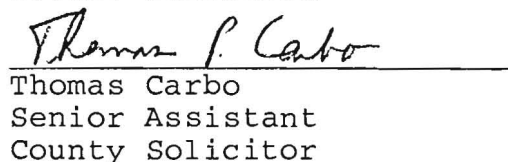

 George L. Layman, Chairperson

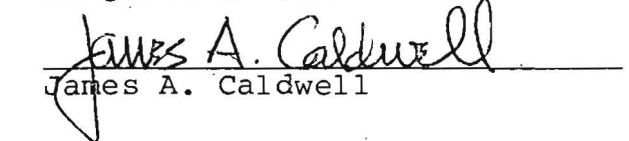

 Evelyn Tanner
 Vice Chairperson


 Wayman Scott


 Margaret Rutter

APPROVED AS TO FORM:
 HOWARD COUNTY OFFICE OF LAW
 BARBARA M. COOK
 COUNTY SOLICITOR


 Thomas Carbo
 Senior Assistant
 County Solicitor


 James A. Caldwell

DWYER ENGINEERING
7 Loudoun Street, SE
Leesburg, Virginia 22075
(703) 777 - 5988

LETTER OF TRANSMITTAL 01/11/95 VIA: US Mail-First Class

TO: Bert Nixon
Howard County Bureau of Environmental Health
3525-H Ellicott Mills Drive
Ellicott, MD 21043

RE: Willow Wood Country Club for Pets

MISCELLANEOUS ITEMS

Quan	Date	Description
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1	01/11/95	Conversation Note for your files
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Dear Mr. Nixon,

Please call if you have any questions or if any items are missing from this transmittal.

Gregory Gross

COPIES SENT TO

▶ Matthew Arnold, AIA of Pet Care Architecture
All enclosures Via US Mail-First Class

DWYER ENGINEERING
7 Loudoun Street, SE
Leesburg, Virginia 22075
(703) 777 - 5988

CONVERSATION NOTE

Willow Wood Country Club for Pets

Conversation Date: 01/11/95

Gregory Gross of Dwyer Engineering
and Bert Nixon of Howard County Bureau of Environmental Health

GG: I am doing the mechanical layout for a proposed kennel in Howard County which is going to have a small residential type range top. I am interested in knowing if you are going to require a hood for this application.

BN: Is this going to be a commercial application?

GG: Yes. They want a place to heat water for the animals' food.

BN: If they are planning on heating water only, I do not know of any regulations requiring a hood. I will accept it without a hood provided there is no planned use for cooking food for human consumption and no planned use for cooking where grease laden vapors may be produced.

GG: Our client has told me that the usage is to be so small that they think they can get away with a two burner set up. I don't think serious cooking is an issue.

BN: My concern is what might happen in the future. I have seen where a plan shows one usage, but in the future it is used for something else. One of the biggest concerns is that if grease vapors are created, they will not diffuse into the air adequately, accumulate, and then attract rodents. It is better to put one in than to have to retrofit one in the future.

The introduction of the steam can be a problem also. For one thing, it can ruin the ceilings.

GG: I don't think that will be a concern. The ceilings are to be at 16', and I am planning on having substantial exhaust and make up air. They want to be able to remove the odors (from the animals) out of the building quickly, so I think the air changes will prevent condensate problems.

BN: OK then, it sounds like steam will not be a problem. Again, if the usage is limited and restricted, I will accept it without a hood.

These notes are not verbatim, just summaries of the conversation. Please report any omissions or significant errors in these notes to Dwyer Engineering.

Gregory Gross



HOWARD COUNTY HEALTH DEPARTMENT

Joyce M. Boyd, M.D., County Health Officer

February 22, 1994

Mr. Don Mason
TSA Group, Inc.
8480 Baltimore National Pike, Ste. 418
Ellicott City, MD 21043

RE: Percolation Test Application
Proposed Kennel and Manager's Residence
Rachuba/Wolpert Property
Tax Map 10, Parcel 30
Marriottsville Road

Dear Mr. Mason:

As discussed with you by telephone, a percolation test date of March 14, 1994 has been tentatively established for the above referenced project.

It is strongly suggested that you contact this office to request a preview conference well in advance of the scheduled test date. Review of the proposal and the existing property file shows the project to be somewhat more complex than originally anticipated.

The existing property file shows a number of failed test holes from August, 1978. While a survey plat of these test locations appears not to have been generated, the test notes are detailed enough that the locations can be approximated with reasonable accuracy. These test locations seem to occupy most, if not all, of the area currently proposed for testing.

