

Introduced \_\_\_\_\_  
Public hearing \_\_\_\_\_  
Council action \_\_\_\_\_  
Executive action \_\_\_\_\_  
Effective date \_\_\_\_\_

## County Council of Howard County, Maryland

2016 Legislative Session

Legislative day # 17

**BILL NO. 71 - 2016 (ZRA - 167)**

**Introduced by:** The Chairperson at the request of Elisa Kamens

**AN ACT** amending the Howard County Zoning Regulations Conditional Use section to clarify that indoor noises at Pet Day Care Facilities Conditional Uses must not be detectible at the lot lines; and generally relating to Pet Day Care Facilities Conditional Uses.

---

Introduced and read first time \_\_\_\_\_, 2016. Ordered posted and hearing scheduled.

By order \_\_\_\_\_  
Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on \_\_\_\_\_, 2016.

By order \_\_\_\_\_  
Jessica Feldmark, Administrator

This Bill was read the third time on \_\_\_\_\_, 2016 and Passed \_\_\_\_, Passed with amendments \_\_\_\_, Failed \_\_\_\_.

By order \_\_\_\_\_  
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this \_\_\_ day of \_\_\_\_\_, 2016 at \_\_\_ a.m./p.m.

By order \_\_\_\_\_  
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive \_\_\_\_\_, 2016

\_\_\_\_\_  
Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1 *Section 1. Be it enacted by the County Council of Howard County, Maryland, that the Howard*  
2 *County Zoning Regulations are hereby amended as follows:*

3  
4 *By Amending*

5  
6 *Section 131.0: "Conditional Uses"*

7 *Subsection N. "Conditional Uses and Permissible Zoning Districts"*

8 *Number 39. "Pet Day Care Facilities"*  
9  
10  
11

12 **Howard County Zoning Regulations**

13  
14 **SECTION 131.0: - Conditional Uses**

15  
16 **N. Conditional Uses and Permissible Zoning Districts**

17 The Hearing Authority may grant Conditional Uses in the specified districts in accordance  
18 with the following minimum criteria.  
19

20 **39. Pet Day Care Facilities**

21  
22 A Conditional Use may be granted in the RC, RR or R-20 Districts for pet day care  
23 facilities, provided that:

- 24
- 25 a. The minimum lot size shall be one acre.
  - 26
  - 27 b. All day care business functions must be completely enclosed within a  
28 building. INDOOR [[N]]Noise must not be perceptible at lot lines.
  - 29
  - 30 c. The Hearing Authority may set hours of operation and limitations on the  
31 number and type of pets cared for.
  - 32
  - 33 d. The facility shall not be located on a shared driveway.
  - 34
  - 35 e. Parking areas shall be located and landscaped to minimize visibility from  
36 roads and adjacent residential properties.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

- f. There shall be no overnight boarding of pets.
  
- 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.
  
- h. Disposal of wastes must be such that odors or other emissions 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.
  - (2) Any new building or building addition associated with the use, including any outdoor storage and parking area shall count towards the cumulative use cap of 2% of the easement.

*Section 2. Be it further enacted by the County Council of Howard County, Maryland, that this Act shall become effective 61 days after its enactment.*

Reply all | Delete Junk |

Re: testimony on CB 71-2016

**FILE COPY**

Sara Via <[svia@umd.edu](mailto:svia@umd.edu)>

Reply all |



Today, 8:50 AM

CouncilMail; Jim Truby <[jtruby@synthesisusa.com](mailto:jtruby@synthesisusa.com)>; +3 more

Sara Via Testimony on C...

99 KB

Download

Hello,

I just realized the pages in my testimony are out of order. Please substitute the attached for my previous submission, which I sent in about 7:45 this morning.

Thank you!

Sara Via  
4811 Manor Lane

On Thu, Dec 1, 2016 at 7:46 AM, Sara Via <[svia@umd.edu](mailto:svia@umd.edu)> wrote:

Please find attached my testimony in opposition to CB 71-2016.

Thank you!

Sara Via  
4811 Manor Lane

--

Dr. Sara Via  
Professor  
Dept. of Entomology &  
University of Maryland Extension  
UMD, College Park

--

Dr. Sara Via  
Professor  
Dept. of Entomology &  
University of Maryland Extension  
UMD, College Park

**Testimony for Nov. 21 County Council Meeting:  
Council Bill 71-2016, Amendment ZRA-167 to the Conditional Use Pet Daycare Regulations**

My name is Sara Via, and I live at 4811 Manor Lane. I OPPOSE Council Bill 71-2016 on the grounds that a commercial dog daycare facility at which dogs can bark freely outside is unduly disruptive in a residential area. Ms. Kamens' plan is the test case for this new Conditional Use, and it reveals just how extensive the disruption can be to neighbors from outdoor activities at a pet daycare.

The facility proposed by Ms. Kamens involves the same or even more outside time for the dogs as a kennel. However, unlike the zoning regulations for kennels, the current Conditional Use for Pet Daycare contains no provisions to protect neighbors from noise or other disruption. If such facilities are to be allowed in residential locations, there should be *at the very least* the following requirements: a) the owner must reside on the property, b) any outdoor areas must have setbacks along the lines required for kennels (150'-200'), and c) the outside area must be surrounded by solid fencing so that the dogs cannot see distractions beyond the fence that might elicit barking. These requirements would go a long way toward ensuring that a pet daycare facility could be welcomed within a residential area.

As you may know, Manor Lane is a uniquely quiet and historic road-- most of the land is in agricultural preservation, with just a few clusters where homes are rather closely spaced. The proposed dog daycare business would be in one such residential cluster. The fact that many residents of Manor Lane have lived on the Lane over 30 years is a testament to the unusually peaceful nature of this location. Indeed, the neighbors on the properties immediately adjacent to the proposed facility have been in residence between 32 and 48 years. I'm the newcomer, having lived in my home only 10.5 years.

My property is directly adjacent to the proposed facility. When I walk down my drive, I pass within 70' of proposed outdoor exercise area, which is clearly visible with no screening. The two dogs owned by the couple currently renting the property bark at me from that area every time I walk past. I have dogs myself and I respect a neighbor's right to own dogs. *However, hearing my neighbors' pets bark feels like an entirely different thing from hearing dogs barking all day long at a commercial facility where the owner doesn't live and where her private space is not disrupted by the noise.*

Being a good neighbor is a core American value, and I believe that this is also a guiding value for the County Council. For example, when pet daycares were first allowed, the County Council protected neighboring businesses from disruption by requiring that no noise be heard outside the building. The Conditional Use is consistent with the earlier zoning regulation by extending this protection to residential neighbors by again stipulating that no noise from the pet daycare can be heard beyond the lot lines.

