



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
Office of the Chairman, Montgomery County Planning Board

MCPB  
Item # 4  
12/12/02

**MEMORANDUM**

**DATE:** November 26, 2002  
**TO:** Montgomery County Planning Board  
**VIA:** John Carter, Chief, Community-Based Planning, AC  
William Barron, Team Leader, Eastern County Team  
**FROM:** Joel A. Gallihue, AICP, Community-Based Planning, DJ

**REVIEW TYPE:** Special Exception  
**APPLYING FOR:** Animal Boarding Place  
**APPLICANT:** Tracy Ryan  
**CASE NUMBER:** S-2516

**ZONE:** RC  
**LOCATION:** 17717 New Hampshire  
**MASTER PLAN:** Sandy Spring/Ashton

**FILING DATE:** April 1, 2002  
**PLANNING BOARD:** December 5, 2002  
**PUBLIC HEARING:** December 16, 2002

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**STAFF RECOMMENDATION:** Approval of the proposed special exception with the following conditions:

1. All evidence, testimony and exhibits of record shall bind the petitioners.
2. The hours for animal drop-off or pick-up will be Monday through Friday between 7:30 a.m and 8:00 p.m. and on Sundays from 12:00 p.m. to 5:00 p.m.
3. Approval of a preliminary plan of subdivision is required by the Montgomery County Planning Board, prior to the issuance of any building permits.
4. The proposed septic field must be relocated or resized, as appropriate, to reduce encroachment on the critical root zone of specimen trees to less than 30%. This must be shown on a Tree Save Plan submitted and

approved by M-NCPPC prior to Department of Permitting Services (DPS) approval of Stormwater management and sediment and erosion control plans.

## **PROPOSAL DESCRIPTION**

The subject property is approximately four acres in area and located at 17717 New Hampshire Avenue. The subject property is more particularly described as Parcel 592 on Tax Map JT 52 in the Snowden's Manor Subdivision. The petitioner is the owner of the subject property and president of Happy Tails of MD, Inc., which will operate the Animal Boarding Place use. The requested animal boarding place use will be in a proposed one-story building located behind an existing home and garage on the property.

**Neighborhood Description** – The site is less than 1,000 feet southeast of Ashton Center and on the north side of New Hampshire Avenue at a point where New Hampshire Avenue curves to the northwest. The subject property is north of Tree Lawn Drive and South of MD 108. The site is in an area identified in the 1998 Approved and Adopted Sandy Spring/Ashton Master Plan as rural. Residential land use was developed according to this plan on the opposite side of New Hampshire Avenue. Adjacent and on the northwest side of the property is P 593 which is 1 acre in area and improved with a residence. Adjacent and on the Southeast side is P. 590 which is 4.09 acres in area and improved with a residence. Adjacent and to the rear of the property is a property owned by the Sandy Spring Friends Church, P 427, which is 33 acres in area. The subdivision to the southeast is known as Sam Rice Manor and residentially developed under the requirements of the RC zone. Adjacent to that is a Rural zone subdivision known as Ednor Highlands. On the opposite side of the street are the Cedar Hollows and Ashton Manor subdivisions, both developed under the requirements of the R-200 zone.

**Site Description** – The four acre property has approximately 213 feet of road frontage along New Hampshire Road. The property is rectangular in shape and extends north and east of New Hampshire Avenue towards the Ashland tributary to the Patuxent River. A single 10' driveway off of New Hampshire Road Road provides access to the property. The driveway curves behind the house to provide access to the garage. The property is improved with a two story brick and frame house, a one-story frame two car detached garage and a one-story frame shed. The proposal is to build a new structure behind the garage and shed for the animal boarding place and pave to widen the driveway and provide adequate parking.

## ZONING

The zoning for this property is RC and the use is permitted by special exception in this zone. The property is surrounded by RC zoned property on the same side of New Hampshire Avenue. On the south side of the road the properties are zoned R-200. The use is also permitted by special exception in this zone.

This proposal consists of a new special exception for the property and no previous special exceptions are known to have been filed for this property. The nearest active special exception noted as noted on the Zoning Map is for the filling station in Ashton which operates under BAS 234/S-2599. The rest of the special exceptions shown in the vicinity of this property on the zoning map have either been dismissed or revoked. To the southeast was BAS 306/590 which was a daycare center which was revoked and a later attempt to develop a private educational institution was dismissed. To the northwest, near the town center, BAS 2140 was dismissed. This petition had proposed a telecommunications installation. In the Sam Rice Manor subdivision was BAS 1231 a special exception for an accessory apartment that was revoked due to abandonment. The adjacent Parcel 590 was the site of a grandfathered animal boarding place use known as Ashton Kennel. The petitioner has represented to staff that business began operations in the 1940's and went out of business in 1999. DPS staff has confirmed that kennel is demolished and the sign has been removed.

The 1980 Sandy Spring/Ashton Special Study Plan, A Part of the Olney Master Plan recommended the rezoning the property to RC from the Rural Zone as was implemented in Sectional Map Amendment G-293 approved on May 5, 1981. The 1998 Approved and Adopted Sandy Spring/Ashton Master Plan recommended continuation of the RC zoning for this property as was implemented in Sectional Map Amendment G-770 approved on October 13, 1998.

This use is subject to ZTA 01-10, which made a variety of changes to special exceptions in residential zones. This text amendment made changes to 59-G-2.02, the use requirements for the proposed use "Animal Boarding Place." The changes do not affect this specific proposal because it was submitted prior to May 6, 2002 and the petitioner's representative has confirmed that they intend to proceed under the requirements in effect when submitted as allowed by 59 G 1.27 (ZTA 01-19).

