

## Bureau of Environmental Health

8930 Stanford Boulevard, Columbia, MD 21045

Main: 410-313-2640 | Fax: 410-313-2648

TDD 410-313-2323 | Toll Free 1-866-313-6300

[www.hchealth.org](http://www.hchealth.org)

Facebook: [www.facebook.com/hocohealth](https://www.facebook.com/hocohealth)

Twitter: [HowardCoHealthDep](https://twitter.com/HowardCoHealthDep)

Maura J. Rossman, M.D., Health Officer

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### MEMORANDUM

TO: Geoff Goins  
Division of Zoning Administration and Public Service

FROM: Jeff Williams *JW*  
Program Supervisor, Well & Septic Program  
Bureau of Environmental Health

RE: **BA-17-020C**

DATE: February 9, 2018

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The Health Department has reviewed the above referenced petition and has the following comments:

- During Building permit review, the Health Department will evaluate the existing sewage disposal system and sewage disposal area to determine adequacy. The increased use may require an expansion of the system and expansion of the disposal area.
- The proposed paved area is less than 10 feet from the existing well. The paved area must be revised to meet the 10 foot setback to the well or a new well must be drilled in a location approved on a perc certification plan prior to Health approval of a building permit.

JRL

Department of Planning and Zoning  
Howard County, Maryland  
Recommendations/Comments

Date: January 5, 2018

Hearing Examiner 02/28/18

Planning Board \_\_\_\_\_ Board of Appeals \_\_\_\_\_ Zoning Board \_\_\_\_\_

Petition No. BA-17-020C Map No. \_\_\_\_\_ Block \_\_\_\_\_ Parcel \_\_\_\_\_ Lot \_\_\_\_\_

Petitioner: \_\_\_\_\_ Elisa Kamens \_\_\_\_\_

Petitioner's Address: \_\_\_\_\_

Address of Property: \_\_\_\_\_

Return Comments by February 5, 2018 to Public Service and Zoning Administration

Owner: (if other than applicant) \_\_\_\_\_

Owner's Address: \_\_\_\_\_

Petition: \_\_\_\_\_ SEE APPLICATION \_\_\_\_\_

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- To:
- \_\_\_\_\_ MD Department of Education – Office of Child Care  
3300 N. Ridge Road, Ste. 190, EC, MD 21043 (Louis Valenti)
  - \_\_\_\_\_ Bureau of Environmental Health
  - \_\_\_\_\_ Development Engineering Division
  - \_\_\_\_\_ Department of Inspections, Licenses and Permits
  - \_\_\_\_\_ Department of Recreation and Parks
  - \_\_\_\_\_ Department of Fire and Rescue Services
  - \_\_\_\_\_ State Highway Administration
  - \_\_\_\_\_ Sgt. Karen Shinham, Howard County Police Dept.
  - \_\_\_\_\_ James Irvin, Department of Public Works
  - \_\_\_\_\_ Office on Aging, Terri Hansen (senior assisted living)
  - \_\_\_\_\_ Police Dept., Animal Control, Deborah Baracco, (kennels)
  - \_\_\_\_\_ Susan Fitzpatrick, Health Dept. (Nursing & Res. Care)
  - \_\_\_\_\_ Land Development - (Religious Facility & Age-Restricted Adult Housing)
  - \_\_\_\_\_ Housing and Community Development
  - \_\_\_\_\_ Resource Conservation Division – Beth Burgess
  - \_\_\_\_\_ Route 1 Cases – DCCP – Kristen O'Connor
  - \_\_\_\_\_ Telecommunication Towers – (Comm. Dept.)
  - \_\_\_\_\_ Division of Transportation – Dave Cookson

COMMENTS: see memo  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
SIGNATURE



For DPZ Office use only:

BA CASE NO. BA-17-0205

Date Submitted 7/19/17

**CONDITIONAL USE PETITION  
TO THE HOWARD COUNTY HEARING AUTHORITY**

(This application will only be accepted after a pre-submission meeting. See attached info.)

**1. Conditional Use Request**

Conditional Use Category Pet Day Care Facilities

Sections 131.0.N. 39

Specific Use Requested Pet Day Care Facility

**2. Name of Petitioner** Elisa Kamens

Trading as (If applicable) \_\_\_\_\_

Mailing Address 4807 Manor Lane, Ellicott City, Maryland 21043

Phone Number(s) 410-730-2275

E-Mail Address ejkamens28@gmail.com

Name of Principal Contact (If different) \_\_\_\_\_

**3. Counsel for Petitioner** Thomas G. Coale, Talkin & Oh, LLP

Mailing Address 5100 Dorsey Hall Drive, Ellicott City, Maryland 21042

Phone Number(s) 410-964-0300

E-Mail Address tcoale@talkin-oh.com

**4. Conditional Use Site Description**

Address/Street for Property 4807 Manor Lane, Ellicott City, Maryland 21043

Tax Map 29 Grid/Block 11 Parcels 327 Lot 6

Department of Assessments and Taxation Account No. 02-259478

Total Land Area of Property 2.902 (  Acres ) (  Square Feet ) Check one.