Ms. Kamens bought the home at 4807 Manor Lane in order to open a commercial dog training business. When she found in January 2014 that dog training requires more than 2.9 acres, she reduced her request to a pet daycare business for 15 dogs. Ms. Kamens, whose business is dog training, has no plans to live in the home. Instead, she plans to pave the front yard for a parking lot and allow groups of 5 dogs outside for up to a total of 12 hours/day. Her petition for this Conditional Use has been denied twice. First, the Hearing Examiner ruled that Ms. Kamens actually intended to pursue dog training by another name in an attempt to circumvent the zoning regulations. Then the Board of Appeals ruled that the noise from such a facility is an undue burden for a residential neighborhood.

Finally, in an effort to salvage Ms. Kamens' plan, her attorney brought a request for this amendment to the Planning Board arguing that the clear stipulation "no noise must be heard at the lot line" applies ONLY to noise from the interior of the building. He argued that from a legal standpoint, the noise restriction doesn't apply to barking dogs outside.

Legal or not, this makes no sense. My college aged son summed it up: "OK—so if I want to have a really loud party where the band inside might bother the neighbors, I'll just put the band outside where it's OK to make as much noise as we want". After hearing Mr. Coale's argument, at least one member of the Planning Board wrote that "Neighbors should be protected from noise", recommending that "The use should not be in residential neighborhoods where there is an expectation of quiet conditions".

I am partially retired and I spend a great deal of time outdoors. The neighbors in the other adjacent homes are also retired. We aren't away all day at work, so we will be affected by noise from the proposed pet day care all day every day.

Mr. Coale argued at the Council meeting on Nov. 21 that denying this amendment will mean that there can be no pet daycare in Howard County. Given that his client already operates a commercial pet daycare, kennel and training facility on Red Branch Road, this statement is patently untrue. There are many suitable commercial areas in Howard County for a pet daycare, and all existing pet daycares in the County operate in such areas. To locate a dog daycare in a longstanding residential neighborhood of single family homes without significant provisions to mitigate noise is to degrade the quality of life and reduce property values for residents in that location. I would absolutely not have purchased my current home if I'd seen a noisy commercial dog daycare facility next door.

If this amendment is approved, there is absolutely no language in the Conditional Use regulation that protects adjacent homeowners from any level of noise the proprietor causes, nor is there guidance as to acceptable noise for the Hearing Examiner or the Board of Zoning Appeals. In contrast, denying the amendment allows this Conditional Use to remain consistent with the protection offered to adjacent businesses in the original pet daycare zoning regulations for


operations in business parks. Why would noise protection be ensured for businesses but not for residents?

I agree with the DPZ report that a comprehensive evaluation of dog-related zoning is in order. However, review and modification of just this Conditional Use along the lines described earlier in this letter would be sufficient. I thus request the County Council to deny the requested amendment so that our neighborhood and all other future communities can benefit from your deliberations on a revised Conditional Use for Pet Daycare.

If the amendment is approved without additional conditions, Ms. Kamens will be able to establish her noisy dog daycare on Manor Lane. Then, after the review of this use, which is likely to make this Conditional Use more stringent with respect to noise, Ms. Kamens will become a non-conforming use. This not only strips our neighborhood of the benefit of the review, it gives Ms. Kamens an undue benefit among other such daycares.


Ms. Kamens loses little if her amendment is denied. She can always apply again after the Conditional Use is revised and further amended. Ms. Kamens already has a pet daycare business, so a delay in opening a satellite location is a small cost to her when balanced against the large benefit that waiting for this Conditional Use to be revised will provide the neighborhood on Manor Lane.

Thank you—we all appreciate your time in this matter.



Dr. Sara Via  
4811 Manor Lane  
Ellicott City, MD 21042

## RESEND: Follow up to Council Meeting - opposition to ZRA167 in Bill 71-2016

SH  Suzanne Hoffman <hoffmansi@verizon.net>  
Sat 11/26, 9:40 AM  
CouncilMail; 'Tom Meachum' <tmm@carneykelehan.com>; +6 more

Reply all |

HJHoffman.HCC ltr form...  
20 KB

Opposition to ZRA 167...  
19 KB

Lette  
16 KB

Show all 3 attachments (55 KB) Download all

My apologies

One should always run spellchecker – ‘amend’ is now spelled properly everywhere in the attached letter.

Please see below and attached

Respectfully,

Suzanne Hoffman

4815 Manor Lane

Ellicott City, MD 21042

---

**From:** Suzanne Hoffman [mailto:hoffmansi@verizon.net]

**Sent:** Saturday, November 26, 2016 9:16 AM

**To:** Councilmail@howardcountymd.gov

**Cc:** Tom Meachum <tmm@carneykelehan.com>; Jim Truby <jtruby@synthesisusa.com>; 'Verity Truby' <veritywt@verizon.net>; Sara Via <svia@umd.edu>; Yovonda Brooks <brooksyd@verizon.net>; Marianne Alexander <marianne\_alexander@yahoo.com>; hoffmansi@verizon.net; 'Suzanne Hoffman' <sihoffm@hotmail.com>

**Subject:** Follow up to Council Meeting - opposition to ZRA167 in Bill 71-2016

Members of the Howard County Council

My husband and I both recently testified in opposition of the proposed amendment ZRA 167 to the conditional use pet day care regulations in Council Bill 71-2016.

Attached is our testimony as well as a letter with some additional thoughts



Thank you very much for your consideration in this matter which is of critical importance to us.

Also, a belated Happy Thanksgiving!

Suzanne (and Harry) Hoffman  
4815 Manor Lane  
Ellicott City, MD 21042

26 November 2016

Howard County Council

Ref: Proposed amendment ZRA 167, an amendment to the conditional use pet day care regulations in Council Bill 71-2016

Dear Council members:

I am a long-term resident of Howard County (since 1969), and I live at 4815 Manor Lane. I recently testified at the Howard County Council hearing on 21 November 2016 on the above-referenced proposal. I **strongly oppose** the proposed change to the Pet-DayCare Conditional-Use Zoning Regulation at this time. I think it would be much more fair to Howard Countians to await a broader review of regulations for this and other animal care facilities.

For those who live adjacent to a dog daycare, from a neighbor's perspective during operating hours there is little difference between a dog daycare and a kennel:

- *Except* that a kennel - *requires* a larger plot of land *and* there are minimum separation distance requirements from lot lines and neighboring homes to reduce the impact of the noise produced.

The current regulation, as I assumed was its intention, helps to reduce the impact of a pet-daycare business on neighboring homes by limiting the noise coming from the business. It *limits* noise that can be heard at the lot line – whether it comes from inside or out; *and* it is the *only* way to protect the neighbors from excessive noise.

The proposed change would permit noise made by animals *outside* to be heard at the lot lines, and thus at nearby homes. Since there is no separation distance, the result would be the *introduction* of a noisy racket from an adjacent commercial activity, throughout the business day and throughout the business week (just like a kennel). The noise source could be as close as the set-back allowance - as *little* as 30 feet.

