

PETITION OF DK PROPERTY HOLDINGS LLC

PETITION FOR APPROVAL OF
CONDITIONAL USE APPLICATION NO. _____
(ANIMAL BOARDING AND CARE USE)

5011 OLNEY LAYTONSVILLE ROAD, OLNEY, MARYLAND

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September 25, 2025

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**MONTGOMERY COUNTY
OFFICE OF ZONING & ADMINISTRATIVE HEARINGS
September 25, 2025**

Contents

CONTACT INFORMATION	2
SUMMARY OF PROPOSAL	3
I. INTRODUCTION.....	4
II. PROPERTY DESCRIPTION AND EXISTING PROPERTY CONDITIONS	4
III. PROPOSED CONDITIONAL USE	5
IV. MASTER PLAN CONFORMANCE	7
V. ZONING ORDINANCE CONFORMANCE	8
VI. CONCLUSIONS	16
VII. LIST OF INITIAL WITNESSES.....	16
VIII. LIST OF INITIAL EXHIBITS/APPLICATION MATERIALS	16
IX. ESTIMATED HEARING TIME	16
X. FILING FEES	17

DK PROPERTY HOLDINGS LLC

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CONTACT INFORMATION

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SUMMARY OF PROPOSAL

Petitioner DK Property Holdings LLC, the owner of the subject Property located at 5011 Olney-Laytonsville Road, Olney, Maryland, and Roaming Farms Dog Hotel LLC, the proposed business operator, submit this Statement in support of this conditional use application to allow an animal boarding and care use (as defined in Section 3.5.1.B of the Montgomery County Zoning Ordinance) to be established at the Petitioner's Property located in the Agricultural Zone. The proposed animal boarding use will provide daytime pet sitting and overnight cat/dog boarding services within an existing one-story masonry building to be renovated, approximately 6,307 square feet in size, and outdoor fenced areas on the Property. In total, the existing building, parking, and proposed outdoor exercise space will be approximately 2 acres. Petitioner does not propose any limited optional accessory services at this time.

**STATEMENT OF JUSTIFICATION FOR PROPOSED
CONDITIONAL USE APPLICATION NO. _____**

I. INTRODUCTION

On behalf of Petitioner DK Property Holdings LLC and Roaming Farms Dog Hotel LLC, the proposed business operator (the “RF Dog Hotel” or the “Facility”), we submit this request pursuant to Section 7.3.1 of the Montgomery County Zoning Ordinance ("Zoning Ordinance") for the establishment of an animal boarding and care use at the Petitioner's property located at 5011 Olney Laytonsville Road, Olney, Maryland (the "Property"). Petitioner proposes to provide daytime animal-sitting and overnight animal boarding services within an existing building to be renovated and proposed outdoor fenced areas on the Property (the “Project”). RF Dog Hotel does not propose any limited optional accessory services currently. No new development on the Property is proposed in connection with this application other than installation of a new septic field to serve the existing building and proposed use.

II. PROPERTY DESCRIPTION AND EXISTING PROPERTY CONDITIONS

The Property is comprised of the following two components, which are referred to collectively herein as the “Property”:

- Parcel P600, Tax Map HU22, 5011 Olney Laytonsville Road, Olney (Tax Account #08-00703485) – containing approximately 28.34 acres; and
- Parcel P820, Tax Map HU22, Zion Road (Tax Account #08-01634520) – containing approximately 0.23 acres.

The Property has a total land area of approximately 28.58 acres. Existing improvements on the Property include approximately 16 buildings, parking areas, and related site improvements. The Property also is improved with surface parking lots, driveways, and related site improvements. Current uses on the Property include a residential dwelling unit (caretaker house), a retail horticultural nursery business (“Johnson’s Florist and Garden Center”), and a landscape contractor business (“Johnson’s Landscaping Service”). The Property has vehicular access from Olney-Laytonsville Road (MD Route 108) and Zion Road.