Election District 2nd Zoning of Property RC-DEO

Subdivision Name and Plat No. (If Applicable) Klein and Linn Property, Plat No. 3811

Total Land Area of Use (If different than above) \_\_\_\_\_ (  Acres ) (  Square Feet )



**5. Petitioner's Interest in Subject Property**

- OWNER (Including joint ownership)
- OTHER (Described and give name and address of owner)

Name of Owner \_\_\_\_\_

Mailing Address \_\_\_\_\_

**If the Petitioner is not the owner, written authorization for this petition from the owner must be submitted.**

**6. Conditional Use Plan Requirements**

If the petition is approved, the conditional use plan will be made a part of the Hearing Examiner's Decision and Order, subject to modifications and conditions required by the Hearing Examiner. The conditional use plan must be drawn to scale and must include the items listed below:

- (a) Courses and distances of outline boundary lines and the size of the property
- (b) North arrow
- (c) Zoning of subject property and adjoining properties
- (d) Scale of plan
- (e) Existing and proposed uses, structures, natural features and landscaping
- (f) Location and surface material of existing and proposed parking spaces, driveways, and points of access; number of existing and proposed parking spaces
- (g) Same as (e) and (f) above, of adjoining properties
- (h) Location of existing and/or proposed well and private septic easement area, if property is to be served by private water and septic facilities
- (i) Election District in which the subject property is located
- (j) Tax Map and Parcel Number(s) of the subject property
- (k) Name of local community in which the subject property is located or name of nearby community
- (l) Name, mailing address, telephone number (and e-mail address, if any) of the Petitioner
- (m) Name, mailing address, telephone number (and e-mail address, if any) of Counsel
- (n) Name, mailing address, telephone number of property owner
- (o) Floor area and height of structures, setback distances from property lines, and other numerical values necessary for the examination of the petition
- (p) Location of subject property in relation, by approximate dimension, to the center line of nearest intersection of two public roads
- (q) Ownership of abutting roads, right-of-way width, and existing pavement width
- (r) Any other information as may be necessary for full and proper consideration of the petition

**7. Additional Information Requirements**

- a. Information regarding noise, dust, fumes, odors, lighting, vibrations, hazards or other physical conditions resulting from the use.
- b. Supporting documentation, such as traffic studies, market studies, and noise studies as may be required by the Department of Planning and Zoning or by the Zoning Regulations.
- c. For expansions and enlargements, previous case number(s) and information regarding compliance with previous requirements and conditions.

**8. Summary of Request**

The following items should be answered by summary statements. If additional space is needed, please attach a Supplement to this petition.

- a. The present use of the subject property Single-family detached dwelling  
\_\_\_\_\_  
\_\_\_\_\_
  
- b. Details of the proposed use, including, **where applicable:** types of indoor and outdoor activities; hours of operation; number of employees, occupants, and/or customers; quantity and types of vehicles or equipment used; outdoor lighting to be used; quantities and capacities of materials stored; etc.  
\_\_\_\_\_  
See the attached narrative supplement.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- c. Any additional information which will be useful in the evaluation of whether the conditional use complies with the specific criteria for the conditional use category within Section 131.0.N.  
\_\_\_\_\_  
See the attached narrative supplement.  
\_\_\_\_\_  
\_\_\_\_\_
  
- d. Will the conditional use generate any physical conditions such as noise, dust, fumes, odors, lighting, or vibrations which would be discernible from abutting and vicinal properties?  
\_\_\_\_\_  
See the attached narrative supplement.  
\_\_\_\_\_
  
- e. Will the number of parking spaces be appropriate to serve the use and will the parking areas, loading areas, driveways, and trash receptacle areas be appropriately located and buffered from public roads and residential areas?  
See the attached narrative supplement.  
\_\_\_\_\_

f. Will the ingress and egress driveway(s) provide safe access with adequate sight distance?

See the attached narrative supplement.

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g. Are there any environmentally sensitive areas in the vicinity of the property and, if so, will the proposed use have any potential to affect such areas?

See the attached narrative supplement.

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h. Are there any historic sites in the vicinity of the property and, if so, will the proposed use have any potential to diminish the character and significance of such sites?

See the attached narrative supplement.

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### 9. Prior Petitions

Has any petition for the same, or substantially the same, conditional use as noted above for the subject property been denied by the Hearing Examiner within twenty four (24) months of the date of this petition?

Yes                       No

If yes, and six (6) months have elapsed since the last hearing, an affidavit must be attached which states the new and different grounds on which this re-submittal is based.

### 10. Additional Materials, Fees, Posting and Advertising Requirements

a. Supplemental pages may be attached to the petition. **You must submit one original petition with original signatures, and one original of any other signed documents.** The following number of sets including petitions, plans and supplemental pages must be submitted:

- *If the subject property adjoins a State road- original and 20 copies (application & plans)*
- *If the subject property adjoins a County road- original and 18 copies (application & plans)*

b. The Petitioner signing below hereby agrees to furnish such additional plats, plans, reports or other material as may be required by the Department of Planning and Zoning and/or the Hearing Examiner in connection with this petition.

c. The Petitioner hereby agrees to pay all costs in accordance with the current schedule of fees.

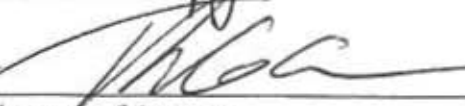
d. The Petitioner hereby agrees to properly post the property at least thirty (30) days immediately prior to the Hearing Examiner public hearing; to maintain the public notice posters until the public hearing is concluded; and to submit an affidavit of posting at, or before the time of the initial public hearing. The Petitioner also hereby agrees to advertise the public hearing by means of legal notices as prepared and approved by the Department of Planning and Zoning to be published one (1) time in at least two (2) newspapers of general circulation in Howard County, at least thirty (30) days prior to the Hearing Examiner public hearing, and to pay for such advertising costs; and agrees to submit two (2) approved certificates of the text and publication date(s) of the advertisement at or before the time of the hearing.

**11. Signatures**

The Petitioner hereby affirms that he/she has read the instructions on this form, filing herewith all of the required accompanying information, and affirms that all of the statements and information contained in, or filed with, this petition are true and correct.