I don't think we should allow pet daycare facility to be plopped down in the midst of an existing neighborhood *without* the benefit of reasonable and effective noise controls. The petitioner has proposed this change so that she can set up a pet-day-care facility in a house that is part of a cluster of residences on Manor Lane.

The effect of this change would be to permit the *repurposing* of an existing home in any residential area into a *purely commercial animal care facility*, with a large number of dogs (no residential use at all). This would be its *sole* use, *with no*

*effective limit on noise.* The constant barking (the dogs would be outside for as much as 12 hours per day continuously) would disrupt an otherwise quiet and peaceful residential area.

My understanding of the Council's intent with this conditional use was that a resident might take in a few pets as a home-based business, with *minimal* impact to neighbors.

I have heard the noise from other local pet-day-care facilities – specifically Club Pooche in Columbia and Dogtopia in Clarksville. They are *VERY* noisy and would be extremely disruptive to the peace of any residential neighborhood. However, they are *appropriately* located in business parks or shopping centers, not adjacent to people's homes.

Presumably, the Council intended to regulate the placement of daycare facilities to minimize the negative impact on existing neighbors. We want a fair result for existing neighborhoods and businesses. We want to maintain a livable, enjoyable environment for county residents. We should ask, when siting businesses of this type: should we try to minimize disturbances for the largest numbers of residents? It is reasonable to ask this question when considering that a relatively small number of dog owners who will be using the facility compared to the number of the residents and homes that will be negatively impacted.

I urge the Council to reject the proposed change because it will result in a unique harm to a specific residential community– and defer changes until a more extensive review can be conducted.

Thank you for your time and consideration.

Respectfully submitted,

Harry Hoffman  
4815 Manor Lane  
Ellicott City MD 21042

## Testimony from Howard County Council Meeting, Monday 21 November 2016

Good afternoon

My name is Suzanne Hoffman and I reside at 4815 Manor Lane with my husband, Harry. We have lived there since 1981. I too oppose the proposed amendment (ZRA 167) to the conditional use pet day care regulations in Council Bill 71-2016.

This is my first time to testify since we started this *long and expensive* ordeal nearly 3 years ago. I have always believed that our case was strong and that there was no need for yet another voice, and that belief seemed to be confirmed when both the Hearing Examiner and the Board of Appeals ruled in our favor.

Then - honestly, I was stunned to see Ms. Kamens' request for what her team refers to as 'clarity' in the relevant zoning regulation.

My background is in mathematics and computer science and I also spent several years working in the field of mission compliance. I believe that I have a logical way of looking at things (including rules, maybe even especially rules) and to me this request is totally illogical – and thus I cannot believe that it is what the original authors of the regulation intended.

It really makes no sense for this business to be able to 'legally' produce an excessive amount of noise for the many hours a day when the animals are outside, but to be in violation of the same overarching regulation if too much noise comes from inside the house?! How can it possibly matter WHERE the noise comes from?

The only situations in which *inside* noise would matter more than *outside* noise are

- if our homes were butted up against the daycare facility (as with townhouses or in a strip mall) *or*
- if there were no outside activities to produce noise

In either case the inside noise would be the *only* noise.

We are not talking about townhouses, and if we were talking about a facility that had only inside activities, we'd be having a different conversation.

Also, we have all been thinking about dogs –as that is what Ms. Kamens wants in her facility – but there are pets other than dogs that could be housed in a Pet Daycare facility. Daycare facilities do exist for cats, and they generally cannot be heard beyond a lot line, no matter whether they are kept inside or outside.

For the record, my husband and I both love dogs and for most of our time on Manor Lane we have had one or even two dogs. The same is true for many of our neighbors. Of course those one or two dogs have made noise sometimes – but not like the 15 that would be in Ms. Kamens' business, or one like hers.

The decision before you is a big one, as it will affect more than just our small street which is obviously passionate about maintaining the peace and quiet, as well as the character, of our neighborhood. It also will cover anyone who wants to open such a business in the future in any appropriately zoned residential neighborhood – no matter what their skill level or experience. That is a lot of places and a lot of noise.

I believe that most people are like me in the sense that they are rule followers – but the rules really do have to make sense.

In my opinion, allowing a regulation that would allow excessive noise generated from **outside** of the facility, but restrict noise generated from **inside** the facility would diminish the credibility of the zoning regulations – as this just does not make sense.

Thank you very much for your time and attention,

*Suzanne Hoffman*

Re: Petition to Amend Pet Daycare Zoning Regulations  
Case Number ZRA-167  
Date filed: 2-26-2016

Dear Howard County Councilmember:

We, along with several neighbors, testified at the most recent Council meeting in opposition of proposed amendment ZRA 167, an amendment to the conditional use pet day care regulations in Council Bill 71-2016. We would just like to add a few more thoughts, given that it appears that the Council may be considering a full review of animal-related zoning regulations.

As you now know, our homes are located in a residential cluster on Manor Lane, and even though some of the lots are fairly large, some of our homes are very close to each other and to the lot lines.

We would like to stress how disruptive such a facility would be in a cluster of homes such as ours. If the Council were to approve Ms. Kamen's proposed amendment, it would open the door to such a facility (which we have previously demonstrated would produce a great deal of noise) only a couple hundred feet from our windows. If the Council were to later reconsider the entire set of regulations involving animal care and perhaps decide to restrict such a facility in a residential cluster, we would be stuck with such noisy business in very close proximity to our homes.

We understand, and support, Howard County's desire to be small-business friendly and to be responsive to the perceived needs of its residents – but there are currently quite a few Pet Daycare facilities nearby and it does not appear that there are a large number waiting to be approved (as we understand that Ms. Kamens' original request was the first). We love Howard County and are nearly lifelong residents. Suzanne has lived in the county for 59 of her nearly 62 years, and Harry has been here since 1969. We just ask that you not put the desires of the business owners above the quality of life of the residents – especially when the business owner is not required to live on the property. This would be a severe disservice to those of us who live in residential clusters, especially those older neighborhoods (such as ours) which are not protected by covenants.

In closing, we respectfully request that you not only deny ZRA 167, but in the event that you do a review all animal-care-related regulations, also prohibit such noise-producing businesses within a residential cluster.

Thank you for your time and attention,

*Suzanne and Harry Hoffman*  
*4815 Manor Lane*  
*Ellicott City, MD 21042*

Reply all | Delete Junk |

## CB 71-2016

VT 

Verity Weston Truby <veritywt@verizon.net>

Fri 11/25, 11:46 AM

CouncilMail

Reply all |

Council Bill 71-2016 We...

14 KB

Download

| Action Items

---

Please accept the attached testimony in opposition to Council Bill 71-2016.