The main retail building and greenhouse front on Olney-Laytonsville Road (MD Route 108), with customer parking in front of the buildings and extending towards Mt. Zion Road. To the east and north of the main retail building are outdoor sales areas with plant stock. To the northwest of the outdoor retail area and south of a linear stock field, are 18 small greenhouses (a/k/a “hoop-houses”) used for plant cultivation, maintenance and storage. In that same general area are loading areas, vehicle and equipment storage areas and additional parking.

To the west of the main building is a residential structure used as an office and storage area. Beyond that are fields containing trees and other nursery stock. Company vehicles, equipment loading and unloading and employees have another entrance along Mt. Zion Road. A landscape contractor occupies a portion of the property and works from an existing block building. A second frame building is used for contractor storage, and a frame pavilion is used to store equipment and plants awaiting transport to project sites.

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. Prior owners of the Property prior to Petitioner's ownership handled all previous Special Exception approvals. To the Petitioner's knowledge, the proposed conditional use for animal boarding and care is consistent with the previous approvals and applicable requirements on the Property to the degree the Special Exception approval and its prior modifications were implemented by the prior owners. The existing business and uses on the Property are proposed to remain and continue operating.

The Property is located in the Agricultural ("AR") Zone, as indicated by the attached Certified Zoning Map. The Property is surrounded by a combination of properties located in the AR, RE-1, and R-200 Zones. Additionally, the Property is located in the Upper Rock Creek Overlay Zone and the Upper Rock Creek Special Protection Area.

The Upper Rock Creek Overlay Zone (Zoning Ordinance Section 4.9.21) ordinarily restricts impervious surfaces to a maximum of 8% of the tract area, but there are exemptions. "Any impervious surface lawfully existing under a building permit or sediment control permit issued before November 15, 2004 or under a building permit or sediment control permit application filed on or before November 15, 2004 may be continued, renovated, repaired, or reconstructed to the same size and configuration." Additionally, development not served by community sewer is exempt. The Property is not served by community sewer.

III. PROPOSED CONDITIONAL USE

Petitioner proposes an animal boarding and care use, which is permitted as a conditional use in the AR Zone subject to certain requirements under Section 3.5.1.B of the Zoning Ordinance. This proposed use would be in addition to the existing uses on the Property, and the existing businesses and uses on the Property are proposed to remain and continue.

The site of the Project is an approximately 2-acre portion within the larger Property, as shown on the Conditional Use plan. The Project area consists of a one-story masonry building to be renovated, approximately 6,307 square feet in size, an adjoining parking area, and outdoor fenced areas on the Property for animal exercise. As proposed, all indoor activities associated with RF Dog Hotel will be accommodated within the existing renovated building. The indoor floor area associated with the proposed use will be renovated as shown on the attached detailed interior floor plans.

The proposed general operational characteristics for the animal boarding and care use are described in more detail in the attached Statement of Operations. They also are summarized here, as follows:

- Up to 62 total pets at one time. Up to 62 total pets during the day for daycare. Up to 62 total pets overnight for boarding.
- General business hours of operation for pick up/drop off: 7:00 a.m. – 7:00 p.m., seven days per week (the facility needs to operate 24/7 to some degree, with pets boarded overnight).
- Estimated up to 10 total employees on various work shifts; at least 1 employee to stay on Property overnight for animal boarding.
- Shuttle/valet pick up/drop off service available. Estimated 3 commercial vehicles to be parked on the Property and used for shuttle/valet service.
- All animal waste to be contained and controlled.
- No proposed sale of pet food or supplies currently.
- No proposed pet accessory operations at this time (e.g., grooming, training, etc.).

As depicted on the attached architectural Site Plan, the RF Dog Hotel will utilize an outdoor exercise area on the Property that is directly adjacent to the animal boarding building. The outdoor exercise area meets setback requirements and is sized appropriately to meet the expected demand and to provide adequate space for pet activities and exercise. The area will be appropriately fenced in order to enclose the area and contain the pets. Otherwise, RF Dog Hotel would like maximum flexibility to configure and design the space and provide the appropriate surface or combination of surfaces going forward (for example, sod, artificial turf, and/or splash pad water feature surfaces). Additionally, RF Dog Hotel would like the ability to create various sections within the overall outdoor exercise area with fencing or other barriers, as design preferences dictate.

