

**BY ELECTRONIC DELIVERY****mark.beall@montgomeryplanning.org**

**To:** Montgomery County Planning Department, Upcounty Planning Staff  
Attention: Mark Beall

**From:** Stuart R. Barr, Lerch Early & Brewer, Chtd.

**Re:** Petition of DK Property Holdings LLC – Proposed Animal Boarding and Care Use

5011 Olney Laytonsville Road, Olney, Maryland

Supplemental Information in Support of Conditional Use Application

**Date:** November 11, 2025

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On behalf of our client, DK Property Holdings LLC, the owner of the subject property and applicant (“Applicant”), we are submitting this Supplement Information in support of the Conditional Use Application for proposed animal boarding and care (the “Application”), for the property located at 5011 Olney Laytonsville Road in Olney, Maryland (the “Property”). The purpose of this Supplemental Information is to provide additional information in support of the Conditional Use Application and to respond to initial comments and discussion raised during the initial application intake process. The narrative description of the Project is set forth fully in the Statement of Justification dated September 25, 2025 and the accompanying Statement of Operations. This Supplemental Information is intended to supplement (not replace) the original Statement of Justification.

We want to thank the Planning Staff for its initial review and comments and the time spent in meetings with us to discuss the proposed Project. Based on the initial review comments, the Applicant team provides additional information in support of the Application, as follows:

- The Applicant team is in the process of following up with the other appropriate County review agencies regarding the application (DPS, Fire Marshall, etc.).
- As Planning Staff is aware, the Property contains existing Special Exception uses. The County Board of Appeals issued a Special Exception approval for both a retail horticultural nursery/commercial greenhouses and a landscape contractor (Special Exception Numbers CBA-2180, CBA-2180-A, and S-254). The Special Exception on the Property was approved originally in 1967 and modified in 1968, 1973, 1997, 1999, 2004, 2006, and 2007. These Special Exception approvals contain conditions of approval as described in the resolutions that relate to site improvements and operational characteristics. The Applicant is familiar with the existing Special

Exception approvals on the Property, and confirms that, to the Applicant's knowledge, the Property complies with the existing Special Exception approvals and operational characteristics. The existing Special Exception businesses and uses on the Property are proposed to remain and continue operating. Further, the Applicant confirms that, to the Applicant's knowledge, the proposed conditional use for animal boarding and care is consistent with the previous approvals and applicable requirements on the Property, as modified by the proposed Conditional Use Application.

- When the Applicant purchased the Property in 2024, the Applicant requested, and the County Board of Appeals approved, a transfer and modification of the Special Exception approvals to reflect existing conditions on the Property. That request and approval are attached to this Supplemental Information.
- As mentioned previously, the Applicant is not proposing any changes to the existing Landscape/Lighting Plans on the Property since there are existing Special Exception uses on the Property with prior approved Landscape/Lighting Plans in the Special Exception record that cover the Property. The Applicant is not proposing any new lighting changes on the Property at this time, or any new landscaping with the animal boarding application. Approved Landscape/Lighting Plans for the Property are contained within the existing Special Exception records for the Property (Special Exception Numbers CBA-2180, CBA-2180-A, and S-254). The Applicant will comply with these existing approved plans, or will request a modification, if any changes are proposed in the future.
- Regarding potential screening requirements under County Zoning Ordinance Section 6.5 -- in the Agricultural Zone, a conditional use must provide screening if the subject lot abuts (i.e., shares a property line with) property in an Agricultural Zone, Rural Residential, or Residential Detached Zone that is vacant or improved with an agricultural or residential use. In this case, the Property abuts such land on the northwest side of the Property. Additionally, exterior areas used to exercise, walk, or keep animals are required to be set back a minimum of 200 feet from any lot line and screened.
- As reflected on the existing approved Landscape Plans for the Property and the Simplified NRI and Forest Conservation Exemption plan submitted with the Application, significant trees and forest exist along the northwest side of the Property. Additionally, mature trees/vegetation exist along the Zion Road Property line. Please see the attached photographs looking from Zion Road towards the Property reflecting the existing screening. The large size of the Property, separation from adjacent properties, the distance between the proposed use and the lot lines, and the existing mature trees both on-site and off-site will obscure visibility of the conditional use areas. Thus, screening requirements are met.

- The Applicant is not proposing any new open spaces/recreational amenities beyond what exist on the Property currently and beyond the outdoor animal exercise area.
- No bicycle parking spaces or facilities are required in connection with animal boarding or care.
- No rough grading is proposed other than what is necessary to convert the area for the outdoor animal exercise area.
- For parking spaces, the Applicant proposes to utilize existing asphalt and restripe parking spaces for the proposed use.

We appreciate all of the Planning Staff's time and attention on the Application. Once you have had an opportunity to review the Application materials fully, we look forward to working with you to obtain approvals for the Project. Please do not hesitate to contact us if you have any questions or need any further information. Thank you very much for your assistance.

Respectfully submitted,

Lerch, Early & Brewer, Chtd.



By:

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Attachments:

- Photographs of Property from Zion Road – photographs taken April, 2025.
- Applicant's Request for Special Exception Transfer and Administrative Modification (Special Exception Numbers CBA-2180, CBA-2180-A, and S-254).
- Board of Appeals Resolution to Transfer and Modify Special Exception adopted December 18, 2024.

cc: Applicant Team