



Board of Zoning Appeals MEETING AGENDA

Tuesday, October 17, 2023 - 9:00 AM
Council Chambers, Easton Town Office
14 S Harrison Street

1. Call to Order

2. Approval of Minutes.

- a. Approval of the Draft Decision Summary from the September 19, 2023 meeting.

3. Applications

- a. **Application:** SE-1035 / SE 23-09 *and* V-1035 / V 23-12
Applicant: Fur Baby LLC
Location: 210 Marlboro Avenue, Suite 47
Tax Map 101, Grid 020, Parcel 0491
Zoning: CG
Request: Special Exception request pursuant to Section 28-1303.5.B of the Zoning Ordinance of the Town of Easton, use (2) 208 in Table 2.1 of Section 28-201 to allow the use of a Commercial Kennel in a Commercial General (CG) Zoning District.

The applicant is also requesting a variance pursuant to Section 28-1303.5.C of the Zoning Ordinance of the Town of Easton, to obtain a variance from Section 28-1007.2.A.9.a, the minimum setback from any property line for any buildings or runs associated with a commercial kennel.

4. Discussion Item

- a. October 24, 2023 Board of Zoning Appeals Meeting - Aspire Apartments LLC



**Town of Easton Board of Zoning Appeals
Draft Decision Summary**

Tuesday, September 19, 2023 at 9:00 a.m.
Town Hall Chamber 2
14 S. Harrison Street, Easton

Archived video of the meeting is available at:
[Town of Easton Agendas and Minutes](http://eastonmd.gov)
 [\(eastonmd.gov\)](http://eastonmd.gov)

Attendance:

Board Members:

Peter Cotter, Chairman
Gary Molchan, Vice Chairman
Zakary A. Krebeck

Staff:

Miguel Salinas, Planning and Zoning Director
Lynn B. Thomas, Town Planner - Long Range
Joseph Mayer, Plan Reviewer
Nicholas Johnson, Town Planner - Current
Sharon Van Emburgh, Town Attorney
Samantha Smith, Administrative Specialist

1. Call to Order — Chairman Cotter called the meeting to order at 9:00 a.m.

2. Decision Summary Review —

**Vice Chairman Molchan moved to approve the August 15, 2023 Decision Summary.
Board Member Krebeck seconded the motion.**

<u>Vote</u>	<u>3 - 0</u>
FOR:	3 - Cotter, Molchan, Krebeck
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

3. Applications —

a. Applicant: Planet Aid, Inc.
File No.: SE - 1013 and V - 1013
Location: 8223 Elliott Road, Easton, MD 21601
Tax Map 109, Grid 000, Parcel 4582, Lot 3

Zoning: CG with a PUD Overlay
Request: The applicant is requesting a Special Exception from the following section of the Zoning Ordinance: Section 28-201 Permitted Uses (Table 2.1 (6) (603)) to allow the use of Donation Bins in a Commercial General Zoning District.

The applicant is also seeking a Variance from the following section of the Zoning Ordinance Section 28-1007.4.A.3.d, the maximum ground surface area and height for a donation bin as indicated by Section 28-1007. The variance request is to permit the placement of a 8' by 9' by 20' donation bin within three (3) parking spaces located in the Shoppes at Easton.

Staff Presentation:
Nicholas Johnson, Planner
Miguel Salinas, Director of Planning and Zoning

Applicant Presentation:
Anneve Waithe
Tim Thresh

Public Comment — None

Chairman Cotter moved to continue the Special Exception and Variance applications to at least 60 days (November 21, 2023) pending the resolution of a text amendment or other applications by the applicant. Board Member Krebeck seconded the motion.

Vote	3 - 0
FOR:	3 - Cotter, Molchan, Krebeck
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

4. Discussion —

- a. Aspire Apartments — At their April 18, 2023 meeting, the Board moved to continue a special exception and variance request from the applicant Aspire Outdoors LLC to at least 180 days (October 17, 2023) to allow the applicant to address all outstanding staff recommended conditions, and with the condition that the applicant shall receive a Planning Commission recommendation prior to their next appearance before the Board. The applicant has since resubmitted through the Easton Staff Development Review (ESDR) process to address all outstanding issues, and has since received sketch site plan approval with conditions from the Planning Commission, and a positive recommendation to the Board for the special exception and variance requests that include recommended conditions.

Considering the level of public interest in this application, the Board is asked to consider scheduling the hearing for this application as an evening meeting. According to Rule 7.D. of the Board of Zoning Appeals Rules of Procedure, a majority vote is required by the Board to hold a meeting outside of their regularly scheduled hearing date and time.

Applicant Presentation:

Derick Daly

Public Comment — None

Chairman Cotter moved to schedule a special hearing of this application before the Town of Easton Board of Zoning Appeals on Tuesday, October 24, 2023 at 6:00 p.m. Board Member Krebeck seconded the motion.