Customer, employee, and visitor parking will be accommodated in an existing parking area, with at least 13 parking spaces. For animal boarding and care uses in the AR Zone, the Zoning Ordinance requires 1 parking space per employee, plus 3 additional spaces. Therefore, based on an anticipated maximum of 10 employees, at least 13 parking spaces will be provided. As described in the Statement of Operations, RF Dog Hotel proposes a combination of individual customer pick-up/drop-off and a shuttle/valet service. The Petitioner anticipates that the proposed number of parking spaces will be more than adequate, as some customers are expected to utilize the proposed pet shuttle/valet service for pet pick-ups and drop-offs. Additionally, RF Dog Hotel employees might be able to meet arriving customers outside to greet boarding and daycare pets, allowing parking to be unnecessary for some customers. Traffic impacts associated with the proposed conditional use are anticipated to be minimal and will not trigger the need for a traffic study.

RF Dog Hotel will be located on a large property in an area zoned for agricultural uses. While these characteristics naturally help to mitigate any potential adverse impacts from the proposed use, RF Dog Hotel also has experience with animal boarding and care and has carefully planned its operations in order to ensure that the animal boarding and care use will be conducted so as to ensure a maximum of compatibility with surrounding properties.

With regard to physical compatibility, no exterior changes are proposed to the existing building in connection with the proposed use. All outdoor dog exercise areas will be fenced with new fencing appropriate for pet containment. The large size of the Property, significant separation from adjacent properties, and existing mature trees both on- and off-site will obscure visibility of these areas.

Phasing. The installation of the proposed new septic field, interior buildout of the building, creation of the outdoor play area, and operation of the use are proposed to be implemented in one phase.

IV. MASTER PLAN CONFORMANCE

The Property is located within the Olney Policy Area and within the 2005 Olney Master Plan. The Master Plan indicates that the Property is located in the Northern Olney area. There are few, if any, specific recommendations for the Property in the Master Plan. The Master Plan generally recommends:

- preserving agricultural and rural open space and protecting water supply and sensitive natural resources;

- maintaining the character and existing scale of development in the rural communities in Northern Olney;
- prohibiting additional zoning for commercial uses, or expansion of commercially zoned areas in these communities; and
- “While the [AR] zoning with a few smaller lots around the Mt. Zion community does not immediately threaten the resources in the watershed, some special exceptions exist here now and the potential exists for the intensification of these and additional uses and institutions along Route 108. This kind of intensification could threaten the resource and could be limited by the extension of the SPA and imperviousness caps of Upper Rock Creek. This area is designated a Special Protection Area with an overlay zone to be consistent with the Upper Rock Creek Master Plan.” [Page 80.]

RF Dog Hotel, as proposed, fully conforms with the recommendations of the Master Plan for the Property. The proposed animal boarding and care use will be complementary to the uses in the surrounding agricultural community, including those commercial uses located on the Property, and will have no effect on the area’s rural character, the water supply, and sensitive natural resources. As discussed previously, development not served by community sewer is exempt from the impervious surface cap contained in the Upper Rock Creek Overlay Zone. The Property is not served by community sewer.

V. ZONING ORDINANCE CONFORMANCE

As described below, RF Dog Hotel will satisfy the applicable standards of the Zoning Ordinance for the proposed use.

a. Compliance with AR Zone Development Standards (Section 4.2.1.F.)

DEVELOPMENT STANDARDS FOR AR ZONE (STANDARD DEVELOPMENT)		
DEVELOPMENT STANDARDS FOR AR ZONE	REQUIRED/ALLOWED	PROPOSED/APPROVED
<u>SITE AREA</u>		
SITE (MIN)	25 acres	28.58 acres
<u>LOT AND DENSITY</u>		
<u>LOT</u>		
LOT AREA (MIN)	40,000 SF	28.58 acres
LOT WIDTH AT FRONT BUILDING LINE (MIN)	125’	Approx. 1,500’
LOT WIDTH AT FRONT LOT LINE (MIN)	25’	Approx. 1,500’
<u>DENSITY (MAX)</u>		