<b>Table 1 – Conformance with Applicable Development Standards</b>		
<b>Development Standards – RC</b>	<b>Requirement</b>	<b>Proposal</b>
Front Yard Setback (accessory bldg.)	80'	248'
Side Yard Setback (accessory bldg.)	50'	80'
Rear Yard Setback (accessory bldg.)	10'	530'
Min. Lot Area for Zone	5 acres	4.02 (exempt – 59 C 9.73)
Lot Width @ Street	300'	212.9' (exempt – 59 C 9.73)
Lot Width @ Front Bldg Line	300'	212.9' (exempt – 59 C 9.73)
Building Height	50'	11.5'
Maximum Lot Coverage	10%	2%
<b>Development Standards for Use</b>		
Building Setback for use	75'	81' (closest)
Setback for indoor animal exercise	75'	81' (closest)
Min Lot Area for Use (indoor configuration)	2 acres	4.02
Parking	3 minimum	7

As noted in Table 1, Section 59 C 9.73 permits an exemption from the minimum lot area and the lot width requirements. One of the instances where an exemption from these area and dimensional requirements is permitted is when it is a lot created by deed executed on or before the approval date of the most recent sectional map amendment that included the lot. A copy of the deed for this property, executed on September 22, 1949, was included in the submission. As noted previously in this report, the most recent sectional map amendment was approved 1981 and included this lot. The lot met the zoning requirements that were in effect prior to the reclassification to the RC zone because the same exemption was in effect.

## **Elements of the Proposal**

### **Animal Boarding Place**

The facility will accommodate a maximum of 15 dogs and 5 cats. The cats will be housed in a separate room. The dogs will be housed inside the facility in crates. No exterior keeping or exercise of animals is proposed. All exercise and play will take place indoors within this play area. A laundry, kitchen, utility equipment and supplies will be located in the basement.

### **Personnel and Hours**

Five employees are proposed; one is the owner, who lives on site. The hours of operation will be Monday through Friday between the hours of 7:00 a.m and 8:00 p.m. and on Sundays from 12:00 p.m.

to 5:00 p.m. The pick-up and drop off of animals for boarding is proposed to be by appointment only. Peak check-in is expected to occur between 7:30 a.m. - 9:00 a.m. and peak checkout from 6:00 - 8:00 p.m. Staff is recommending a condition for these hours of operation. Employees may also pick-up or drop off animals for boarding from owner's homes. One exception to these hours that is stipulated in the statement of operations is the arrival and departure of employees, which may occur up to an hour before or after hours, respectively. A second obvious exception is the time when the business is closed but boarding animals are in residence. Consequently, the condition includes a phrase clarifying the limitation is for hours when the drop-off or pick-up of animals will occur.

### **Proposed Building**

A special exception to permit an animal boarding place is proposed to be located in a one-story building with basement. The first floor area is 2144 square feet and the basement has an area of 1,440 square feet. The ridge of the proposed gable roof structure has a height of 20' 6" and an eaves measure 9' in height. Therefore the building height (mean of these two measures) is 11' 6".

### **Parking and Access**

Additional paving to widen the driveway to twenty feet and add seven parking spaces proposed. The only residentially zoned property in the vicinity is on the opposite side of New Hampshire Avenue therefore, Section 59 E 2.92, (Screening from land in a residential zone or institutional property) does not appear to apply. Nonetheless, it can be concluded that the spirit of this requirement to screen with solid wall or compact evergreen hedge has been implemented when consideration is given to the building layout and evergreen plantings in the context of the parking. The arrangement and marking of spaces (59E 2.2) indicated on the plan exceeds the size required for perpendicular spaces. The proposed twenty-foot wide driveway is consistent with the width of a two-way access. There does not appear to be a requirement for the number of spaces for this use in 59 E 3.7. Considering the residence and proposed use, nine parking spaces are required. This includes the residential parking requirement of two spaces (in this case the two car garage), one space for each non-resident employee (in this case four) and adequate parking for discharge and pick up (in this case three). Given that pick-up and drop off of pets will be coordinated by a schedule, three spaces appear to be adequate.

### **Lighting**

The site plan indicates that exterior spotlights will be used to light the parking area. It is shown on the plan mounted to the existing shed to face the parking area in a southeast direction. Photometric light distribution measurements are shown on the plan. These measurements indicate that the intensity of the light will transition from 20 foot-candles near the shed to 0.6 foot-candles at the southeastern edge of the paved area. Southeast of this point a single row of Leyland Cypress trees screen the adjacent property from the property and the lighting. Lights are also mounted on the proposed building on the west side near the stairs to the basement and on the east corner. Measurements on the plan indicate that the intensity of light from these fixtures will be approximately 0.9 foot-candles before the evergreen screening.

### **Noise**

All keeping and exercise of animals will occur indoors. The current requirements for this use specify the level of sound permitted at the property line. Under the new requirements an acoustical study would be necessary to confirm that these requirements are being met. This special exception was submitted before these requirements took effect and may proceed under the requirements that were in effect prior to May 6, 2002. The floor plans do stipulate that the kennels have "enclosed soundproof runs." The architect has confirmed for staff that the building is designed to contain noise indoors and the new standards could be met if they were required. The revised application with no outdoor keeping or exercise of animals will be quieter than the original proposal that included outdoor play. If a modification to this special exception is ever submitted the new requirements must be met.

### **Fence**

A six and one half foot solid wooden fence is proposed in the rear of the property outside between the edge of existing forest and the perimeter screening of evergreens. The initial proposal indicated an eight foot fence which is not permitted. A permit from DPS will be required for this fence but the proposed height, as revised, is consistent with regulations.

## **ANALYSIS**

**Master Plan** –The subject property is covered by the 1998 Approved and Adopted Sandy Spring/Ashton Master Plan. The Master Plan recommends the RC Zone for the property and animal boarding uses are allowed by special exception in that zone. The existing land use plan in the Master Plan identifies the property as rural and in the New Hampshire Avenue Area. The property is not adjacent to any historic sites referenced in the Master Plan.

## **Environmental**

The Environmental Planning staff has reviewed the special exception application referenced above. Staff recommends approval of this request with the following conditions:

1. A concept Storm Water Management Plan, approved by the Department of Permitting Services and consistent with the Tree Save Plan must be submitted to M-NCPPC Environmental Planning staff at the time of preliminary plan submittal.

*This is required by Condition # 4. (See Page 2)*

2. The proposed septic field must be relocated or resized as appropriate to reduce encroachment on the critical root zone of two specimen trees to less than 30%. This must be illustrated on a Tree Save Plan submitted to M-NCPPC prior to Department of Permitting Services (DPS) approval of the building permit or sediment and erosion control plan or any clearing, grading or land disturbance of the site.