  
\_\_\_\_\_  
Signature of Petitioner                      7/19/17  
Date

\_\_\_\_\_  
Elisa Kamens  
Print Name of Petitioner

  
\_\_\_\_\_  
Signature of Attorney                      7/19/17  
Date

\_\_\_\_\_  
Thomas G. Coale, Talkin & Oh, LLP  
Print Name of Attorney

## 12. General Standards for Conditional Uses

All requests for conditional uses must meet the following general standards set forth in Section 131.0.B. of the Zoning Regulations for approval:

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.
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.
3. The proposed use at the proposed location will not have adverse effects on vicinal properties above and beyond those ordinarily associated with such uses. In evaluating the plan under this standard, the Hearing Authority shall consider whether or not:
  - 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 be greater at the proposed site than it would generally be elsewhere in the same zoning district or other similar zoning districts.
  - 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.
  - 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.
  - 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.
  - e. The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.
  - f. The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.

In addition to the specific requirements of the appropriate subsection within Section 131.0.N of the Zoning Regulations, conditional uses within residential developments in the R-ED, R-SC, R-SA-8, R-A-15, R-MH or R-VH districts are subject to the standards enumerated in Section 131.0.C.

PETITIONER Elisa Kamens

ADDRESS 4807 Manor Lane, Ellicott City, Maryland 21043

Affidavit made pursuant to the pertinent provisions of Title 22 of the Howard County Code as amended:

The person(s) signing below hereby declare(s) that no officer or employee of Howard County, whether elected or appointed, has received prior hereto or will receive subsequent hereto, any monetary or material consideration, any service or thing of value, directly or indirectly, upon more favorable terms than those granted to the public generally in connection with the submission, processing, issuance, grant or award of the attached petition to the Hearing Examiner for a conditional use as requested.

I, we, do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my, our, knowledge, information and belief.

Kelley L Wagner  
Witness

[Signature] 7/19/17  
Signature Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature Date

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Application Fee: \$500.00      Poster Fee: \$25.00 per sign/poster  
Make check payable to: Director of Finance.

<b>For DPZ use only:</b>	
Hearing fee:	\$ _____
Poster fee:	\$ _____
Total:	\$ _____
Receipt No. _____	

County Website: [www.howardcountymd.gov](http://www.howardcountymd.gov)

PLEASE CALL 410-313-2350 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION.

T:\shared\PubSer\Applications\CondUse  
Revised 10/07

## Pre-Submission Community Meeting - Instructions

1. A pre-submission community meeting is required prior to the initial submittal of a petition for a conditional use according to the following procedures:
  - a. The petitioner shall provide at least 3 weeks' written notice regarding the date, time, and location of the pre-submission community meeting to:
    - (1) All adjoining property owners as identified in the records of the Maryland Department of Assessments and Taxation, by mail; and
    - (2) The Department of Planning and Zoning, which will place the meeting notice on the Department's web site; and
    - (3) Any community association that represents the area of the subject property or any adjacent properties
  - b. The meeting shall be:
    - (1) Held at a location within the community, in a public or institutional building located within approximately 5 miles of the subject property; and
    - (2) Scheduled to start between 6 p.m. and 8 p.m. on a weekday evening, or to be held between 9 a.m. and 5 p.m. on a Saturday, excluding County holidays and other holidays determined in Section 16.205(D) of the Howard County Code.
  - c. The petitioner shall post the property with posters provided by and at locations specified by the Department of Planning and Zoning, and shall make a reasonable effort to maintain the posters for at least the 3 weeks immediately prior to the meeting.
  - d. A certification of notice and posting and a summary of the issues expressed by residents at the pre-submission community meeting shall be transmitted by the petitioner to the Department of Planning and Zoning when the initial petition is filed.
  - e. The purposes of the pre-submission community meeting are to allow the petitioner to provide information to the community regarding the proposed conditional use and to allow community residents to ask questions and discuss any issues they have concerning the proposal.
  - f. If the petitioner does not submit the petition to the Department of Planning and Zoning within 1 year of the pre-submission community meeting, the petitioner shall hold another pre-submission community meeting, subject to the same notification and posting requirements as the first pre-submission community meeting.

IN RE: \* BEFORE THE  
ELISA KAMENS \* HOWARD COUNTY  
REQUEST FOR \* HEARING EXAMINER  
CONDITIONAL USE \*  
Case No: \_\_\_\_\_

\*\*\*\*\* \*\* \*\*\*\*\* \*\* \*\*\*\*\*

**NARRATIVE SUPPLEMENT TO  
CONDITIONAL USE PETITION**

**8. Summary of Request**

**b. Details of the proposed use, including, where applicable: types of indoor and outdoor activities; hours of operation; number of employees, occupants, and/or customers; quantity and types of vehicles or equipment used; outdoor lighting to be used; quantities and capacities of materials stored; etc.**

This petition seeks conditional use approval for a pet day care facility on the subject property (the "Property"). The Property currently contains an approximately 3,271 square foot single-family detached dwelling (the "Dwelling"). The Dwelling will continue to be used as a dwelling for one resident.

The pet day care is proposed to serve a maximum of 15 pets, all of which shall be dogs aged one year or younger. The pet day care operation will primarily be conducted in the Dwelling's basement, which will be specifically designed for the pet day care use.

The proposed hours of operation are from 7 a.m. to 6 p.m., Monday through Friday. On Saturdays, from 9 a.m. to 2 p.m., the Petitioner proposes to schedule time for one-on-one client visits to review what their pets have been taught over the previous week. There will be no more than five (5) client visits per Saturday and Petitioner does not intend to have more than two dogs on the site at any given time.

In order to limit the number of vehicles accessing the Property, the Petitioner proposes to contract with her clients to ensure that no more than five clients drop off and pick up pets from the Property on any particular day. In the event that more than five clients are scheduled for day care on any given day, such additional clients would drop off and pick up their pets offsite at the Petitioner's other facility. The Petitioner would transport those pets to and from the Property.