<u>Vote</u>	<u>3 - 0</u>
FOR:	3 - Cotter, Molchan, Krebeck
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

- 5. Adjournment** — Chairman Cotter motioned to adjourn. Board Member Krebeck seconded. The meeting was adjourned at 9:58 a.m.

Exhibit 'A'



Town of Easton
Engineering, Planning and Zoning
14 South Harrison Street, Easton, MD 21601

RECEIVED
SEP 19 2023
TOWN OF EASTON

Board of Zoning Appeals Application

Application Type

☐ Variance ☐ Appeal ☒ Special Exception

Property Information

Address 210 Marlboro Road, Easton, Maryland
Tax Map 101 Grid Parcel 491 Lot
Deed Reference: Liber 2601 Folio 0399
Plat Reference: Liber Folio
Existing Use
Zoning District CG - Commercial General
Historic District Y ☐ N ☒ PRD Y ☐ N ☐

Owner

Name Tred Avon LLC
Mailing Address 27340 Avonbourne Lane, Easton, Maryland 21601
Telephone No. Email

Applicant or Agent

Name Fur Baby LLC
Mailing Address 301 Northeast Front Street, Milford, Delaware 19963
Telephone No. 302-725-5078 Email woof@Aurbabyboutique.com

Surveyor / Engineer

Name License No. Expiration Date
Mailing Address
Telephone No. Email

Request Details

Subject to Previous BOZA Application Y ☐ N ☒
Zoning Ordinance Section Use (2) 208 in Table 2.1 of §28-201
Change From to Commercial Kennel

Please describe the purpose of the request being made to the Board of Appeals including all information pertinent to said request. Attach a formal letter detailing request.

- If the applicant is other than the owner, include a letter of certification from the owner.
- Attach five (5) copies of the recorded Deed conveying present ownership of the property.
- Attach five (5) copies of scaled plat sketch or site plan with all dimensions of lot, setbacks, improvements and the distances between any improvements.

- Provide all information related to any restrictions to the property recorded among the Land Records of Talbot County.
- Provide all information related to any restrictions imposed by Homeowner Associations, etc.
- Include any additional information, related to the request being made of the Board of Appeals.
- Fee Payment

Any modifications during review shall warrant an updated application.

I do hereby solemnly declare and affirm that the information provided by this application and the documents attached hereto accurately represent the conditions of the request and that submission of an incomplete application will be returned for correction prior to processing.

Signature of Applicant or Agent

Date

Printed Name of Applicant or Agent


 09/19/2023
 James Shaffer

For Office Use Only

Project Number	SE 23-09	Fee Received	\$700.00
Application Number	SE-1035	Application Notification	09/28/2023
Filing Date	09/19/2023	Property Posting Date	10/02/2023
BOZA Hearing Date	10/17/2023	Notice(s) Published	10/01/2023
If ESDR, Date			

Revised 2-2019



Town of Easton
Engineering, Planning and Zoning
14 South Harrison Street, Easton, MD 21601

RECEIVED
SEP 19 2023
TOWN OF EASTON

Board of Zoning Appeals Application

Application Type

☒ Variance ☐ Appeal ☐ Special Exception

Property Information

Address 210 Marlboro Road Easton, Maryland
Tax Map 101 Grid 2601 Parcel 491 Lot
Deed Reference: Liber 2601 Folio 0399
Plat Reference: Liber Folio
Existing Use
Zoning District CG - Commercial General
Historic District Y ☐ N ☒ PRD Y ☐ N ☐

Owner

Name Tred Avon LLC
Mailing Address 27340 Avonbourne Lane, Easton, Maryland 21601
Telephone No. Email

Applicant or Agent

Name Fur Baby LLC
Mailing Address 301 Northeast Front Street, Milford, Delaware 19963
Telephone No. 302-725-5078 Email woof@Aurbabyboutique.com

Surveyor / Engineer

Name License No. Expiration Date
Mailing Address
Telephone No. Email

Request Details

Subject to Previous BOZA Application Y ☐ N ☒
Zoning Ordinance Section § 23-1007.2.A.9.a
Change From to

Please describe the purpose of the request being made to the Board of Appeals including all information pertinent to said request. Attach a formal letter detailing request.

- If the applicant is other than the owner, include a letter of certification from the owner.
- Attach five (5) copies of the recorded Deed conveying present ownership of the property.
- Attach five (5) copies of scaled plat sketch or site plan with all dimensions of lot, setbacks, improvements and the distances between any improvements.

- Provide all information related to any restrictions to the property recorded among the Land Records of Talbot County.
- Provide all information related to any restrictions imposed by Homeowner Associations, etc.
- Include any additional information, related to the request being made of the Board of Appeals.
- Fee Payment

Any modifications during review shall warrant an updated application.