*This is required by Condition # 4. (See Page 2)*

### Forest Conservation

The submitted plan indicates a proposed septic field encroaching over 30% into the critical root zones of two specimen trees. The proposed septic field must be relocated or downsized into a position outside the 30% limit on the critical root zones. A Tree Save Plan illustrating this relocation shall be submitted to M-NCPPC, Environmental Planning prior to issuance of the building permit or sedimentation and erosion control permits. An M-NCPPC inspector must be contacted for pre-construction inspection of tree protection measures and authorization to begin any tree clearing. The site plan does note that the septic fields are illustrative in nature and may be relocated per DPS approval and in accordance with a tree save plan.

The Tree Save Plan should indicate the critical root zone for all specimen trees (30" dbh or larger) and significant trees (24" dbh or larger), proposed grading and limits of disturbance, tree preservation details including, but not limited to, pre-construction watering and fertilizing, fencing, root pruning and dead wood pruning of any trees impacted by construction activities; and a time frame for implementation of all tree save measures. Mitigation measures must be indicated for trees lost as a result of encroachment into the critical root zone of 30% or more.

This application has an approved Natural Resource Inventory/Forest Stand Delineation (NRI/FSD). An exemption from providing a Forest Conservation plan has been granted because this is a special exception with a total disturbance of less than 10,000 square feet and forest clearing of less than a total of 5,000 square feet. There will be no specimen or champion trees cleared.

#### Environmental Guidelines

A portion of this property lies within the transition area of the Patuxent River Primary Management Area. The transition area is land area remaining in the PMA that does not fall into the designated stream buffer. Activity within the transition area on this property does not exceed an overall imperviousness of 10 percent. Therefore, there are no requirements or restrictions imposed by this environmental guideline.

#### Water Quality

This site is located in the lower Ashton subwatershed of the Lower Patuxent River watershed. The Countywide Stream Protection Strategy (CSPS) indicates that the stream conditions are fair and habitat conditions are fair in this subwatershed. It is listed as a Watershed Protection Area where stream restoration, stormwater retrofit and habitat improvement efforts are highly encouraged.

#### **Transportation**

Transportation Planning staff recommends the following as part of the transportation review related to approval this Special Exception Case modification as follows:

1. Limit the Special Exception use to a long-term and short-term boarding and/or care facility for dogs and cats as described in Section IV. Statement of Operations of the Petition, with an existing occupied house on site.

*Condition # 1 binds the petitioner evidence, testimony and exhibits of record, including the statement of operations.*

2. Coordinate with the Montgomery County Department of Public Works and Transportation (DPWT) to ensure adequate sight distance at the driveway proposed as access for the project.

*This will be confirmed at preliminary plan of subdivision. The petitioner's engineer has visited the site and confirmed that there is adequate site distance given the posted speed limit of 40 miles per hour.*

3. At the time of subdivision, dedicate additional right-of-way for 60 feet from the centerline of New Hampshire Avenue (MD 650).



*This will be required at preliminary plan of subdivision.*

### Site Location and Vehicular Access

The subject property, known of record as Parcel 592, is located along New Hampshire Avenue (MD 650), in the southeastern quadrant of New Hampshire Avenue/Ashton Road (MD 108) intersection, approximately 2,000 feet south of Ashton Road. Access to and from the site will be via an existing 10 feet wide driveway to the property off New Hampshire Avenue, which is planned to be widened/improved to 20 feet. A total of 7 parking spaces are planned for the proposed facility. The proposed Special Exception use will not affect pedestrian access, and therefore no changes are proposed.

### Master Plan Roads and Bikeways

In accordance with the Sandy Spring/Ashton Master Plan, New Hampshire Avenue is a north-south roadway, and between Ednor Road and Ashton Road (MD 108) is designated as a two-lane major highway, M-12, with a 120-foot right-of-way and a proposed Class I bikeway, PB-23. The existing right-of-way along the subject property is approximately 45 feet from the centerline of New Hampshire Avenue.

At the time of subdivision case, the applicant will be required to dedicate approximately 15 more feet for 60 feet of right-of-way from the centerline. This would require approximately twenty feet. It would not interfere with any buildings and would not cause the setback from the street to be below minimum.

### Local Area Transportation Review

As presented in the traffic statement<sup>1</sup> for the proposed use, the project is projected to generate a total of 3 peak-hour trips during the weekday morning peak period (6:30 a.m. to 9:30 a.m.) and the weekday evening peak period (4:00 p.m. to 7:00 p.m.). This site-generated traffic was based on trip rates developed from data collected at an existing facility similar to that proposed at the site. In addition to the above, the existing house on site would generate 1 trip each; during the weekday morning and evening peak hours.

As a future subdivision case, a traffic study would not be required for Local Area Transportation Review (LATR), because since the project, as described in the Statement of Operations in the Petition, would generate less than 50 total peak-hour trips during the weekday morning and evening peak periods hours. Therefore, the applicant is not required to analyze the impact of site-generated traffic at nearby intersections.

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<sup>1</sup> Street Traffic Studies, Ltd. Traffic Statement of Happy Tails of MD, Inc. February 13, 2002.

## Policy Area Review/Staging Ceiling

Rural policy areas such as Patuxent are not assigned staging ceilings.

**Inherent/Non-Inherent Adverse Effects-** The inherent and non-inherent adverse effects of a special exception must be considered on nearby properties and the surrounding neighborhood at the proposed location, regardless of the adverse effects the use might have if established elsewhere in the RE-2C zone.

Section 59-G-1.2.1 of the Zoning Ordinance states

*Inherent adverse effects are the physical and operational characteristics necessarily associated with the particular use, regardless of its physical size or scale of operations. Inherent adverse effects alone are not a sufficient basis for denial of a special exception. Non-inherent adverse effects are physical and operational characteristics are not necessarily associated with the particular use, or adverse effects created by unusual characteristics of the site. Non-inherent adverse effects, alone or in conjunction with the inherent effects, are a sufficient basis to deny a special exception.*

The inherent, generic physical and operational characteristics arising from the given use, in this case an animal boarding place include arrival and departure of customers with their pets, parking, and animal exercise. The ordinance anticipates both indoor and outdoor configurations for this use.

All of these activities must be arranged on the site in a logical manner, and be set back at least 75' from the property line, given the indoor configuration. The site development plan and architectural exhibits for the proposal do identify where activities will occur on the site. Exterior activities with animals will be limited to the arrival and departure of animals for boarding. This will be coordinated by scheduling which will serve to limit occasions where dogs may bark after unexpected encounters with another animal. The site layout also limits the distance animal owners must travel from parking to the front door of the indoor animal boarding place. The Staff concludes that there are no non-inherent adverse effects associated with this application that warrant denial. Staff finds that all of the physical and operational characteristics of the proposed use will be inherent in any potential adverse effect.