My name is Verity Weston-Truby. My address is 4821 Manor Lane, Ellicott City, MD 21042 and I have lived there for over 30 years.

I oppose Council Bill 71-2016 for the same reasons that others have already mentioned. I would just like to comment briefly on a few points made in letters that have been sent to you in support of the proposed amendment.

One supporter said that the rejection of the bill would be a big disappointment and a setback to the community. Another said "this is a good service and one that should be available in Howard County."

But this service is already widely available in the county. I know of at least 11 other dog day care facilities operating in Howard County. I personally have taken my dog to three of them and know their owners to be very well qualified and experienced dog trainers and business owners. It is not correct to say as the writer of one letter did that "If you vote down this bill, you are voting down pet day care for dogs."

A letter supporting the proposed amendment states that Ms. Kamens is one of the few day care providers who runs her business legally and with appropriate zoning. The three facilities that I have used certainly have the appropriate zoning, and I believe that the others operating in the county do also. It is worth mentioning here that when Ms. Kamens was first planning to open a dog training and day care operation on Manor Lane she was intending to go ahead without applying for a conditional use permit.

Finally I would like to comment on statements made by one supporter of the bill who lives on Manor Lane. His house is  $\frac{3}{4}$  mile away from Ms. Kamens' property so he would not be affected by the noise of barking dogs very close to him for up to 12 hours a day. In his letter to the council he refers to his "vocal neighbors" and says that "it has reached

a point where I'm not sure what they won't oppose," implying a history of emotional and irrational opposition to change. He may not know that many residents of Manor Lane supported the right of the Dar Al Taqwa congregation to build their mosque on property adjoining several Manor Lane properties and also supported their right to expand several years later. He also may not know that they supported the establishment of the Homewood School on School Board property adjoining Manor Lane in the face of virulent opposition from other neighborhoods adjoining the School Board property.

This writer closes by saying that "there are more people like me, who live here and enjoy the diversity, than them." Frankly I and other Manor Lane residents find it upsetting that he should imply that we do not enjoy the diversity of the lane. Residents of the lane's 32 households comprise people of many different faiths including Hindus, Christians, and Muslims and different origins including Uighurs from China, Russians, African Americans, Belgian and British. We all have good relations with one another and welcome new residents whatever their background. We also enjoy the diversity of various legal small business activities that do not disturb their neighbors such as raising alpacas, sheep, and cows or boarding horses.

Reply all | Delete Junk |

## CB 71-2016 Testimony

JT 

Jim Truby <jtruby@SynthesisUSA.com>

Wed 11/23, 6:09 PM

CouncilMail

Reply all |

Council Bill 71-2016 Tru...

14 KB

Download

| Action Items

---

Please accept the attached testimony in opposition to CB 71-2016.

**T. James Truby**  
**Synthesis Incorporated**

10 Offutt Court

Woodstock, MD 21163

v.410.792.4447 ext. 502

c.410-456-5103

jtruby@synthesisusa.com

www.SynthesisUSA.com

**Legislative Hearing  
Council Bill 71-2016 (ZRA 167)  
Testimony in Opposition**

**Please accept this is a copy of the full testimony that I prepared for the Council Hearing on November 21, 2016**

I am Jim Truby. My family has lived with 1-2 dogs at 4821 Manor Lane for over 30 years. Our house is located in a residential cluster in which some houses are located as close as 110 -160 feet to the proposed location of Ms.Kamens' pet day care center.

While my family frequently uses pet day care, I strongly oppose Ms. Kamens' proposed zoning amendment.

As background, Ms. Kamens has failed to persuade the Board of Appeals and members of the Planning Board that her proposed pet day care facility is a good fit in our peaceful residential cluster. Noise perceived at and beyond the lot line from dogs when outside was the key factor the Board referenced in their denial of Ms. Kamens' petition. Ms. Kamens now proposes to change the zoning regulation in a way that defies logic in order to serve her interest.

Ms. Kamens' testimony about noise perceived at the lot line was tortured and changed significantly over time:

Initially, in testimony before the Hearing Examiner, she said that "you won't hear a peep" when the dogs are outside.

Then, in testimony before the Board of Appeals, she said staff would be able to stop the barking. We submitted five hours of AV recordings at the outdoor area of the Ms. Kamens' Club Pooche facility that showed these statements to be not true. There was significant noise and staff was unable to stop it.

Then she testified that the puppies up to one year of age that she intended to care for at the proposed facility on Manor Lane won't make noise as "they haven't found their voices yet". We submitted evidence that puppies typically start barking by no later than 14 weeks of age.

Then she admitted there would be some noise at the lot line when the dogs are outside.

Then, in his summation, Ms. Kamens' counsel argued that noise from dogs barking when outside doesn't really matter because the prohibition in the pet day care regulations against noise being heard at the lot line applies only to noise from *inside* the facility.

The Board of Appeals didn't buy this argument. I don't buy it either as it is totally irrational. It makes no sense to ban *indoor* noise from being heard at the lot line while allowing *outdoor* noise which would be far more disturbing to the neighbors.

I was surprised that DPZ's technical staff report takes the same position as the petitioner in their interpretation of the conditional use regulation. Surely, the Council did not intend to expose nearby residents to outdoor noise that would degrade their community and deny them the peaceful enjoyment of their property. This is not consistent with the generally good planning that we have in Howard County.

While I strongly oppose approval of the proposed zoning amendment, I understand that the Council may want to follow DPZ's recommendation to review the pet day care regulations. Should the Council decide to conduct such a review, I urge, in fairness to our community, that the review be comprehensive and be done *after* denial of the of the proposed zoning amendment. Denial of the proposed amendment will also benefit other communities which might be affected in the future.

Reply all | Delete Junk |

## CB 71-2016

PM

Patty Miller &lt;pjm@carneykelehan.com&gt;

Wed 11/23, 11:21 AM

CouncilMail; Tom Meachum &lt;tmm@carneykelehan.com&gt;

Reply all |

Council ltr CB-71-2016...

78 KB

Download

| Action Items

Please see attached letter regarding the subject matter.

Patty Miller, Assistant to Thomas M. Meachum

**Carney, Kelehan  
Bresler, Bennett  
& Scherr LLP**

ATTORNEYS AT LAW

10715 Charter Drive, Suite 200Columbia, Maryland 21044Office 410-740-4600 x225

Fax 410-730-7729

**Please respond to:**[pjm@carneykelehan.com](mailto:pjm@carneykelehan.com)[www.carneykelehan.com](http://www.carneykelehan.com)

This e-mail, including attachments, may include confidential and/or proprietary information, and may be used only by the person or entity to which it is addressed. If the reader of this e-mail is not the intended recipient or his or her authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete this e-mail immediately.