A maximum of three employees, including the Petitioner, would be onsite at any one time on weekdays, and only one employee would be onsite for the Saturday appointments. No material storage is proposed, and there will be no deliveries of commercial equipment or supplies to the Property. The Petitioner will utilize a Ford

Ranger truck for the business and will have any materials and supplies delivered offsite and brought to the Property by an employee.

Outdoor lighting shall consist of the lighting currently on the Dwelling and, potentially, ground level lighting in the parking area to ensure the safety of employees. Exterior lighting shall comply with all Howard County requirements and will be shielded and directed as necessary to ensure that adjoining properties will not be adversely impacted.

c. Any additional information which will be useful in the evaluation of whether the conditional use complies with the specific criteria for the conditional use category within Section 131.0.N.

A. The minimum lot size shall be one acre.

The Property, at approximately 2.902 acres, is almost triple this required minimum lot size.

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

The majority of the pet day care business will be conducted inside except as is permitted by subsection g. below. The Petitioner, a professional with over 27 years of experience in caring for pets, will focus on ensuring that the dogs remain quiet while indoors and outdoors. Indoor noise from day care business functions will not be perceptible at lot lines.

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

The Petitioner proposes to limit the hours of operation to between 7 a.m. and 6 p.m. Monday through Friday for day care and to between 9 a.m. and 2 p.m. on Saturdays for site visits. The Petitioner also proposes to limit the number and type of pets cared for to 15 dogs, all one year or younger. The Petitioner is willing to accept these limits and any other conditions the Hearing Authority may impose.

D. The facility shall not be located on a shared driveway.

The Property is served by a private driveway that is not shared with any other property.

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

As shown on the accompanying Conditional Use Plan, the proposed parking area will be located on the southwestern portion of the Property. The parking area is well screened

from Manor Lane and adjacent residential properties by many existing, mature trees. In areas where existing trees do not adequately buffer the parking area, additional trees are proposed for further screening.

F. There shall be no overnight boarding of pets.

The Petitioner shall comply with this criterion. The resident of the Dwelling, however, may have personal pets that could reside full time on the Property.

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 proposes to provide an outdoor area for exercising and toileting of pets. The pets will never be left unattended and will always be supervised by the Petitioner's employees. The primary purpose of the outdoor area is for toileting, which will occur in 15 minutes increments, five pets at a time. Pets will spend the majority of the day inside.

Petitioner will provide outdoor exercise to the pets on a one-on-one basis. The pets will be permitted to swim in the pool that exists on site or exercise in the area marked "Outdoor Area B". The pool will not be filled from the Property's well; instead, water will be delivered from a pool company each year. Outdoor exercise will include training exercises based on the specific requests of the pet's owner.

Petitioner intends to limit outdoor use of the Property to 4 hours per day. As indicated above, no more than five pets will be outside at any one time.

The outdoor area proposed for the pet day care facility will be confined to a relatively small area of the rear yard and northern side yard. As shown on the Conditional Use Plan, this outdoor area will be enclosed by several sections of fencing for containment.

Beginning at the southwestern corner of the Dwelling, a 6 foot tall, board on board privacy fence (the "Privacy Fence") runs south to the southern lot line. From there, the Privacy Fence runs east along the lot line to a row of existing trees. A 5 foot tall, 4 board fence enclosed with wire mesh (the "5' Fence") then runs north to the Property's northern lot line, west along the lot line to a point adjacent to the Dwelling, then south to the Dwelling's northwestern corner. A 5' Fence also bisects the outdoor area into a northern and southern section. The vast majority of outdoor time will be spent in the northern section, away from adjoining residential properties.

As shown on the Conditional Use Plan, the Property also contains a 5' Fence along its property lines to enclose the remainder of the rear yard. This fencing provides further screening, will keep animals that are not part of the pet day care off of the Property, and will allow additional confined outdoor space for the resident of the Dwelling and the resident's personal pets.

The fencing, along with existing trees on the Property, will buffer the outdoor operations from view of adjoining residential properties and will ensure that the pets are confined to the Property. The fencing will comply with the requirements of Section 128.0 of the Zoning Regulations.

The Petitioner also intends to install fencing along the 30 foot use restriction line within the enclosed rear and side yards to ensure that the pet day care operations do not encroach within the applicable 30 foot use setbacks imposed by the Zoning Regulations. Pets accessing the pool area will be kept on a lead when not in the pool and will not be permitted to cross the 30 foot use restriction line, which will also be demarcated with fencing.

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

Wastes will be picked up every day and will be taken to a landfill by the Petitioner's employees at least one to two times per week. Between trips to the landfill, the waste shall be stored within a typical residential, metal garbage container. The garbage container will be kept to the north of the Dwelling, as shown on the Conditional Use Plan, away from nearby residential properties. The Petitioner will ensure that odors are not perceptible at lot lines.

- 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; and
  - (2) Any new building or building addition associated with the use, including any outdoor storage and parking area shall count towards to cumulative use cap of 2% of the easement.

The Property is not an ALPP purchased or dedicated easement property, and this criterion is inapplicable.

8.d: Will the conditional use generate any physical conditions such as noise, dust, fumes, odors, lighting, or vibrations which would be discernible from abutting and vicinal properties?

The pet day care will not generate physical conditions such as fumes or vibrations. The Petitioner intends to pave the existing gravel driveway, and dust will not be generated by the use. Noise from business operations and odors from pet wastes shall not be perceptible at lot lines. Exterior lighting shall consist of the Dwelling's existing lighting and, potentially, ground level lighting for the parking area that will be shielded and directed as necessary to ensure that adjoining properties will not be adversely impacted. The proposed use will not generate physical conditions such as noise, dust, fumes, odors, lighting, or vibrations that would be discernible from abutting and vicinal properties and will not create any adverse impacts greater at the Property than elsewhere in the zone or applicable other zones.