**Community Concerns** – Staff has heard no opposition regarding this application.

**Compliance with General and Specific Special Exception Provisions-** The staff has reviewed the petition for compliance with the applicable special exception provisions in Attachment 1.

**Conclusion** – The staff finds that the special exception satisfies applicable special exception provisions for Animal Boarding Place found in the Zoning Ordinance. Therefore we recommend approval.

#### **Attachments**

1. General and Specific Special Exception Provisions
2. Vicinity Map
3. Special Exception Site and Landscape Plan
4. Floor Plans
5. Elevations

**Attachment 1.**  
**Montgomery County Zoning Ordinance**  
**Compliance with Specific and General Special Exception Provisions**

**59-G-1.21. General conditions.**

(a) A special exception may be granted when the Board, the Hearing Examiner, or the District Council, as the case may be, finds from a preponderance of the evidence of record that the proposed use:

(1) Is a permissible special exception in the zone.

*The proposed animal boarding place use is permissible in the RC Zone.*

(2) Complies with the standards and requirements set forth for the use in Division 59-G-2. The fact that a proposed use complies with all specific standards and requirements to grant a special exception does not create a presumption that the use is compatible with nearby properties and, in itself, is not sufficient to require a special exception to be granted.

*The proposed animal boarding place use complies with the standards and requirements set forth in Division 59-G-2.*

(3) Will be consistent with the general plan for the physical development of the District, including any master plan adopted by the commission. Any decision to grant or deny special exception must be consistent with any recommendation in an approved and adopted master plan regarding the appropriateness of a special exception at a particular location. If the Planning Board or the Board's technical staff in its report on a special exception concludes that granting a particular special exception at a particular location would be inconsistent with the land use objectives of the applicable master plan, a decision to grant the special exception must include specific findings as to master plan consistency.

*The Sandy Spring/Ashton Master Plan covers the subject property. Staff finds that the proposed animal boarding place use is consistent with the recommendations in the approved and adopted master plan.*

(4) Will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structures, intensity and character of activity, traffic and parking conditions and number of similar uses.

*Staff finds that the proposed animal boarding place use in harmony with the existing neighborhood given proposed structure is designed to look like a residential structure and is of a consistent size. There will be no outdoor runs. Parking is located between existing and proposed buildings on three sides and screened on the fourth side by evergreens.*

- (5) Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.

*Staff finds that the proposed animal boarding place use will not be detrimental in these ways given the indoor configuration, hours of operation and check-in by appointment only.*

- (6) Will cause no objectionable noise, vibrations, fumes, odors, dust, illumination, glare, or physical activity at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.

*The proposed use will not cause objectionable noise, vibrations, fumes, odors, dust and physical activity, given the proposed indoor configuration. The proposed exterior light and photometric distribution calculations are shown on the site plan and will be*

- (7) Will not, when evaluated in conjunction with existing and approved special exceptions in any neighboring one-family residential area, increase the number, intensity, or scope of special exception uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area. Special exception uses that are consistent with the recommendations of a master or sector plan do not alter the nature of an area.

*The proposed modification when evaluated in conjunction with other existing and approved special exceptions in the area will not affect area adversely or alter its residential character.*

- (8) Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area at the subject site, irrespective of any adverse effects the use might have if established elsewhere in the zone.

*The proposed special exception will not cause any of these effects.*

- (9) Will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage and other public facilities.

*The property is on well and septic as is planned for this area. The proposed use will not use public schools. Police and Fire protection services are provided in the area. Public road access is direct to New Hampshire Avenue (MD 650). Storm drainage is will be by natural sheet flow on the property and in accordance with a storm water management permit.*

- (i) If the special exception use requires approval of a preliminary plan of subdivision the adequacy of public facilities must be determined by the Planning Board at the time of subdivision review. In that case, subdivision approval must be included as a condition of the special exception.

*Subdivision approval is required since the lot is not recorded. A condition is recommended.*

- (ii) With regard to findings relating to public roads, the Board, the Hearing Examiner, or the District Council, as the case may be, must further determine that the proposal will have no detrimental effect on the safety of vehicular or pedestrian traffic.

*At this time, staff has not identified a concern. Matters, such as site distance, will be evaluated at preliminary plan of subdivision.*

**Sec. 59-G-2.02**

*Regulations in effect prior to May 6, 2002 and applicable to this proposal.*

- (a) In any central business district, commercial, or transit station zone where permitted by special exception, the board may authorize an animal boarding place upon a finding that the proposed use will not produce adverse effects on the use or development of the surrounding area because of noise, traffic, type of physical activity or for any other reason. The following conditions and requirements must be met .... [requirements omitted]

*These requirements are not applicable because this is not in a central business district, commercial, or transit station zone.*

- (b) In any residential or rural zone where they are permitted by special exception, the board may authorize an animal boarding place upon a finding that the proposed use will not produce adverse effects on the use or development of the surrounding area because of noise, traffic, type of physical activity or for any other reason and if the following conditions and requirements are met:

- (1) The minimum lot size shall be 5 acres; however, if all animals are kept in a soundproofed building from 8:00 p.m. to 8:00 a.m. the minimum lot size shall be 2 acres. However, in no case shall the minimum be less than that prescribed for the zone.

*Animals will be kept in an interior soundproofed area at all times. The property exceeds two acres and is legally exempted from the 5-acre minimum lot size for the RC zone.*

- (2) Exterior area and non-soundproofed interior areas shall not be located within 200 feet of any lot line. Exterior areas for the keeping of animals shall be provided with fencing capable of confining the animals kept. Soundproofed interior areas where animals are kept shall not be located within 75 feet of any lot line.

*Animals will be kept in an interior soundproofed area at all times. The proposed building with soundproofed indoor areas is setback 80 feet from the nearest (side) property lines.*

- (3) The design and appearance of buildings used as animal boarding places shall be consistent with the surrounding environment.

*The immediate surrounding environs are residential. The proposed building design and scale is residential. The structure is one story with a gabled roof and windows typical of a home.*

- (4) The board shall specify a minimum number of off-street parking spaces, but this number shall in no case be less than 3.