I do hereby solemnly declare and affirm that the information provided by this application and the documents attached hereto accurately represent the conditions of the request and that submission of an incomplete application will be returned for correction prior to processing.

Signature of Applicant or Agent

Date

Printed Name of Applicant or Agent


 09/19/2023
 James Shaffer

For Office Use Only

Project Number	V 23-12	Fee Received	\$250.00
Application Number	V-1035	Application Notification	09/28/2023
Filing Date	09/19/2023	Property Posting Date	10/02/2023
BOZA Hearing Date	10/17/2023	Notice(s) Published	10/01/2023
If ESDR, Date			

Revised 2-2019

Tred Avon LLC
27340 Avonbourne Lane
Easton, Maryland 21601

September 18, 2023

To: Town of Easton

Re: Tred Avon Square

Ladies and Gentlemen:

Tred Avon LLC ("Tred Avon") is the owner of Tred Avon Square located at 210 Marlboro Road, Easton, Maryland.

Tred Avon has signed a letter of intent to lease 10,050 square feet to Fur Baby, LLC, which desires to operate a dog day care on the proposed leased premises.

Tred Avon is aware that Fur Baby, LLC will require a special exception from the Town of Easton for such use and Tred Avon is in full support of such use.

Enclosed with this letter are: a copy of the Deed in the name of Tred Avon, a survey of Tred Avon Square and a Leasing Plan which shows the location of the proposed use within Tred Avon Square.

Tred Avon is not aware of any recorded instrument which would prevent the use requested by Fur Baby, LLC.

Please let us know if you have any questions or if we can provide any further information.

Sincerely,

Tred Avon LLC

By: Kenneth C. Sappington
Kenneth C. Sappington, authorized person

Encl.

LEGAL DESCRIPTION

BEGINNING FOR THE SAME AT A CAPPED IRON PIPE NOW FOUND AT THE BEGINNING OF THE FIRST OR SOUTH 72 DEGREES 56 MINUTES 32 SECONDS WEST 30.28 FEET LINE OF THAT PARCEL OF LAND CONVEYED TO MARLBORO ROAD LIMITED PARTNERSHIP BY A DEED DATED JULY 23, 1975 AND RECORDED AMONG THE LAND RECORDS OF TALBOT COUNTY IN LIBER 495, FOLIO 512, THENCE BINDING ALONG THE OUTLINE OF SAID CONVEYANCE THE SEVEN FOLLOWING COURSES AND DISTANCES:

- SOUTH 72 DEGREES 56 MINUTES 32 SECONDS WEST 30.28 FEET TO A STONE MONUMENT NOW FOUND,
- SOUTH 71 DEGREES 32 MINUTES 32 SECONDS WEST 597.27 FEET TO A STONE MONUMENT NOW FOUND,
- SOUTH 01 DEGREES 06 MINUTES 43 SECONDS EAST 112.16 FEET TO AN IRON PIN NOW FOUND,
- SOUTH 88 DEGREES 53 MINUTES 17 SECONDS WEST 200.00 FEET,
- NORTH 73 DEGREES 13 MINUTES 25 SECONDS WEST 373.45 FEET TO A CAPPED IRON PIPE NOW FOUND,
- NORTH 63 DEGREES 02 MINUTES 04 SECONDS WEST 232.00 FEET TO A CAPPED IRON PIPE NOW FOUND, THENCE BINDING ALONG A PORTION OF THE SEVENTH OR NORTH 26 DEGREES 57 MINUTES 56 SECONDS EAST 731.35 FEET LINE OF AFORESAID CONVEYANCE,
- NORTH 26 DEGREES 57 MINUTES 56 SECONDS EAST 573.25 TO A POINT AT THE END OF THE THIRD OR NORTH 72 DEGREES 50 MINUTES 43 SECONDS WEST 243.42 FEET LINE OF THAT PARCEL OF LAND CONVEYED TO PARKWAY LIMITED PARTNERSHIP BY A DEED DATED JUNE 9, 1980 AND RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER 549, FOLIO 462, THENCE BINDING REVERSE ALONG THE OUTLINE OF SAID CONVEYANCE THE TWO FOLLOWING COURSES AND DISTANCES,
- SOUTH 72 DEGREES 50 MINUTES 43 SECONDS EAST 243.42 FEET,
- NORTH 15 DEGREES 49 MINUTES 26 SECONDS EAST 155.55 FEET TO AN IRON PIN NOW FOUND ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MARLBORO AVENUE (60 FEET WIDE) AT A POINT DISTANT 46.08 FEET FROM THE END OF THE EIGHTH OR SOUTH 63 DEGREES 02 MINUTES 04 SECONDS WEST 232.00 FEET LINE OF THE FIRST HEREIN MENTIONED CONVEYANCE, THENCE BINDING THEREON TO THE END THEREOF, AND BINDING ALONG SAID MARLBORO AVENUE,
- SOUTH 63 DEGREES 02 MINUTES 04 SECONDS EAST 46.08 FEET, THENCE CONTINUING ALONG THE OUTLINE OF SAID FIRSTLY HEREIN MENTIONED CONVEYANCE,
- BY A CURVE TO THE LEFT WITH A RADIUS OF 2924.94 FEET AN ARC DISTANCE OF 87.93 FEET, SAID ARC SUBTENDED BY A CHORD BEARING SOUTH 63 DEGREES 53 MINUTES 44 SECONDS EAST 87.93 FEET TO A POINT AT THE END OF THE TENTH OR NORTH 25 DEGREES 17 MINUTES 25 SECONDS EAST 16.13 FEET LINE OF THAT PARCEL OF LAND CONVEYED TO THE TALBOT BANK OF