DENSITY (LOTS/ACRE)	1/25	1/25
<u>COVERAGE (MAX)</u>		
LOT	10%	5.52%
<u>SPECIFICATIONS FOR COVERAGE</u>		
ON A LOT OR PARCEL WHERE AGRICULTURAL PRODUCTS ARE GROWN PREDOMINANTLY IN GREENHOUSES, A MAXIMUM LOT COVERAGE OF 40% IS PERMITTED IF: (1) ANY INCREASE ABOVE 10% LOT COVERAGE CONSISTS ENTIRELY OF GREENHOUSES; AND (2) A SITE PLAN IS APPROVED UNDER SECTION 7.3.4.		N/A
<u>VOLUNTARY CONSERVATION LOT</u>		
LOT AREA (MAX)	3 acres	N/A
REMAINDER OF SITE MUST BE PLACED IN A CONSERVATION OR AGRICULTURAL EASEMENT OR LAND TRUST	yes	N/A
COVERAGE (MAX)	15%	N/A
<u>SPECIFICATIONS FOR VOLUNTARY CONSERVATION LOT</u>		
THE PLANNING BOARD MAY APPROVE A LOT LARGER THAN 3 ACRES ONLY IF AN ON-SITE WELL AND SEPTIC SYSTEM IS NOT FEASIBLE ON A LOT OF 3 ACRES OR LESS AND THE LOT CANNOT BE SERVED BY A SEPTIC EASEMENT.		N/A
ON A LOT OR PARCEL WHERE AGRICULTURAL PRODUCTS ARE GROWN PREDOMINANTLY IN GREENHOUSES, A MAXIMUM LOT COVERAGE OF 40% IS PERMITTED IF: (1) ANY INCREASE ABOVE 10% LOT COVERAGE CONSISTS ENTIRELY OF GREENHOUSES; AND (2) A SITE PLAN IS APPROVED UNDER SECTION 7.3.4.		N/A
<u>CHILD LOTS</u>		
LOT AREA, EXCLUDING DRIVEWAY STEM ON FLAG LOT (MAX)	3 acres	N/A
<u>NUMBER OF CHILD LOTS ALLOWED (MAX):</u>		
ON A SITE AT LEAST 25 ACRES UP TO 69 ACRES	1	N/A
ON A SITE AT LEAST 70 ACRES UP TO 120 ACRES	2	N/A
ON A SITE AT LEAST 121 ACRES	3	N/A
<u>SPECIFICATIONS FOR CHILD LOTS</u>		
THE PLANNING BOARD MAY APPROVE A LOT LARGER THAN 3 ACRES ONLY IF AN ON-SITE WELL AND SEPTIC SYSTEM IS NOT FEASIBLE ON A LOT OF 3 ACRES OR LESS AND THE LOT CANNOT BE SERVED BY A SEPTIC EASEMENT.		N/A
<u>PLACEMENT</u>		
<u>PRINCIPAL BUILDING SETBACKS (MIN)</u>		Animal Boarding Use:
FRONT SETBACK	50'	313.6'