*Approval of the proposed special exception and associated site plan would specify seven parking spaces, not including the two car garage.*

- (5) Parking areas and exterior areas for the keeping of animals shall be screened from adjacent residential properties.

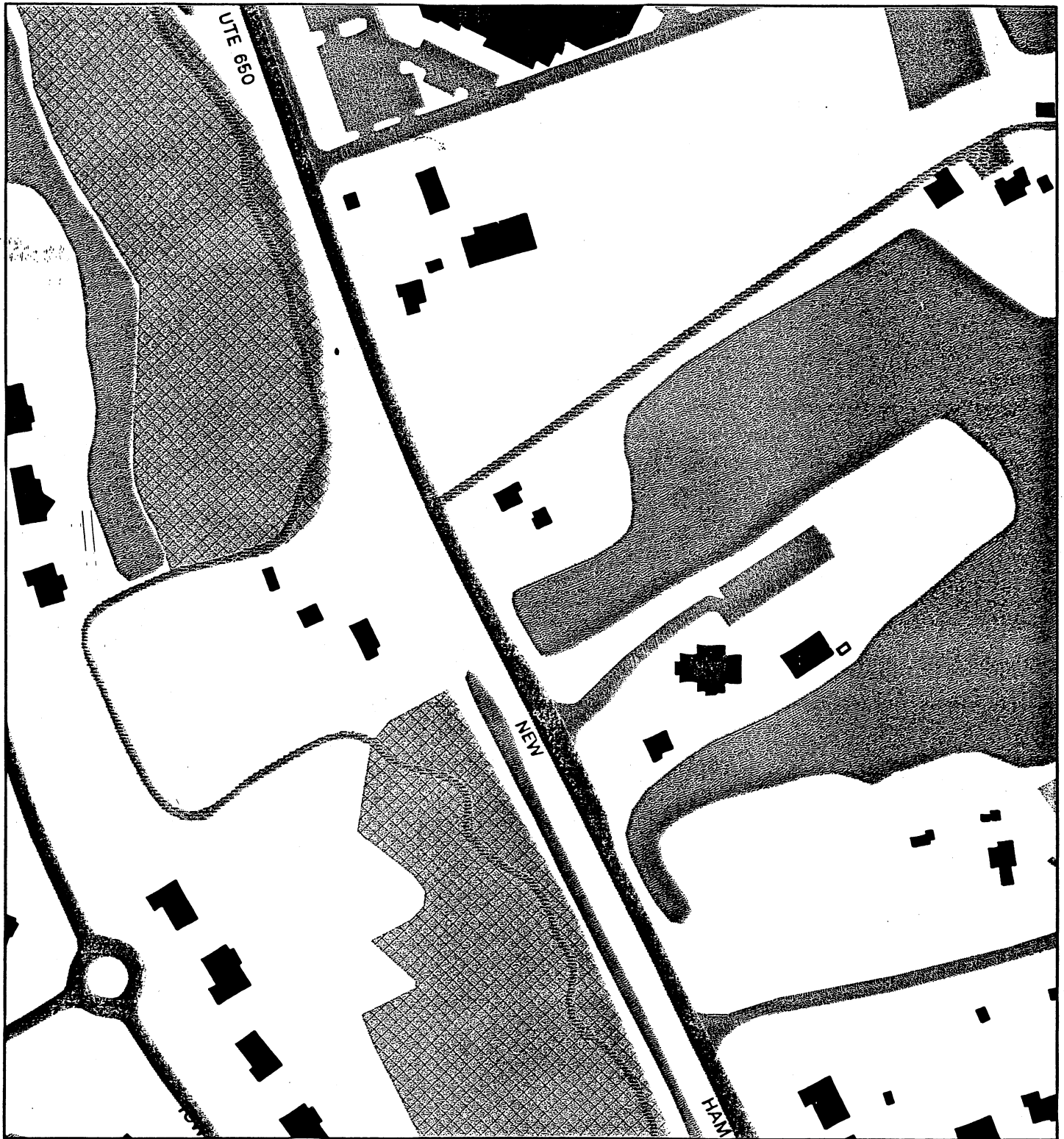
*The parking area is screened on three sides by buildings and on one side by evergreen trees. No exterior areas for the keeping of animals are proposed. Seven off-street parking spaces are proposed. The garage can hold two additional cars. Staff anticipates parking for the residence would utilize the garage. The seven spaces would serve four employees from off-site. (The owner is a resident) This leaves three spaces for customers. Given the scheduling of pick-up and drop-off stipulated in the report three spaces are adequate.*

- (c) Any animal boarding place lawfully existing prior to November 1, 1977, shall not be considered a nonconforming use and may be extended, enlarged or modified by special exception subject to the provisions set forth in this section.

*Not applicable.*



# S-2516 HAPPY TAILS OF MD, INC.



Map compiled on November 27, 2002 at 3:32 PM | Site located on base sheet no - 223NE01

### NOTICE

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Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