**Carney, Kelehan  
Bresler, Bennett  
& Scherr LLP**

ATTORNEYS AT LAW

Daniel H. Scherr  
P. Tyson Bennett  
Kevin J. Kelehan  
Thomas M. Meachum  
Judith S. Bresler  
Michael S. Molinaro  
Eric C. Brousaides  
Michelle DiDonato  
B. Darren Burns  
Peter D. Fastow  
Manisha S. Kavadi  
Andrew H. Robinson  
Sarah H. Dye  
Angela C. King  
Christina J. Kane

OF COUNSEL:

David A. Carney  
Fulton P. Jeffers

IN MEMORIAM

Laurence B. Raber

www.CarneyKelehan.com

[tmn@carneykelehan.com](mailto:tmn@carneykelehan.com)

November 23, 2016

[councilmail@howardcountymd.gov](mailto:councilmail@howardcountymd.gov)

Howard County Council  
3430 Courthouse Drive  
Ellicott City, MD 21043

RE: CB 71-2016

Dear Chairperson Ball and Council Members:

This letter will follow up on my verbal testimony the other evening. This is written in opposition to the passage of CB 71-2016.

To reiterate that testimony, this bill would allow noise generated from the outdoor activities to be heard beyond the lot lines of a property where a pet day care operation is being conducted, while it would still be a requirement that noise generated from indoor activities would not be permitted to be heard beyond those same lot lines of the subject property.

If one assumes the purpose of prohibiting noise beyond lot lines is to protect neighboring properties, it is unknown why this amendment would be anything but a negative adverse impact to the communities in the County.

To the argument made that the Hearing Examiner can control adverse impact through the levying of conditions, it is clear the County recognizes the challenges faced by residential neighborhoods from animal-based businesses when reviewing the regulations for kennels. There are minimum lot sizes based upon number of animals. Outdoor areas have to be 200 feet from lot lines (subject to a finding of no adverse impact to neighboring properties to allow that setback to be decreased to 150 feet). The structure for the kennel has to be 200 feet from any lot line.

Contained in that same subsection are pet grooming establishments and kennels eight animals or less. There is a minimum lot size of three acres for those kennels or pet grooming establishments using outside areas. The outside setback area is 150 feet.

It seems there is very little, for residential impact purposes, that would distinguish a pet day care from a kennel. Ms. Kamens' proposal is an example of the lack of distinction between the two uses. She proposes to house 15 dogs.

The argument that if this amendment is not passed, there will be no pet day care facilities in residential areas, is not supported by the facts. First, Ms. Kamens' proposal is the only one in the approximate three year period of time this conditional use has been in existence.

Second, this is pet day care, not just dog day care. Cats, for example, or whatever other animals the Council was contemplating when it passed this regulation, would not be heard beyond the lot lines.

Third, the beginning of the pet day care regulation states that all activities shall be conducted indoors. Obviously the Council contemplated that animals of all sorts, including dogs, could be completely handled inside.

So the argument that the failure to approve this amendment would be a death knell to pet day care in residential areas would not seem to be one that survives close scrutiny.

If any changes are to be made to the pet day care, it should not be done in a piecemeal fashion, and it is suggested not in a way that expands the adverse impact to the community.

It is suggested that no action be taken on pet day care regulations except in a comprehensive fashion, examining in tandem other animal-related business such as animal hospitals, kennels, and pet grooming establishments. It may be that only the pet day care regulations are changed when they are compared to the protections afforded in other regulations.

If the regulation is amended due to a comprehensive overview of this and similar regulations, Ms. Kamens will have the opportunity to apply under these regulations that have been reexamined with more protections for the community. However, if this amendment is passed and the comprehensive review made later, the residents of Manor Lane would not receive the benefit of such efforts because Ms. Kamens' operation would be grandfathered as a nonconforming use.

The matter before you is not one of interpreting the current law. That is for zoning bodies and judges. When acting in a legislative capacity, it would



Howard County Council  
November 23, 2016  
Page 3

seem the paramount concern is whether the proposed law is good public policy. It is submitted that this piecemeal treatment of this subject, especially where that law would expand the impact on the community, is not good public policy, and should not be passed.

Very truly yours,

CARNEY, KELEHAN, BRESLER,  
BENNETT & SCHERR, LLP

A handwritten signature in black ink, appearing to read "Thomas M. Meachum". The signature is written in a cursive style with a large initial "T".

Thomas M. Meachum  
Attorney for Manor Lane residents

TMM/pjm

P:\TMM\WPDATA\Truby, T. James\Council ltr vwpd

Reply all | Delete Junk |

## City Council Testimony to Oppose ZRA-167 amendment in CB 71

Yovonda Brooks <brooksyd@verizon.net>

Reply all |

Tue 11/22, 5:44 PM

CouncilMail

City Council Testimony t...

17 KB

Download

Attached is my testimony opposing the proposed amendment ZRA 167 to the conditional use pet day care regulations in Council Bill 71-2016. Thanks for your consideration,

Yovonda D. Brooks  
4819 Manor Lane  
Ellicott City, MD 21042

**Testimony on Council Bill 71-2016 to Oppose the ZRA-167 Amendment to the Conditional Use Pet Day Care Regulations:**

Good Evening Howard County Councilmembers:

My name is Yovonda Brooks. I have lived at 4819 Manor Lane (Ellicott City, MD) for 37 years. **I am opposed to the requested changes to the conditional use pet day care regulations which would expressly allow noise beyond the lot lines when pets are outdoors.** The current regulations state that the pet day care operations are to be conducted inside a facility and that "noise must not be perceptible at the lot lines." Noise at the lot line whether it is from inside the facility or outside the facility is still noise at the lot lines.

Ms. Kamens' proposed 100% use of her property at 4807 Manor Lane for a pet day care business is a good example of the adverse impact on a residential neighborhood. This property is located in a cluster of residential homes where noise inside the facility and outside the facility could be heard beyond the lot lines. Ms. Kamens presented her conditional zoning petitions to utilize her residential property as a pet day care facility for 15 dogs before both the Zoning Hearing Examiner and the Board of Appeals. Both petitions were denied.

My resident is next door to 4807 Manor Lane and is about 110 feet from Ms. Kamens' proposed pet day care. Our properties are separated by two narrow driveways. Ms. Kamens testified that the dogs in her care will be located in the basement and garage of her residential home. There will also be a parking area and a toileting area on the same side of the facility. The basement, garage, and toileting area are all located on the side of my residence where my bedrooms are located. Ms. Kamens testified during the conditional zoning hearings that the dogs will need to go outside throughout the day for toileting. She testified that she planned to have 15 dogs and that she would take 5 dogs outside at a time. Each group will need to go outside 6-8 times a day for up to 30 minutes each. With 15 dogs, this would result in dogs being outside most of the day during the business hours from 7 am to 6 pm. Due to their nature, dogs will bark to communicate and respond to distractions caused by hearing or seeing other people and animals. My residence is close enough to Ms. Kamens' proposed day care facility that I (along with my neighbors) will be able to hear 15 dogs barking from both inside and outside the facility. I am retired and usually home during the day.