**8.e: Will the number of parking spaces be appropriate to serve the use and will the parking areas, loading areas, driveways, and trash receptacle areas be appropriately located and buffered from public roads and residential areas?**

Zoning Regulations Section 133.0 does not provide a specific parking requirement for pet day cares. The Petitioner has proposed 6 parking spaces based on her proposal to ensure that no more than five clients and/or prospective clients access the Property on any one day. The 6 spaces to be provided will be more than adequate to serve the pet day care use and the needs of the resident of the Dwelling.

No loading areas or large commercial trash receptacle areas are proposed. The location of the current driveway will remain unchanged. The driveway and parking area will be well buffered from Manor Lane and residential areas by the Property's existing trees and the additional screening trees proposed on the Conditional Use Plan. Trash receptacles will be stored to the north of the Dwelling in the area shown on the Conditional Use Plan and will be screened from view of Manor Lane and adjacent properties by fencing and existing mature trees.

**8.f: Will the ingress and egress driveway(s) provide safe access with adequate sight distance?**

Yes, the existing ingress and egress driveways will continue to provide safe access with adequate sight distance.

**8.g: Are there any environmentally sensitive areas in the vicinity of the property and, if so, will the proposed use have any potential to affect such areas?**

To the best of the Petitioner's knowledge, there are no environmentally sensitive areas in the vicinity of the Property. Given that the pet day care facility is primarily an indoor use and that wastes will be disposed of off-site, the proposed conditional use will not produce any adverse environmental effects.

**8.h.: Are there any historic sites in the vicinity of the property and, if so, will the proposed use have any potential to diminish the character and significance of such sites?**

The closest historic site is HO-421, known as "Gray House," at 4754 Manor Lane. Given that the pet day care facility is primarily an indoor use that requires no significant renovations or alterations to the existing structure on the Property, and given the buffering and screening to be provided, there is no potential for diminishing the character and significance of the Gray House or other historic sites.

## THE K9 CONNECTION

c/o 5100 Dorsey Hall Drive  
Ellicott City, Maryland 21042

### Notice of Pre-Submission Community Meeting

In accordance with Section 131.0 of the Howard County Zoning Regulations, this is notice that The K9 Connection, Petitioner, intends to submit a Conditional Use Petition for a pet day care facility. The subject property is currently zoned RC-DEO (Rural Conservation-Density Exchange Option) and consists of approximately 2.902 acres, more or less, and is located at 4807 Manor Lane, Ellicott City, Maryland 21042 (Tax Map 29, Grid 11, Parcel 327) (see enclosed site location map). The proposed Conditional Use Plan is for a pet day care facility and outdoor area for walking and exercising pets.

You are invited to attend a pre-submission community meeting to meet with the Petitioner, who will provide information concerning the Petition, and to ask questions, make comments and discuss this project.

The presubmission community meeting will be held on Tuesday, May 30, 2017 at 6:00 p.m. at The Florence Bain 50+ Center, 5470 Ruth Keeton Way, Columbia, Maryland 21044.

General information regarding the pre-submission community meeting can be found on the Department of Planning and Zoning's webpage at:  
[http://data.howardcountymd.gov/Search\\_Plans/Search\\_Plans\\_Web.aspx](http://data.howardcountymd.gov/Search_Plans/Search_Plans_Web.aspx)

If you are unable to attend the meeting, you may contact Tom Coale at (410) 964-0300 to receive meeting minutes and follow-up correspondence.



List of Adjoining and Confronting Property Owners/Elisa Kamens

Subject Property: 4807 Manor Lane  
Ellicott City, Maryland 21042  
Tax Map 29, Block 11, Parcel 327, Lot 6

Adjoiners:

Parcel 327/

Lot 9: Sara Via  
4811 Manor Lane  
Ellicott City, Maryland 21042

Parcel 327/

Lot 10: Alimujiang Wumaier  
4713 Manor Lane  
Ellicott City, Maryland 21042

Parcel 21/

Parcel B: Windsor Forest Fox Chasing HOA, Inc.  
Dorsch Farm Road  
Ellicott City, Maryland 21042

Mailing address: 8318 Forrest Street  
Suite 200  
Ellicott City, Maryland 21043

Parcel 322/

Lot 3: Board of Education, Howard County  
W. Manor Lane  
Ellicott City, Maryland 21042

Mailing address: c/o Charles A. Klein  
8045 Route 32  
Columbia, Maryland 21044

School Principals

Centennial Lane Elementary School  
3825 Centennial Lane  
Ellicott City, Maryland 21042  
Attention: Amanda Wadsworth, Principal

Burleigh Manor Middle School  
4200 Centennial Lane  
Ellicott City, Maryland 21042  
Attention: Antoinette Roberson, Principal

Centennial High School  
4300 Centennial Lane  
Ellicott City, Maryland 21042  
Attention: Claire Hafets, Principal

PTA Presidents

Centennial Lane Elementary School  
3825 Centennial Lane  
Ellicott City, Maryland 21042  
Attention: PTA PRESIDENT

Burleigh Manor Middle School  
4200 Centennial Lane  
Ellicott City, Maryland 21042  
Attention: PTA PRESIDENT

Centennial High School  
4300 Centennial Lane  
Ellicott City, Maryland 21042  
Attention: PTA PRESIDENT

ELISA KAMENS – CONDITIONAL USE

4807 Manor Lane, Ellicott City, MD 21043  
Tax Map 29, Block 11, Parcel 327  
2.902 AC±

REPORT OF PRE-SUBMISSION COMMUNITY MEETING  
HELD AT 6 P.M. ON TUESDAY, MAY 30, 2017 AT  
THE FLORENCE BAIN SENIOR CENTER,  
5470 RUTH KEETON WAY, COLUMBIA, MD 21044

A Pre-Submission Community Meeting was held on Tuesday, May 30, 2017 at 6:00 p.m. at the Florence Bain Senior Center.