Key Map

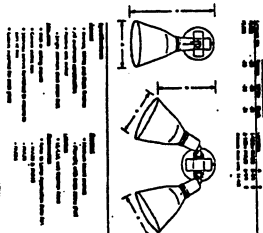
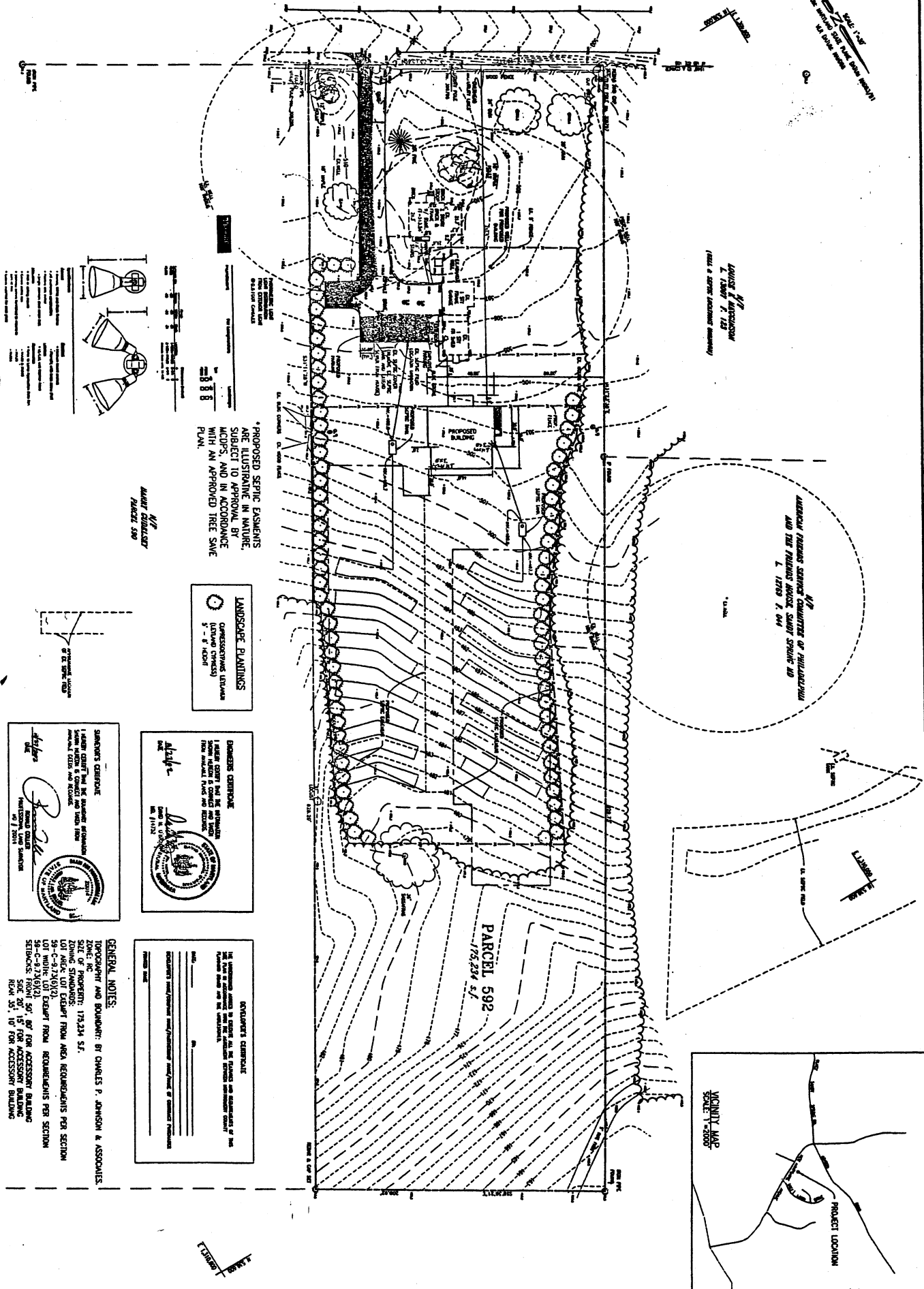


Research & Technology Center



1 : 2400

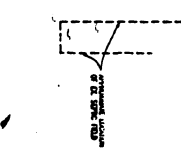
ATTACHMENT 2



\*PROPOSED SEPTIC EASEMENTS ARE ILLUSTRATIVE IN NATURE, SUBJECT TO APPROVAL BY MDCPS, AND IN ACCORDANCE WITH AN APPROVED TREE SAVE PLAN.

LANDSCAPE PLANNING  
PARCEL 592

LANDSCAPE PLANNING  
COUNSELOR/PLANNING  
(STATE CHARTER)  
5 - 8 FEET



OWNER'S CERTIFICATE  
I HEREBY CERTIFY THAT THE SEPTIC EASEMENT IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE SEPTIC ACT AND THE SEPTIC REGULATIONS.

DATE: \_\_\_\_\_  
SIGNATURE: \_\_\_\_\_  
PRINTED NAME: \_\_\_\_\_

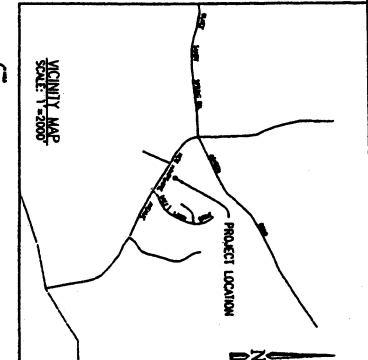
OWNER'S CERTIFICATE  
I HEREBY CERTIFY THAT THE SEPTIC EASEMENT IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE SEPTIC ACT AND THE SEPTIC REGULATIONS.

DATE: \_\_\_\_\_  
SIGNATURE: \_\_\_\_\_  
PRINTED NAME: \_\_\_\_\_

GENERAL NOTES:  
1. THE PROPERTY IS BOUNDARY BY CHARLES P. JOHNSON & ASSOCIATES.  
2. ZONE: RC  
3. SIZE OF PROJECT: 178,234 S.F.  
4. ZONING STANDARDS:  
5. ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION PER SECTION 96-C-2.10(1)(2).  
6. SETBACKS FROM 20' OF THE ACCESSORY BUILDING.  
7. FROM 25' OF THE ACCESSORY BUILDING.  
8. FROM 25' OF THE ACCESSORY BUILDING.

DEVELOPER'S CERTIFICATE  
I HEREBY CERTIFY THAT THE SEPTIC EASEMENT IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE SEPTIC ACT AND THE SEPTIC REGULATIONS.