The Planning Board in its recommendations to the County Council concerning ZRA-167 stated that **neighbors should be protected from noise** and that **pet day care facilities should not be in residential neighborhoods. Their report also states that Subsection 39b applies to both indoor and outdoor noise. They also recommended that conditional use for pet services be re-evaluated.** The impact of this proposed regulation change would allow outside noise in any residential neighborhood where the zoning regulations permit pet day care facilities. Allowing outside noise could result in adverse conditions in surrounding communities and public areas.

Therefore, I am requesting that the County Council vote to deny the proposed ZRA-167 amendment to the zoning regulations for pet day care facilities (Council Bill 71-2016). I am also supporting the recommendation that the conditional use for pet day care and other related pet services be re-evaluated to mitigate the adverse impact on residential communities and surrounding properties.

Thank you for your consideration.

Yovonda Brooks  
4819 Manor Lane  
Ellicott City, MD 21042  
brooksyd@verizon.net  
November 22, 2016

**FILE COPY**

0371-2016

Re: Petition to Amend Pet Day Care Zoning Regulations Case No. ZRA-167 Filed 2/26/16 by Elisa Kamens

CR Constance Reed <qitty1@gmail.com>  
Yesterday, 5:28 PM  
CouncilMail

Reply all |

Re: Petition to Amend Pet Day Care Zoning Regulations Case No. ZRA-167 Filed 2/26/16 by Elisa Kamens

I am writing to state my opinion on the proposed amendment to zoning by Ms Kamens, and I do so as a resident of the Manor Lane neighborhood in which Ms. Kamen's proposed pet daycare facility is located.

The business that Ms Kamen's had proposed, repeatedly, and has had denied, repeatedly, failed to meet basic standards for the conditional use, and for good reasons.

One of the most important reasons that Ms Kamen's was denied, was that she wanted to conduct inappropriate kennel-like activities, with at least 15 dogs, in areas of her lot that were within 200ft of neighboring houses. Not 200ft of the the lot lines, but the actual neighboring houses. "Noise may not be perceptible at the lot line" was one of the main problems. This sort of public nuisance and disregard for others has serious, negative impact on other citizen's lives, not to mention property values. Now, however, it seems she wishes to change the very wording of the zoning code itself in such a way that fulfills her self-interests, and, it seems to me, would be in stark contradiction to the guidance and county zoning rules regarding other, similar, pet care business models.

While there is value in pet businesses, for all of us, the negative effect of noise, traffic, smell, and light pollution on others cannot be overlooked. While pet grooming and pet daycare usually do not involve overnight stays, as kennels do, these businesses will often run sun-up to sun-down, 5-7 days a week, with the potential for serious noise and other nuisance all day, every day. Not all of us sleep at night, some of us have small children, or health issues, that require a certain level of daytime 'peace' for healthy living. Zoning helps define what 'reasonable' is. Logically, pet daycare should follow the same sort of reasonable guidelines, limits, and restrictions, as the other pet related businesses, and for the same reasons.

About Ms Kamen's wish to argue the wording "All daycare business functions must be completely enclosed within a building. Noise must not be perceptible at lot lines." Pet daycare IS JUST LIKE a kennel, except for the overnight stay. Kennels have very strict, clearly defined setbacks when it comes to boarding pets as, no doubt, the authors of that regulation recognized that noise nuisance is an undeniable fact of the business. Unless a pet daycare is using crates and 'puppy pads', dogs MUST go outside to toilet, and this

must happen, for health reasons, multiple times a day. There is a possibility for multiple dogs to be outside pretty much all day, every day, which presents the potential for very serious noise nuisance, not just audible at the property lines, but audible from INSIDE neighboring homes as well. It DOES NOT MATTER where the noise comes from... out of the house, the exercise yard, out the chimney, from a rear basement window, from a deep hole in the ground. It doesn't matter! What matters is that the noise travels outside of the property and becomes a serious nuisance to neighbors. It should NOT be the burden of the surrounding home owners to suffer this! If the business is to be "appropriate and compatible in the specified districts" then the burden is on the business owner. This means "Noise must not be perceptible at lot lines", esp when those lot lines are so incredibly close to other people's homes.

I think that specific minimum setbacks from other lot lines, and particularly, other structures, ought to be established for pet daycare, just as is done for kennels and pet grooming facilities, and they should use those same set standards as a guide. For example, why not, for a large business keeping 11 or more animals, require lot size of 5 acres, a setback of 200 feet from property lines (which is county kennel requirements with regards to keeping that large number of animals), and for keeping no more than 8 animals, lot size of 3 acres, a setback of 150 feet (like the requirements of kennel and grooming facilities)?

As for smaller properties, less than an acre, the maximum number of animals allowed should be capped at no more than 2-3 animals, especially in areas where houses (the structures, not just the lot lines!) are within 200-250ft of the proposed business because, without room for appropriate setbacks, there will be a serious noise nuisance. There should still be a required setback when houses are close together because a daycare situation is likely to generate more noise than a grooming shop, as honestly, they are more similar to a kennel operation.

I also believe that extra caution be employed, when approving or disapproving pet daycare proposals, when it is a commercial entity, like Ms Kamens, who has purchased a residential home that she has no intention of living in, for the sole purpose of running a potentially high nuisance business, especially when it is to be located so close to nearby homes. This, in comparison to a proposal from a homeowner who actually resides on a property and who would have more of a personal, vested, interest in the quiet, peace, and proper business management than a non-resident.

A non-resident would be focused on business, not the rights and welfare of the people who live nearby. A true 'home business' owner will be far more likely to be respectful of neighbors, and the noise nuisance, than a non-resident who has no connection to the neighborhood. The business that Ms Kamens has proposed for herself is a large commercial venture, NOT a home business. It is NOT her home, and the excessive scope of what she has proposed for this particular property truly exceeds what would fit a home business in this location. She's not interested in a 'home business', so, in my opinion, this is probably an abuse of the original intention of the zoning regs.

As a business owner, Ms Kamens should have considered zoning laws regarding conditional use before purchasing a HOUSE to use as a commercial business. She did not. It seems that she bought a house, was dismayed to find out that zoning laws restricted what she wanted to do with it, and is now trying to change zoning laws for her own benefit.

I hope the zoning board will keep these concerns in mind. Ms Kamen's proposal to change the wording of the pet daycare code is, in my opinion, just one more move, out of many, to promote her personal goals and personal business interests. The re-wording she wants also appears, to me, to contradict the reasoning behind the zoning regulations as written for the other county-defined pet-based businesses, kennels and pet grooming. To sum up. Noise is noise, no matter what part of a property it comes from, the effect is the same when it crosses over the lot lines and affects others.