The following people were in attendance at that meeting:

Elisa Kamens (*Petitioner*), Dennis Ream (*Consultant*), and Thomas G. Coale (*attorney*).

After a brief presentation by Petitioner of its request for a pet daycare at 4807 Manor Lane, Ellicott City, Maryland 21043 (the "Property"), the following questions and answers were provided:

- 1) How many dogs will you have on the property at any one time? *15 dogs, all one year and younger.*
- 2) What kind of training do you intend to provide? *Most of the training will be indoors and be "house training". Outdoor training will primarily be focused on call and response.*
- 3) Will training occur at the same time as pet day care operation? *Yes. Although there will also be some weekend training when the pet day care is not in operation.*
- 4) Will training occur at the same time as toileting of animals? *Possibly. It depends on staff capacity.*
- 5) How will dogs be brought to the Property? *Up to five dogs will be dropped off by their owners. All other dogs will be dropped off at Club Pooche and driven to the Property together.*
- 6) Is the training being provided on top of the existing pet day care operation? *No. The dogs trained during the weekend will be attendees of the pet day care.*
- 7) Would 15 dogs be trained in one day? *Possibly, but not likely. Training is exhausting and Petitioner does not anticipate wanting to schedule all 15 dogs for training in one day.*
- 8) What are the hours of operation? *Monday through Friday will be 7 a.m. to 6 p.m. Training will be provided on Saturdays and Sundays from 9 a.m. to 2 p.m. Weekend training will normally involve 1 to 2 dogs being on-site at any given time.*

- 9) Comment: Many of the surrounding property owners are retired and are home during the work week.
- 10) Your petition is for 15 dogs. Do you anticipate wanting to have more? *No.*
- 11) Would you hire more staff to be able to accommodate more dogs on the Property? *No. This use is intended for rearing puppies. Having too many dogs may interfere with the ability to train the puppies.*
- 12) How many staff do you anticipate having on-site? *Two plus the Petitioner.*
- 13) Would this conditional use be limited to the Petitioner or would it run with the land? *Conditional use approval runs with the land, but Petitioner has no intention to sell the Property at this time.*
- 14) How many more steps are there in the conditional use approval process? Will there be another appeal? *Petitioner believes the proposed use is squarely within the new definition for a Pet Day Care conditional use and applicable criteria. Depending on the outcome of the Hearing Examiner's decision, either party will have the opportunity to appeal. As such, it is difficult to say how many more steps there will be in the process.*
- 15) How many dogs do you anticipate seeing over the course of a weekend? *Unsure at this time. Petitioner only intends to have up to 2 dogs on site at any one time during the weekend, but she can't predict how many she would have over the course of a day.*
- 16) Will you train the dogs yourself or will you hire trainers? *I will train the dogs myself.*
- 17) Would you be willing to propose an outside limit for the number of dogs to be trained? *Petitioner will consider it. We are limiting the number of dogs that will be on-site at any one time and limiting the hours of training.*
- 18) Where is the parking? How many cars will be parked on-site? *Parking is shown on the conditional use plan. Petitioner will have up to three cars parked on the site related to the conditional use. Her own car and two employees.*
- 19) Will there be visible signage? *No. There is an existing dog mailbox, which will remain.*
- 20) Can you change the landscaping so that it blocks headlights from the handicapped parking spaces? *We will consider that change. We expect the proposed landscaping to block most of the lights coming off the property.*
- 21) Is the aqua-therapy just for puppies? *Yes. It has been shown to help young dogs and is better for their growing bones than more impactful exercise like running.*
- 22) Is there a way to limit the use to puppies? *Petitioner is self-limiting the proposal to just puppies. If the conditional use is approved, Petitioner will be bound by the petition and any limitations put in place by the Hearing Examiner. Petitioner fully expects that she will be precluded from having any dogs other than puppies on her site.*
- 23) Will you have a heated pool? *No. The use of the pool will be seasonal and only when the water temperature is appropriate.*
- 24) How is aqua-therapy training? *Aqua-therapy is permitted under the definition of Pet Day Care.*
- 25) Will dogs be walked on the public road? *No.*

- 26) Can you send us the updated definition of Pet Day Care? *The definition of Pet Day Care is in the Zoning Regulations. We will include it with our Presubmission Community Meeting Notes: "An establishment where, for a fee, care and services are provided for domestic pets. Services may include grooming, training, exercising, and socializing, but pets are not to be boarded overnight, bred, sold, or let for hire."*
- 27) Will there be training after dark? *No.*
- 28) Could house continue to be used as a residence? *Yes.*

The meeting concluded at approximately 7:15 p.m.

- 26) Can you send us the updated definition of Pet Day Care? *The definition of Pet Day Care is in the Zoning Regulations. We will include it with our Presubmission Community Meeting Notes: "An establishment where, for a fee, care and services are provided for domestic pets. Services may include grooming, training, exercising, and socializing, but pets are not to be boarded overnight, bred, sold, or let for hire."*
- 27) Will there be training after dark? *No.*
- 28) Could house continue to be used as a residence? *Yes.*

The meeting concluded at approximately 7:15 p.m.