DATE: \_\_\_\_\_  
SIGNATURE: \_\_\_\_\_  
PRINTED NAME: \_\_\_\_\_



LANDSCAPE PLANNING  
PARCEL 592

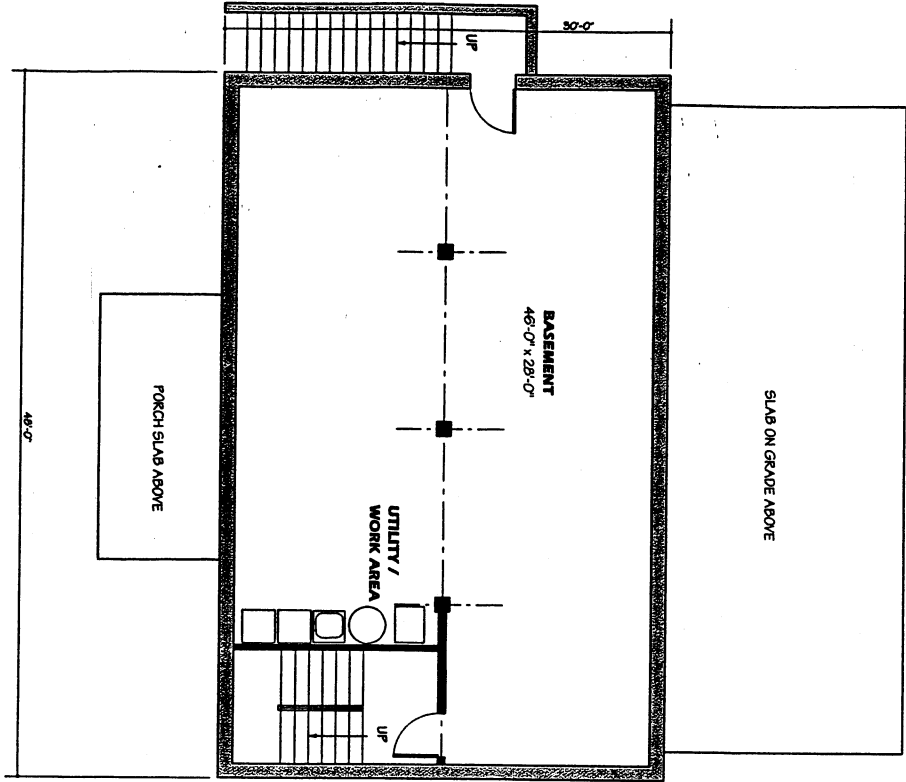
LANDSCAPE PLANNING  
COUNSELOR/PLANNING  
(STATE CHARTER)  
5 - 8 FEET

SPECIAL EXCEPTION SITE AND LANDSCAPE PLAN  
SNOWDENS MANOR  
OLNEY (8th) DISTRICT

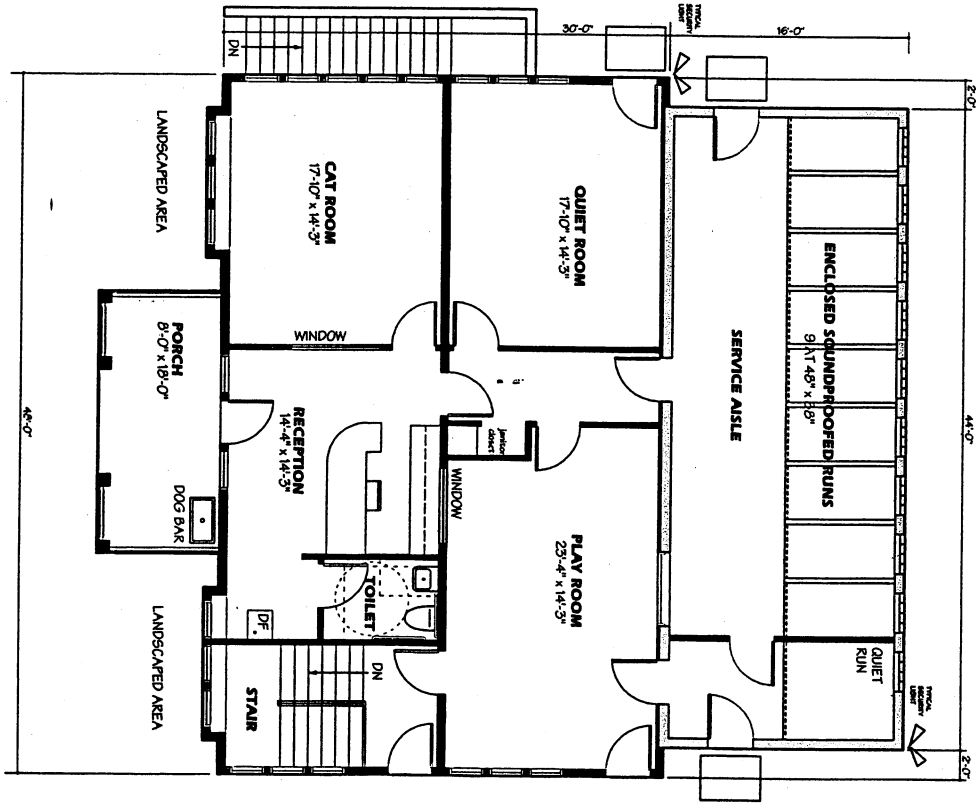
ATTACHMENT 3

**CPI** Charles P. Johnson & Associates, Inc.  
PLANNERS - ENGINEERS - LANDSCAPE ARCHITECTS - SURVEYORS  
10000 BELT ROAD SUITE 200 BELT SPRING, MARYLAND 20712  
PHONE: 301-281-1100 FAX: 301-281-1101

NO.	DATE	DESCRIPTION
1	1/1/2000	PRELIMINARY PLAN
2	1/1/2000	FINAL PLAN
3	1/1/2000	AS BUILT



**BASEMENT PLAN**  
 1/8" = 1'-0" GRAPHIC SCALE  
 1" = 1'-0"



**FLOOR PLAN**  
 1/8" = 1'-0" GRAPHIC SCALE  
 1" = 1'-0"

ATTACHMENT 4

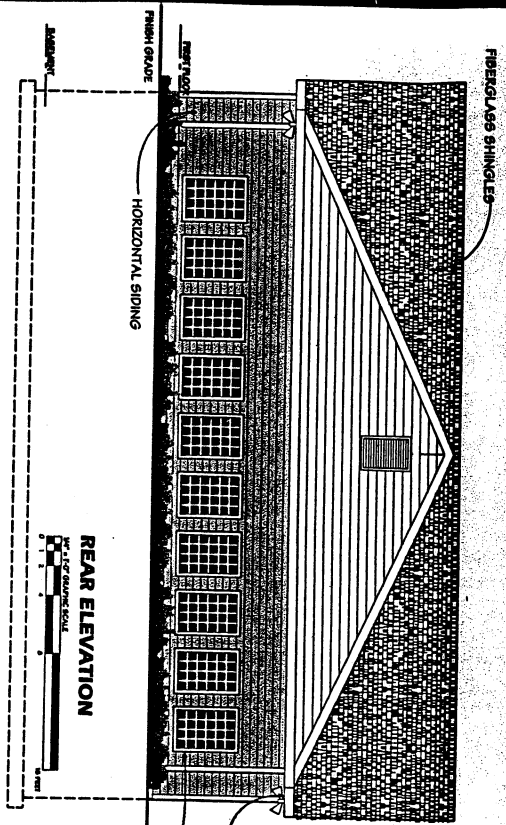
**NOTES:**  
 PHOTOGRAPH LABELS & NUMBERS  
 FLOOR AREA:  
 FIRST FLOOR: 3,144 SF  
 BASEMENT: 1,140 SF  
 FUNCTIONS TO BE LOCATED  
 IN BASEMENT:  
 RECEPTION  
 KITCHEN  
 UTILITY  
 SERVICES