SIDE STREET SETBACK	50'	218.9'
SIDE SETBACK	20'	1,145.6'
REAR SETBACK	35'	N/A
<u>ACCESSORY STRUCTURE SETBACKS (MIN)</u>		
FRONT SETBACK	50'	N/A
SIDE STREET SETBACK	50'	N/A
SIDE SETBACK	15'	N/A
REAR SETBACK	15'	N/A
<u>SPECIFICATION FOR PRINCIPAL BUILDING AND ACCESSORY STRUCTURE SETBACKS</u>		
THE FRONT SETBACK AND SIDE STREET SETBACK MUST CONSIST OF ANY SCENIC SETBACK RECOMMENDED BY A MASTER PLAN OR 50 FEET, WHICHEVER IS GREATER.		N/A
ANY ACCESSORY BUILDING OR STRUCTURE USED FOR THE HOUSING, SHELTER, OR SALE OF ANIMALS OR FOWL OTHER THAN A HOUSEHOLD PET MUST BE A MINIMUM OF 25' FROM A LOT LINE AND A MINIMUM OF 100' FROM A DWELLING ON ANOTHER LOT.		N/A
THE MAXIMUM FOOTPRINT OF AN ACCESSORY BUILDING ON A LOT WHERE THE MAIN BUILDING IS A DETACHED HOUSE IS 50% OF THE FOOTPRINT OF THE MAIN BUILDING. BUILDINGS FOR AN AGRICULTURAL USE ARE EXEMPT FROM THIS SIZE RESTRICTION.		N/A
<u>HEIGHT</u>		
HEIGHT (MAX)		
PRINCIPAL BUILDING	50'	One-story, less than 50'
ACCESSORY STRUCTURE	50'	N/A
<u>FORM</u>		
<u>ALLOWED BUILDING ELEMENTS</u>		
GALLERY/AWNING	n/a	N/A
PORCH/STOOP	yes	N/A
BALCONY	yes	N/A
<u>BUILDINGS USED FOR AGRICULTURE ASSOCIATED WITH FARMING</u>		
<u>SPECIFICATION FOR BUILDINGS USED FOR AGRICULTURE ASSOCIATED WITH FARMING</u>		
A BUILDING USED FOR AGRICULTURE ASSOCIATED WITH FARMING MUST SATISFY THE STANDARDS OF AN ACCESSORY STRUCTURE, EXCEPT A BUILDING USED FOR AGRICULTURE IS EXEMPT FROM THE HEIGHT REQUIREMENTS UNDER SECTION 4.2.1.F.4.		N/A

b. Compliance with Animal Boarding and Care Use Standards (Section 3.5.1.B.2.b.i.)

Where animal boarding and care is allowed as a conditional use, Section 3.5.1.B.2.b.i. of the Zoning Ordinance requires the following:

(a) *The minimum lot area is 2 acres or the minimum lot area required for a detached house building type in the zone, whichever is greater.*

Pursuant to Section 4.2.1.F., the AR Zone requires a minimum lot area of 40,000 square feet for a detached house building type. The Property, which is approximately 28.58 acres, meets this requirement.

(b) *Exterior areas used to exercise, walk, or keep animals must be set back a minimum of 200 feet from any lot line and screened under Division 6.5.*

Exterior areas used to exercise, walk, or keep animals are set back a minimum of 200 feet from any lot line and screened. Given the distances separating the proposed conditional use area from the closest abutting properties and the existing mature vegetation/screening in between and along the Property lines, the screening requirements under Division 6.5 are satisfied. The large size of the Property, separation from adjacent properties, and existing mature trees both on- and off-site will obscure visibility of the conditional use areas.

(c) *All exterior exercise areas and runs must be fenced.*

All proposed exterior exercise areas and runs will be fenced with fencing appropriate for dog containment.

(d) *Animals are prohibited from being outdoors between 9:00 p.m. and 7:00 a.m.*

No animals will be permitted outdoors between 9:00 p.m. and 7:00 a.m. All boarding animals will remain indoors overnight.

(e) *Animals must only be walked or exercised in on-site outdoor areas.*

Animals will only be walked or exercised in on-site outdoor areas on the Property as shown on the Conditional Use Plan.

(f) *The sound level at the nearest property line must satisfy Chapter 31B.*

The acoustical study submitted with this application confirms that, even assuming worse case conditions and maximum occupancies, noise levels at all property lines will comply with the applicable daytime and evening standards of the Montgomery County Code (the "Noise Ordinance"). Please see the acoustical study for further information.

- (g) *All buildings and accessory structures must be set back a minimum of 75 feet from any lot line.*

All buildings and accessory structures for the proposed conditional use are set back a minimum of 75 feet from any lot line.

- (h) *All litter and animal waste must be contained and controlled on the site.*

All litter and animal waste will be contained and controlled on the site. See the Petitioner's Statement of Operations for further information.

- (i) *Any accessory operation, such as the sale of pet food and supplies, must be in the statement of operations and must be limited as an accessory activity to a maximum of 20% of sales.*

The RF Dog Hotel does not propose any accessory operations at this time.