The proposed manager's residence would require establishment of a septic easement separate from that for the kennel. A separate test application fee (\$225) would be applicable.

If the proposal is for subdivision, then any occupied or plumbed structures on the residue parcel would be subject to establishment of separate 10,000 Sq. Ft. sewage disposal easements.

Should testing be successful, approval would be contingent upon qualification for a groundwater appropriations permit. Application procedures can best be discussed in our preview conference.

Please contact me at your earliest convenience to schedule the conference. Thank You.

Yours truly,

Craig Williams, Program Director
Water and Sewerage Program

cc: Fred Wolpert
Jane Nadeau



HOWARD COUNTY HEALTH DEPARTMENT

Joyce M. Boyd, M.D., County Health Officer

August 8, 1994

Mr. Christopher Malagari
TSA Group, Inc.
8480 Baltimore National Pike
Ellicott City, Maryland 21043

RE: Willow Wood Country Club For Pets
Marriottsville Road

Dear Mr. Malagari:

This is to acknowledge receipt of your letter dated May 17, 1994 in regards to the above referenced project.

The Maryland Department of the Environment "Guidelines for Wastewater Flows for Use in Designing On-Site Sewage Systems" indicates 25 gallons per day per kennel run. The figures outlined in your letter suggest 22 gallons per day per run and a maximum sewage flow of 4000 gallons per day. It is our opinion that your suggestion of 22 gallons per day essentially confirms the MDE guideline flow rate. And once employees and residence facilities are factored into the maximum flow per day, a more representative maximum flow per day figure would be approximately 4600 gallons per day.

Since our evaluation is based on the number of bedrooms, some questions remain unanswered in your letter. Specifically:

1. How many bedrooms are in the on-site manager's residence?
2. Is the caretaker living on-site also, as is the situation at the comparable Preston Country Club facility? If so, how many bedrooms are in this residence?
3. Please confirm the number of employees at the proposed facility?

Once this information has been submitted, a maximum sewage design flow can be established.

If you wish to discuss these figures, please call this office at 313-2640 to schedule a meeting at your convenience.

Very truly yours,

Jane E. Nadeau

Jane E. Nadeau, R. S.
Water and Sewerage Program

JEN:jr

cc: Fred Wolpert, Owner
Mark Rifkin, R. S.
Craig Williams, Program Director
File

CRAIG

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TSA GROUP, INC.

planning • architecture • engineering • surveying

8480 Baltimore National Pike • Suite 418 • Ellicott City, Maryland 21043 • (410) 465-6105

January 16, 1995

Mr. Mark Rifken
Bureau of Environmental Health
3425-H Ellicott Mills Drive
Ellicott City, Maryland 21043

Re: Willow Wood Farm
Restoration of Existing House and Septic/Well Repair

Dear Mr. Rifken,

This letter is to summarize our meeting of, January 13, 1995, regarding the restoration and repair of the existing vacant house and septic system at the above referenced site.

Mr. Frederick Wolpert owner of the subject site wishes to restore the existing vacant house located approximately 1000 feet north of the proposed dog kennel at the above referenced site. As indicated on the approved percolation certification plan for the proposed dog kennel, dated December 21, 1994, the existing well and septic for the vacant house were indicated as being abandoned. It was agreed by the owner, engineer and health department, via Mark Rifkins letter dated December 9, 1994, that this abandonment was to take place prior to approval of the building permit for the barn conversion to a dog kennel.

What the Health Department is calling an existing shack in the December 9, 1994, letter was interpreted by us as being the shack which houses the existing well not the existing vacant house. The owner never intended to abandon the existing vacant house.

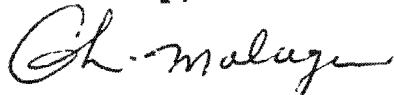
At this time, the owner has decided to restore the existing vacant house and plans to replace the existing septic system and well system. As discussed in our meeting a \$25.00 septic repair fee will be assessed and 4 percolation holes are required to be dug and

Mr. Mark Rifkin
January 16, 1995
Page - 2 -

tested. As agreed, the repair fee and testing can be handled directly between the health department and the septic contractor in the field. Mr. Jack Fyock of Fyock Septic Service Inc. has been contracted by the owner to make these repairs and will be contacting the health department to set up a time to inspect the septic repair and perc testing.

If you should have any questions or need any additional information please do not hesitate to call our office.

Sincerely,



Christopher A. Malagari
Project Manager

CAM:dy

CC: Mr. Fred Wolpert - owner
Mr. Jack Fyock
Craig Williams