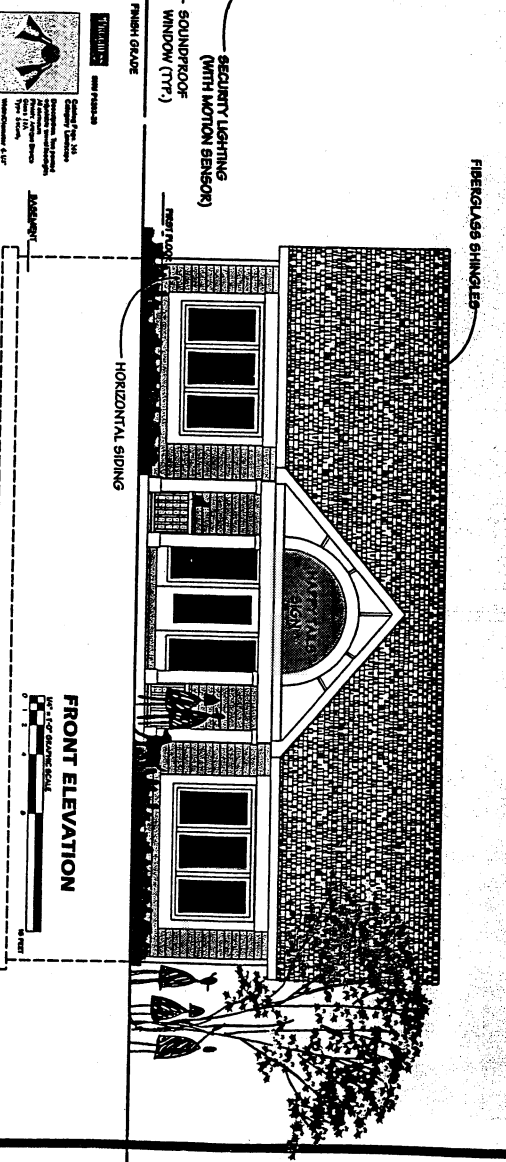
**Pet Care Architecture**  
 Robert Wilson Mackay, AIA  
 Architect  
 7540  
 PO Box 609  
 Chesapeake, Virginia 23064  
 (703) 757-9400  
 Fax: (703) 759-3303

Project:  
 Happy Tails  
 of Maryland  
 14000  
 Middlebrook Road  
 Middlebrook, Virginia

Drawn: MDA  
 Date: 23 OCT 2002



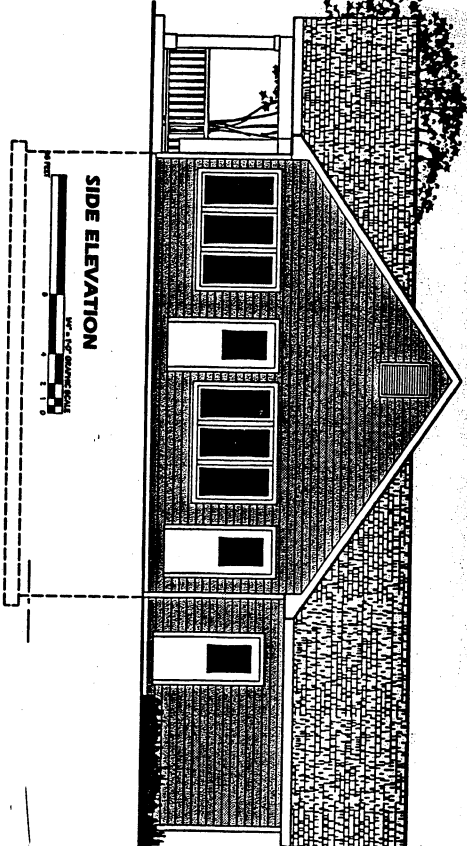
REAR ELEVATION



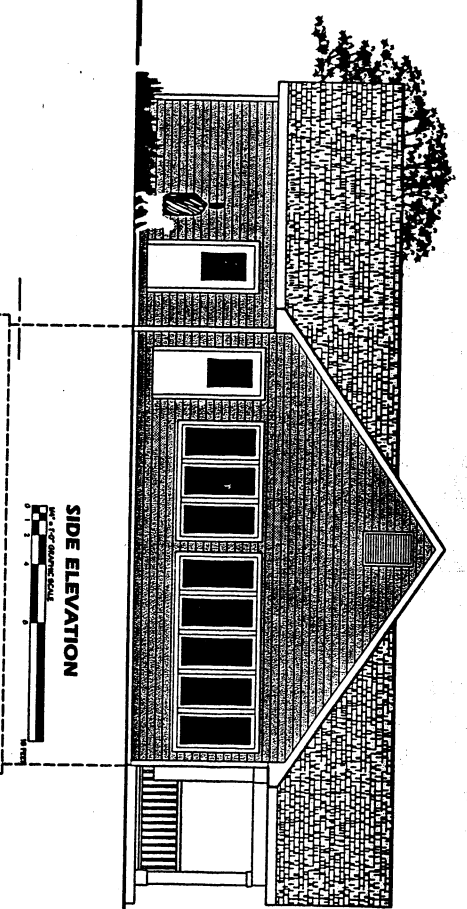
FRONT ELEVATION



TYPICAL SECURITY LIGHT FIXTURE



SIDE ELEVATION



SIDE ELEVATION



**Pet Care Architecture**  
 Robert Wilson Haskley, AIA  
 Matthew Arnold, AIA  
 Village Green  
 7500 NCI Hwy 695  
 Court Park, Virginia 22065  
 (703) 797-9400  
 Fax: (703) 798-5291

Project:  
**Happy Tails  
 of Maryland**  
 17171 New Hampshire Ave.  
 Arden, Maryland

Owner: MDA, Inc.  
 Street: MDA

Sheet: **2 of 2**

ELEVATIONS  
 Date: 0 23 OCT 2002