- (j) *The Hearing Examiner may regulate hours of operation. The Hearing Examiner may also regulate the number of animals that may be boarded, exercised, walked, or kept in runs or similar areas, and how the animals are boarded, exercised, walked or kept.*

The Petitioner's proposed hours of operation, maximum number of animals in overnight boarding and daycare, and care program comply with applicable Zoning Ordinance requirements and are appropriate for the proposed use at the location.

- (k) *If the proposed use is located in an area that uses well water and septic facilities, the applicant must prove that the use will not have any negative effect on groundwater or septic systems.*

The Petitioner's civil engineer has studied the Property and reviewed the proposed operations, and has confirmed that the proposed conditional use will not have any negative effect on groundwater or septic systems.

- (l) *The applicant must submit the following:*

- (1) *Acoustical engineering studies that demonstrate that the proposed use will meet required noise levels. The studies must show the worst case scenario sound level (for example, full occupancy). The statement of operations must be sufficiently detailed to allow determination of how often the worst case scenario sound level occurs.*
- (2) *Detailed floor plans that show all the interior areas, including runs and kennels.*
- (3) *Site plans that show the layout of all exterior areas used to exercise, walk, or keep animals.*

All of the above-referenced materials have been provided, as required.

c. Compliance with General Conditional Use Standards (Section 7.3.1.E.)

Based on this Statement and on the various materials submitted in connection with this application, the proposed conditional use satisfies the required findings for conditional use approval specified in Zoning Ordinance Section 7.3.1.E.

Section 7.3.1.E.1.a. [The conditional use] satisfies any applicable previous approval on the subject site or, if not, that the previous approval must be amended;

To the Petitioner's knowledge, the proposed conditional use for animal boarding and care is consistent with the previous approvals and applicable requirements on the Property to the degree the Special Exception approval and its prior modifications were implemented by the prior owners.

Section 7.3.1.E.1.b. [The conditional use] satisfies the requirements of the zone, use standards under Article 59-3, and to the extent the Hearing Examiner finds necessary to ensure compatibility, meets the intent of the general requirements under Article 59-6;

The compliance of the proposed use with applicable requirements of the AR Zone, the conditional use standards for animal boarding and care set forth in Section 3.5.1.B.2.b.i. of the Zoning Ordinance, and the general requirements of Article 59-6 are discussed fully above. Given the distances separating the proposed conditional use area from the closest abutting properties and the existing mature vegetation/screening in between and along the Property lines, the screening requirements under Division 6.5 are satisfied. The large size of the Property, significant separation from adjacent properties, and existing mature trees both on- and off-site will obscure visibility of the conditional use areas.

Section 7.3.1.E.1.c. [The conditional use] substantially conforms with the recommendations of the applicable master plan;

The proposed use substantially complies with the Master Plan, as discussed in Section IV of this Statement.

Section 7.3.1.E.1.d. [The conditional use] is harmonious with and will not alter the character of the surrounding neighborhood in a manner inconsistent with the plan;

As described in other sections of this Statement and in the Petitioner's Statement of Operations, the conditional use will be operated in a manner that ensures a maximum of compatibility with the surrounding area. The use is proposed at an appropriate location, on a large property surrounded by land mostly zoned for agricultural uses. The size of the Property, the use of an existing building in combination with fencing for outdoor areas, and the existing natural vegetation buffer around the relevant lot lines, will ensure that the rural character of the surrounding neighborhood is maintained.

Section 7.3.1.E.1.e. [The conditional use] will not, when evaluated in conjunction with existing and approved conditional uses in any neighboring Residential Detached zone, increase the number, intensity, or scope of conditional uses sufficiently to affect the area adversely or alter the predominantly residential nature of the area; a conditional use application that substantially conforms with the recommendations of a master plan does not alter the nature of an area;

As described in this Statement, the proposed conditional use substantially conforms with the Master Plan and does not alter the rural character of the surrounding area. The proposed use is entirely consistent with the AR Zone, which immediately abuts and confronts most of the Property, and does not sufficiently increase the number, intensity, or scope of conditional uses in the area to affect the area adversely.