**ELISA KAMENS**  
 4807 Manor Lane, Ellicott City, MD 21043  
 Tax Map 29, Block 11, Parcel 327  
 2.902 AC±

Presubmission Community Meeting  
 held on Tuesday, May 30, 2017 at 6:00 p.m.  
 at The Florence Bain 50+ Center,  
 5470 Ruth Keeton Way  
 Columbia, Maryland 21044

SIGN IN SHEET

NAME	ADDRESS	EMAIL
Sara Via	4811 Manor Ln	svia@umd.edu
YOVONDA BROOKS	4819 MANOR LANE	brooksyd@verizon.net
THOMAS YARRO	4925 MANOR LANE	
HARRY HOFFMAN	4815 MANOR LANE	HOFFMANHT@VERIZON.NET
CJ + SARA DOMERCHIC	4851 MANOR LANE	DOMERCHIC@Verizon.net
Amyan + Jon Shoemaker	4950 Manor Lane	—
Ammed. Colburn	4705 Manor Lane	—
Jim Truby	4821 Manor Lane	jtruby@SynthesisUSA.com
Adilén Aizezi	4713 Manor Ln.	adila.azizi@gmail.com

6/15/17 minutes sent to attendees

**AFFIDAVIT OF POSTING  
Pre-submission Meeting**

**Case: The K9 Connection**

STATE OF MARYLAND)

COUNTY OF HOWARD )

I, Elisa Kamore HEREBY CERTIFY that to the

best of my information, knowledge and belief the property which is the subject of the above-captioned petition has been posted in accordance with the following requirements of the Department of Planning and Zoning:

1. The poster(s) shall be erected and shall remain on the subject property for three weeks prior to the pre-submission meeting.
2. The poster(s) shall be erected using 2 wooden stakes, one on each side of the poster.
3. The poster(s) shall be placed at the location indicated by the Department of Planning and Zoning.

I further certify that the poster(s) has been posted at least 21 days immediately prior to the pre-submission meeting scheduled for **May 30, 2017** giving notification of the place, date and time of the meeting.

Subscribed and sworn to before me on this 12 day of May, 2017.

Petitioner's/Agent's Signature



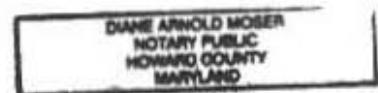
Notary Public:



My Commission expires:

7/24/2019

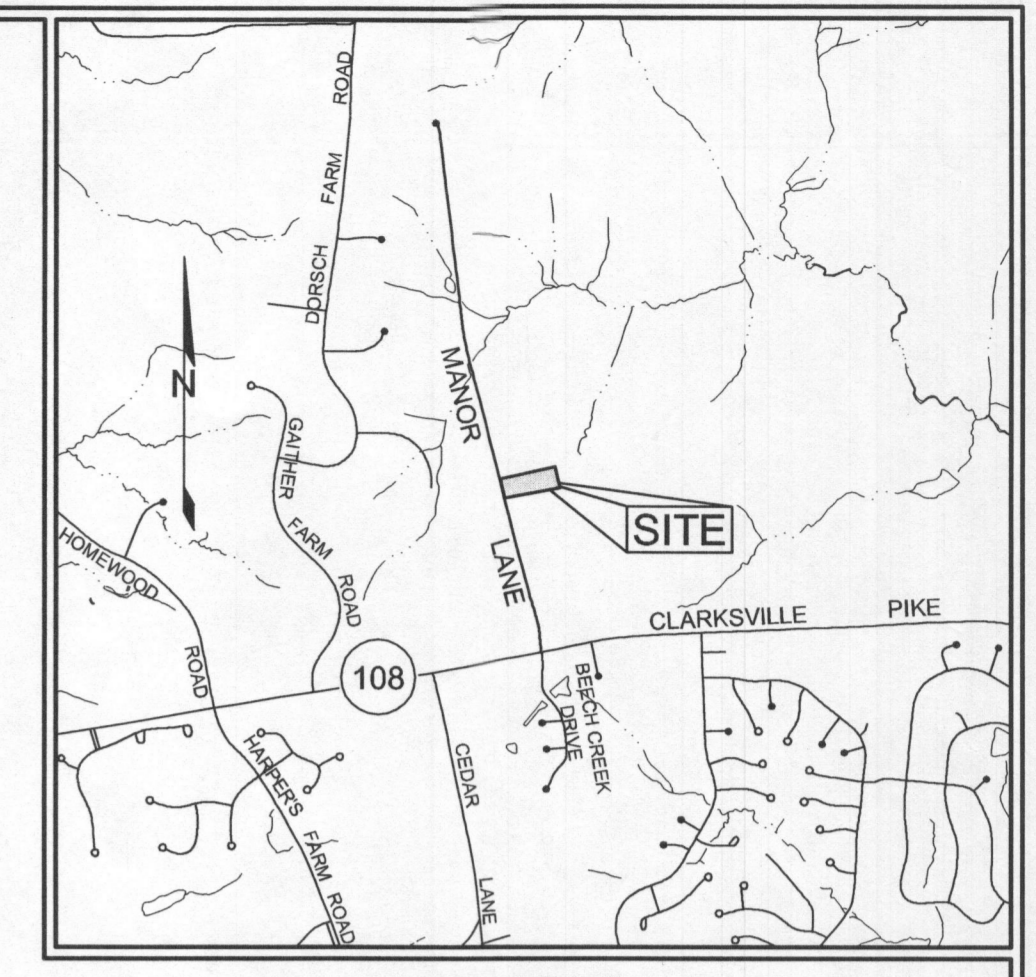
**Note: It is the responsibility of the Petitioner to ensure that all of the Posting requirements have been met. Failure to meet any of these requirements may result in the postponing and rescheduling a meeting in order to ensure the proper posting of the property. It is also the petitioner's responsibility to remove the poster 3 weeks after the meeting.**