Constance Reed  
4905 Manor Lane, Ellicott City, MD, 21042  
qitty1@gmail.com  
443-538-2299

Reply all |

**FILE COPY**

Delete

Junk Amendment CB71-2016

KS Kelley Silberberg &lt;kelley@totallytarget.com&gt;

Reply all |

Today, 4:41 PM

CouncilMail ...

Dear Council-members,

I am writing in support of Amendment CB71-2016. I worked for Elisa Kamens at Club Pooche for 2 years and saw first-hand how important doggie day care can be, both to dogs and their owners.

First of all doggie day care means dogs are not home alone all day. Instead, they are getting socialization, nurturing, exercise, and more! And even better, dog owners are not stressed by worrying about what their dogs may be up to all day or whether they get enough stimulation. Dogs are such important members of our family and we want them to thrive and be happy.

Dog owners also want to know that doggie day care centers maintain safety standards, meet zoning requirements and operate with integrity. Club Pooche does that and much more!

I strongly encourage the Council to pass Amendment CB71-2016 and correct the misinterpretation of the original language for doggie daycare zoning laws. Without this amendment, doggie day care as a conditional use will effectively be abolished.

If you love and appreciate how important dogs are to our society, you'll support this change.

Sincerely,

Kelley

Kelley Silberberg  
5229 Paul Revere Ride  
Columbia, MD 21044

Reply all | Delete Junk |

**FILE COPY**

CB71-2016

SD

Sara Domerchie &lt;saradomerchie@verizon.net&gt;

Reply all |

Yesterday, 8:47 PM

CouncilMail

Dear Council Members,

I am writing to you to express my opposition to the above mentioned amendment and to make you aware of a questionable tactic being used by Ms Kamens to gain support for her proposal.

First, my opposition. The change being requested really makes no sense; no clarification is needed in the regulation's language. Ms Kamens is simply grabbing at straws, trying to change regulations in hopes of forcing her inherently loud business (dog boarding & training) into our neighborhood. Noise is noise - regardless of whether it is generated indoors or outside.

Second, questionable tactics. Ms Kamens has asked her Face Book friends and her clients at her Red Branch Rd facility to write letters and emails in support of CB71-2016 and has provided a template for them to use. This in itself is not questionable, the problem is that the wording in both the template and her request for help is very misleading. In them, Ms Kamens misrepresented and sensationalized the whole matter and the potential consequences of not approving the amendment. She wrote that the change will "make sure that dog daycares maintain safety standards"; that "without this amendment, dog day care as a conditional use will effectively be abolished."; and that "if you love dogs, you'll support this change". Obviously, none of these assertions are completely applicable to the amendment in question.

Thank you for your service to Howard County in general and specifically for not approving CB71-2016.

Sincerely,

Sara Domerchie  
4851 Manor Lane  
Ellicott City, MD 21042



Reply all | Delete Junk |

**FILE COPY**

CB71-2016

gretchen@gretchenconley.com  
Yesterday, 3:59 PM  
CouncilMail

Reply all |

Keep

Dear Council members,

I am writing in support of CB71-2016. I have been a client of Club Pooche in Columbia (or rather, my lovely rescue dog, Trudy, has!) just starting this past year. Prior to getting Trudy, I spoke at length with Ms. Kamens about dog training, 2 year old rescues, doggy day care, etc. She was so kind and helpful and supportive as I made plans for my new dog and how to best acclimate her to others. Trudy has done spectacularly well at Club Pooche. The staff has gone out of their way to gain her trust and she interacts warmly and well with them. Doggy day care is an important service and has had a tremendously positive impact on my life, and that of Trudy's. I know that she's not only happy and well cared for while I'm at work, but that in fact she'll come home exhausted but happy after her busy, busy day. Ms. Kamens is one of the few providers that provides this service legally and with the appropriate zoning. I would strongly encourage the Council to make this commonsense change to the regulations to correct a misinterpretation of the original language. Without this amendment, doggy day care as a conditional use will effectively be abolished.

If you love dogs, and your constituents who love dogs, you'll support this change.

Best regards,  
Gretchen Conley  
Dog owner & Howard County resident  
443-676-1625

Reply all | Delete Junk |

**FILE COPY**

CB71-2016.

EM

Erin McPhail &lt;mcphail80@hotmail.com&gt;

Today, 1:49 PM

CouncilMail

Reply all |

| Action Items

Dear Howard County Council Members,

I am writing this email in support of CB71-2016. I have had a relationship with Mrs. Kamens and Club Pooche for six (6) years. She has worked with me in previous jobs through interaction, participation and engagement to major Howard County community events.

During that time I have seen the amazing things that Mrs. Kamens can do with the dogs under her care. She has a heart of gold and is truly passionate about the well-being of not only dogs, but animals. Her business is about the happiness, health, obedience and socialization of dogs. Club Pooche has been recognized at one of the best in Howard County for multiple years that is something her competitors cannot say. Elisa and her staff are trained, certified and knowledgeable in their area of expertise. When you leave your animal in the care of Club Pooche you have comfort knowing that your loved one is in a happy and safe environment. Dog Day care is a very important service, especially for working women like myself. I strongly encourage the Council to make this commonsense change to the regulations to correct a misinterpretation of the original language. Without this amendment, dog day care as a conditional use will effectively be abolished, and that would be a big disappointment to members of the community. Why wouldn't you want to expand and spread the great services that Club Pooche provides? I see the rejection of this bill as a set back to our community- not a way to move it forward.

If you love dogs, you'll support this change.

Best

Erin McPhail

10264 Globe Drive

Ellicott City, MD 21042

Reply all | Delete Junk |

## CB 71-2016

AK Andrew Kanicki <andrewkanicki@yahoo.com>  
Today, 10:40 AM  
CouncilMail

Reply all |

Dear County Council Members,

My name is Andrew Kanicki and I live at 4400 Manor Lane in Ellicott City. I am writing in support of CB 71-2016, which clarifies language related to pet day care as a conditional use. While I understand that many of my neighbors have opposed this legislation due to the proposal to put a dog day care on Manor Lane, I do not share their concern. Manor Lane is a dynamic place with many different uses. We have cows, horses, a halal butcher, and even alpacas. More recently, Manor Hill Brewery opened right across the street from our house. In my mind, this is what a community looks like. It's not all the same.

While I've never met Ms. Kamens, I've researched her and her business online. Based on everything I've seen, she will be a good neighbor. Ms. Kamens has worked with dogs her entire career and is so advanced in her field that she trains other dog trainers. This is not someone who is going to run an operation with a lot of noise. I look forward to the convenience of having a dog day care in the neighborhood so that I can drop my dogs off there when I can't be home to take them for walks or play with them. This is a good service and one that should be available in Howard County. It seems to me that if you vote down this bill, you are voting down pet day care for dogs.