- *Section 7.3.1.E.1.f. [The conditional use] 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. If an approved adequate public facilities test is currently valid and the impact of the conditional use is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required and: (i) if a preliminary subdivision plan is not filed concurrently or required subsequently, the Hearing Examiner must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage . . .*

Public services and facilities are adequate to serve the proposed conditional use. No new residential development is proposed which would impact school facilities. With regard to traffic, the proposed conditional use will generate fewer than 30 net new peak-hour weekday motor vehicle trips and, therefore, will not significantly impact public roadway intersections. The Property is located within approximately 3 miles of the Montgomery County Police Station in Olney, and approximately 5 miles of the Montgomery County Fire Rescue Station 4. The Property utilizes existing well and septic systems with no reported problems. A proposed new septic field will be installed to serve the animal boarding building.

- *Section 7.3.1.E.1.g. [The conditional use] will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories: (i) the use, peaceful enjoyment, economic value or development potential of abutting and confronting properties or the general neighborhood; (ii) traffic, noise, odors, dust, illumination, or a lack of parking; or (iii) the health, safety, or welfare of neighboring residents, visitors, or employees.*

The proposed conditional use will not be associated with any non-inherent effects. The inherent effects associated with an animal boarding and care use – vehicular trips to and from the site, animal noises and odors, deliveries, and the drop-off/pick-up of pets – will not cause harm to the neighborhood, and will likely be less impactful than the typical use given the Petitioner's proposed operations and proposed location for the use. The low-intensity nature of the use ensures that there will be no adverse impacts on the surrounding area.

d. General Development Requirements (Article 59-6)

The proposed conditional use will also comply with the general development requirements of Article 59-6. With respect to parking, for animal boarding and care uses in the AR Zone, the Zoning Ordinance requires 1 parking space per employee, plus 3 additional spaces. Therefore, based on an anticipated maximum of 10 employees, at least 13 parking spaces will be provided.

With respect to screening, as previously stated, given the distances separating the proposed conditional use area from the closest abutting properties and the existing mature vegetation/screening in between and along the Property lines, the screening requirements under Division 6.5 are satisfied. 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- and off-site will obscure visibility of the conditional use areas.

VI. CONCLUSIONS

As explained above, RF Dog Hotel meets or exceeds all of the criteria and standards for an animal boarding and care use in the AR Zone, as set forth in Divisions 59-3, 59-4, 59-6, and 59-7 of the Zoning Ordinance. For these reasons and for other reasons set forth in this Statement, the Petitioner respectfully requests approval for this conditional use application.

VII. LIST OF INITIAL WITNESSES

1. Ryan Holt, Owner, RF Dog Hotel.
2. David and/or Lily Duber, District Lodging Capital.
3. Jared Carhart, P.E., CAS Engineering.
4. Douglas P. Koehn, M.S., Miller, Beam & Paganelli, Inc.
5. Juan Manjarres, ZDS Architecture & Interiors.
6. Katie Wagner, PE, PTOE, Gorove Slade Transportation Planners and Engineers.

VIII. LIST OF INITIAL EXHIBITS/APPLICATION MATERIALS

1. Conditional Use Application Form.
2. Statement of Operations.
3. Certified Zoning Map.
4. List of Adjoining and Confronting Property Owners and Local Citizens Associations.
5. Traffic Statement and related information.
6. Existing Conditions Plans.
7. Conditional Use Plans.
8. Architectural Floor Plans/Site Plans.
9. Acoustical Study.

IX. ESTIMATED HEARING TIME

The Petitioner anticipates that, excluding questions, the presentation of its case-in-chief for the proposed conditional use will take approximately 2-3 hours.

X. FILING FEES

Enclosed are checks for the application filing fee and sign deposit as payment for application fees associated with this Petition for conditional use application.

Respectfully submitted,

Lerch, Early, & Brewer, Chtd.



By: _____

Stuart R. Barr, Esq.

*Attorney for Petitioner, DK Property
Holdings LLC*

Dated: September 25, 2025