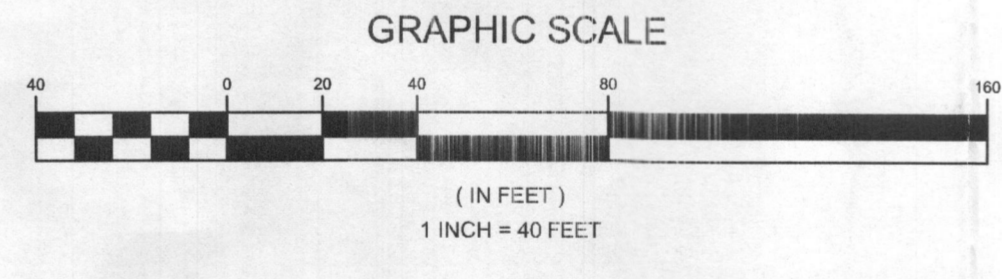


**LEGEND**

- EXISTING CONTOUR
- EXISTING TREELINE
- EXISTING ADJACENT FENCE
- EXISTING WOOD FENCE
- EXISTING WOOD & METAL FENCE
- PROPOSED VINYL PEN
- BOUNDARY
- ADJOINING BOUNDARY
- GRAVEL
- LIMIT OF DISTURBANCE
- UTILITY POLE
- EXISTING WELL
- EXISTING TREE
- PROPOSED PARKING COUNT
- PROPOSED EVERGREEN SCREENING TREE
- AREA OF PROPOSED USE



- GENERAL NOTES**
- THIS PLAT OR PLAN IS NOT INTENDED TO SHOW ALL MATTERS RELATED TO THE PROPERTY SHOWN HEREON.
  - THE 3 SETBACK ACCURACY IS 1 FOOT.
  - PROPERTY ADDRESS: 4807 MANOR LANE, ELLICOTT CITY, MARYLAND 21043
  - LOCAL COMMUNITY: ELLICOTT CITY
  - THIS LOT DOES NOT APPEAR TO LIE WITHIN THE 100 YEAR FLOOD PLAIN AS SHOWN ON THE F.E.M.A. FLOOD HAZARD MAP 24027C0135-D AS REVISED NOVEMBER 6, 2013.
  - ADJACENT BUILDING AND LAND FEATURE LOCATIONS ARE SUPPLEMENTED BY HOWARD COUNTY AERIAL TOPOGRAPHIC MAPS.
  - TOPOGRAPHY SHOWN HEREON IS HOWARD COUNTY AERIAL TOPOGRAPHY.
  - SUBJECT PROPERTY IS ZONED RC-DEO SUBJECT TO THE 2013 ZONING REGULATIONS ADOPTED OCTOBER 6, 2013.
  - THE CURRENT PRINCIPAL USE OF THE SITE IS A SINGLE FAMILY DWELLING. THE PROPOSED USE FOR THE SITE IS A SINGLE FAMILY DWELLING AND DOG DAY CARE.
  - SIX (6) PARKING SPACES ARE PROPOSED FOR THE SITE INCLUDING A HANDICAP ACCESSIBLE SPACE. THE PROPOSED LIMIT OF DISTURBANCE (LOD) IS 8,044 SQUARE FEET. SEE PLAN.
  - LOT NUMBER 10 OF THE SUBDIVISION KNOWN AS "SUBDIVISION PLAT LOTS 6, 7, 8, 9 AND 10, A RESUBDIVISION OF LOTS 1 AND 2, KLEIN AND LINN PROPERTY" (PLAT NO. 3811) APPEARS TO BE AGRICULTURALLY UTILIZED.
  - LOTS NUMBERED 7 THRU 9 OF THE SUBDIVISION KNOWN AS "SUBDIVISION PLAT LOTS 6, 7, 8, 9 AND 10, A RESUBDIVISION OF LOTS 1 AND 2, KLEIN AND LINN PROPERTY" (PLAT NO. 3811) APPEAR TO BE UTILIZED AS SINGLE FAMILY DWELLINGS.
  - THE SITE SHOWN HEREON IS APPROXIMATELY 1,700 FEET TO THE INTERSECTION OF MANOR LANE AND CLARKSVILLE PIKE-MARYLAND ROUTE 108.



**OWNER/PETITIONER**  
ELISA J. KAMENS  
4807 MANOR LANE  
ELLICOTT CITY, MARYLAND 21043

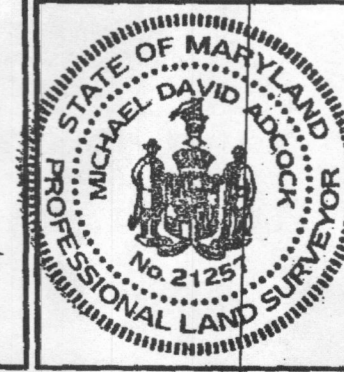
**COUNSEL FOR PETITIONER**  
SANG OH  
TALKIN & OH, LLP  
5100 DORSEY HALL DRIVE  
ELLICOTT CITY, MD 21042  
410.864.0300  
soh@talkin-oh.com

**CONDITIONAL USE SITE PLAN**  
**KAMENS PROPERTY**

LOT 6

TAX MAP 29 GRID 11  
2ND ELECTION DISTRICT

PARCEL 327  
HOWARD COUNTY, MARYLAND



**Adcock & Associates · LLC**  
Engineers · Surveyors · Planners  
3300 North Ridge Road, Suite 160  
Ellicott City, Maryland 21043  
Phone: 443.325.7682 Fax: 443.325.7685  
Email: info@adland.com

REF. NO. L. 15414, F. 435  
DRAWN BY: AEA/JUT  
CHECKED BY: MA/DR  
SCALE: 1"=40'  
DATE: JUNE 28, 2017  
PROJECT #: 14-021  
SHEET #: 1 of 1

**CERTIFICATION**  
I HEREBY CERTIFY THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED IN IT, AND I AM IN COMPLIANCE WITH REQUIREMENTS SET FORTH IN THE CODE OF MARYLAND TITLE 8, SUBTITLE 22, CHAPTER 29, REGULATION 12.

Michael D. Adcock  
PROFESSIONAL LAND SURVEYOR  
NO. 21257, EXPIRATION DATE: 06-16-2019

REVISED