Finally, while I am sympathetic to the position of my more vocal neighbors, it has reached a point where I'm not sure what they won't oppose. They've opposed the brewery. They've opposed this dog day care. They act as if Manor Lane is a private road. It's not. And I can tell you there are more people like me, who live here and enjoy the diversity, than them.

- Andrew Kanicki  
4400 Manor Lane  
Ellicott City, MD 21042

Sent from my iPhone

Reply all | Delete Junk |

## CB71-2016 Support

Steve Sprecher <slsprecher@yahoo.com>

Reply all |

Today, 2:09 PM  
CouncilMail

Club Pooche Nov 2016....  
13 KB

Download

See below and attached

November 18, 2016

RE: CB71-2016 SUPPORT

Dear Howard County Councilmembers:

I am writing in support of CB71-2016. I have known Ms. Kamens and her husband for almost 10 years. In all of that time, and during her opening and operation of Club Pooche later, I have seen firsthand how Ms. Kamens cares for her dogs and how considerate she is of others regarding her business. She does this legally and with the appropriate zoning, unlike some others.

I urge the Council to make this common sense change to the regulations in order to correct a misinterpretation of the original language. Without this amendment, dog care as a conditional use will effectively be abolished.

As a dog lover (and I hope you are also!), I am sure you will support this change.

Sincerely,

*Stephen L. Sprecher*

Stephen L. Sprecher  
11414 High Hay Drive  
Columbia MD 21044

November 18, 2016

RE: CB71-2016 SUPPORT

Dear Howard County Councilmembers:

I am writing in support of CB71-2016. I have known Ms. Kamens and her husband for almost 10 years. In all of that time, and during her opening and operation of Club Pooche later, I have seen firsthand how Ms. Kamens cares for her dogs and how considerate she is of others regarding her business. She does this legally and with the appropriate zoning, unlike some others.

I urge the Council to make this common sense change to the regulations in order to correct a misinterpretation of the original language. Without this amendment, dog care as a conditional use will effectively be abolished.

As a dog lover (and I hope you are also!), I am sure you will support this change.

Sincerely,

*Stephen L. Sprecher*

Stephen L. Sprecher  
11414 High Hay Drive  
Columbia MD 21044

Reply all | Delete Junk |

## CB71-2016

Leiter, Tammy <tleiter@chirontech.com>

Reply all |

Today, 2:21 PM  
CouncilMail

The message sender has requested a read receipt. To send a receipt, click here.

Dear Council Member,

I am writing in support of CB71-2016, I have been a client of Club Pooche in Columbia for 1 year. During that time, I have seen the amazing things Ms. Kamens can do with the dogs under her care. Dog day care is an important service and has had a tremendously positive impact on my life, not to mention my dogs well-being. Ms. Kamens is one of the few providers that does this legally and with the appropriate zoning. I strongly encourage the Council to make this common sense change to the regulations to correct a misinterpretation of the original language. Without this amendment, dog day care as a conditional use will effectively be abolished.

Regards,

Tammy

**Tammy Leiter**  
FSO/CSSO

**Chiron Technology Services**

7021 Columbia Gateway Dr. Suite 250

Columbia, MD 21046

410.672.1522 x106

443.474.3402 (cell)

[www.chirontech.com](http://www.chirontech.com)

Reply all | Delete Junk |

**FILE COPY**

CB 71-2016

JD

Jodie Dailey &lt;JDailey@columbiabenefits.com&gt;

Reply all |

Yesterday, 10:02 PM

CouncilMail

I am writing I support of CB71-2016. I have been a client of Club Pooche since 2010. Since then I have seen the amazing things Elisa Kamens can do with dogs under her care. Dog day care is an important service and has had a positive impact on my life and the life of my dog. Ms Kamens is one of the few people who does this legally and with the appropriate zoning.

I strongly encourage the council to make this common sense change to the regulations to correct a misinterpretation of the original language. Without this amendment dog care as a conditional use will effectively be abolished.

If you love dogs, you'll support this change.

Thank you.

Jodie Dailey

Thanks! Jodie  
Sent from my iPhone

Reply all | Delete Junk |

## Cb71-2016

Sam &lt;smokemup67@yahoo.com&gt;

Reply all |

Yesterday, 9:55 PM  
CouncilMail

I am writing in support of denial of legislation CB71-2016. This proposal is coming from a lady who has already been denied and is now trying to change the wording of legislation to have a better chance of being approved to run a doggy daycare in a single family home in a residential neighborhood. She has been denied and this has cost residents of the neighborhood both time and money, as well as the county time and money. Someone shouldn't be able to continue to chase this at cost and inconvenience of others. These rules were put in place for a reason. This lady is trying to open a dog kennel, not from her home, but from a property she purchased solely to run a business from. She is neither a neighbor or resident, yet feels she is entitled to inconvenience the existing residents. If you ever had to make a left out of Manor lane at rush hour you would see that adding undue traffic here is absolutely ridiculous. This legislation is regarding noise of course, and please consider there are at least two residents whose homes actual structure are less than 100 foot from lot lines. Although I live further and wouldn't personally be annoyed by the added noise, I would be by the traffic. Some of this is exactly why the guidelines exist as is. If we start changing legislation things like manor hill brewery become possible. Things that are clearly not a fit for a residential neighborhood. We now have a public bar at the culdesac, an organic meats farm (supposedly extension from the mosque) that houses its own slaughterhouse and runs public events, and some one fighting to run a commercial pet daycare from a residential home. Give us a brake. Imagine any of these in your own neighborhood and see how you feel for the fit. If she doesn't qualify and has tried multiple times, why now allow and attempt to change the rules. The residents here shouldn't be put through this again. I would also be an advocate for any other neighborhood in similar situation as I feel my lifestyle has already been disrupted/ invaded, and feel for anyone else in the same situation. Thank you for your service

Sam Ellis  
4610 Manor Lane  
Ellicott city, Md. 21042



Reply all | Delete Junk |

## In support the denial of #CB71-2016

Joan Pontius <joanpontius@gmail.com>

Reply all |

○ Sat 11/19, 1:44 PM  
CouncilMail

I am writing in support of the denial of proposed Legislation #CB71-2016. Contrary to intention described in the proposal, the new wording will result in ambiguities for the requirements of pet daycare in residential districts of Howard County. Currently, the requirements are clear: for the acreage and setbacks described, there is to be no noise at the property line. For more noisy uses, such as dogs that need to be outside, the daycare operation will need to either be on larger parcels and with larger setbacks, or in other zoning districts.

These existing requirements allow for pet daycare throughout the county, while maintaining the peace and tranquility of residential neighborhoods. The current proposal, which provides no regulation against outdoor noises, will severely undermine the quality of life in the residential districts of Howard County.

Thank you for your service to Howard County and your consideration to this matter.

Joan Pontius

4879 Manor Lane

Ellicott City MD 21042