EASTON, MARYLAND BY A DEED DATED AUGUST 31, 1976 AND RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER 505, FOLIO 47, THENCE BINDING REVERSE ALONG THE OUTLINE OF SAID CONVEYANCE THE TEN FOLLOWING COURSES AND DISTANCES, AS NOW SURVEYED AND LEAVING SAID MARLBORO AVENUE,

- SOUTH 25 DEGREES 17 MINUTES 25 SECONDS WEST 16.13 FEET,
- BY A CURVE TO THE RIGHT WITH A RADIUS OF 5.00 FEET AN ARC DISTANCE OF 7.06 FEET, SAID ARC SUBTENDED BY A CHORD BEARING SOUTH 65 DEGREES 46 MINUTES 18 SECONDS WEST 6.49 FEET,
- NORTH 73 DEGREES 44 MINUTES 26 SECONDS WEST 16.56 FEET,
- SOUTH 16 DEGREES 15 MINUTES 33 SECONDS WEST 129.12 FEET,
- SOUTH 73 DEGREES 17 MINUTES 32 SECONDS EAST 265.43 FEET,
- NORTH 16 DEGREES 39 MINUTES 07 SECONDS EAST 103.88 FEET,
- NORTH 73 DEGREES 20 MINUTES 53 SECONDS WEST 20.06 FEET,
- BY A CURVE TO THE RIGHT WITH A RADIUS OF 5.00 FEET AN ARC DISTANCE OF 8.23 FEET, SAID ARC SUBTENDED BY A CHORD BEARING NORTH 26 DEGREES 12 MINUTES 31 SECONDS WEST 7.33 FEET,
- NORTH 20 DEGREES 55 MINUTES 51 SECONDS EAST 15.82 FEET TO A POINT ON THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF MARLBORO AVENUE AT A POINT DISTANT 199.16 FEET FROM THE END OF THE NINTH OR 507.10 FEET OF ARC WITH A RADIUS OF 2924.94 FEET LINE OF THE FIRSTLY HEREIN MENTIONED CONVEYANCE, THENCE BINDING THEREON TO THE END THEREON AND ALONG THE OUTLINE OF SAID CONVEYANCE THE FOUR FOLLOWING COURSES AND DISTANCES, AND BINDING ALONG SAID MARLBORO AVENUE,
- BY A CURVE TO THE LEFT WITH A RADIUS OF 2924.94 FEET AN ARC DISTANCE OF 199.16 FEET, SAID ARC SUBTENDED BY A CHORD BEARING SOUTH 71 DEGREES 01 MINUTES 02 SECONDS EAST 199.13 FEET,
- SOUTH 72 DEGREES 58 MINUTES 04 SECONDS EAST 240.95 FEET,
- BY A CURVE TO THE LEFT WITH A RADIUS OF 600.00 FEET AN ARC DISTANCE OF 112.35 FEET, SAID ARC SUBTENDED BY A CHORD BEARING SOUTH 78 DEGREES 18 MINUTES 56 SECONDS EAST 112.19 FEET, THENCE LEAVING SAID MARLBORO AVENUE,
- SOUTH 04 DEGREES 29 MINUTES 20 SECONDS WEST 152.25 FEET TO THE POINT OF BEGINNING, CONTAINING 578,884.85 SQUARE FEET, OR 13.2894 ACRES OF LAND, MORE OR LESS.

*RECORD LEGAL DESCRIPTION ORIENTED TO STATE PLANE GRID

SURVEYOR'S CERTIFICATION

TO FIRST AMERICAN TITLE INSURANCE COMPANY; MANUFACTURERS AND TRADERS TRUST COMPANY; AND TRED AVON, LLC

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-4, 8, 8.11, 13, 14, 16 AND 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON APRIL 25, 2016.

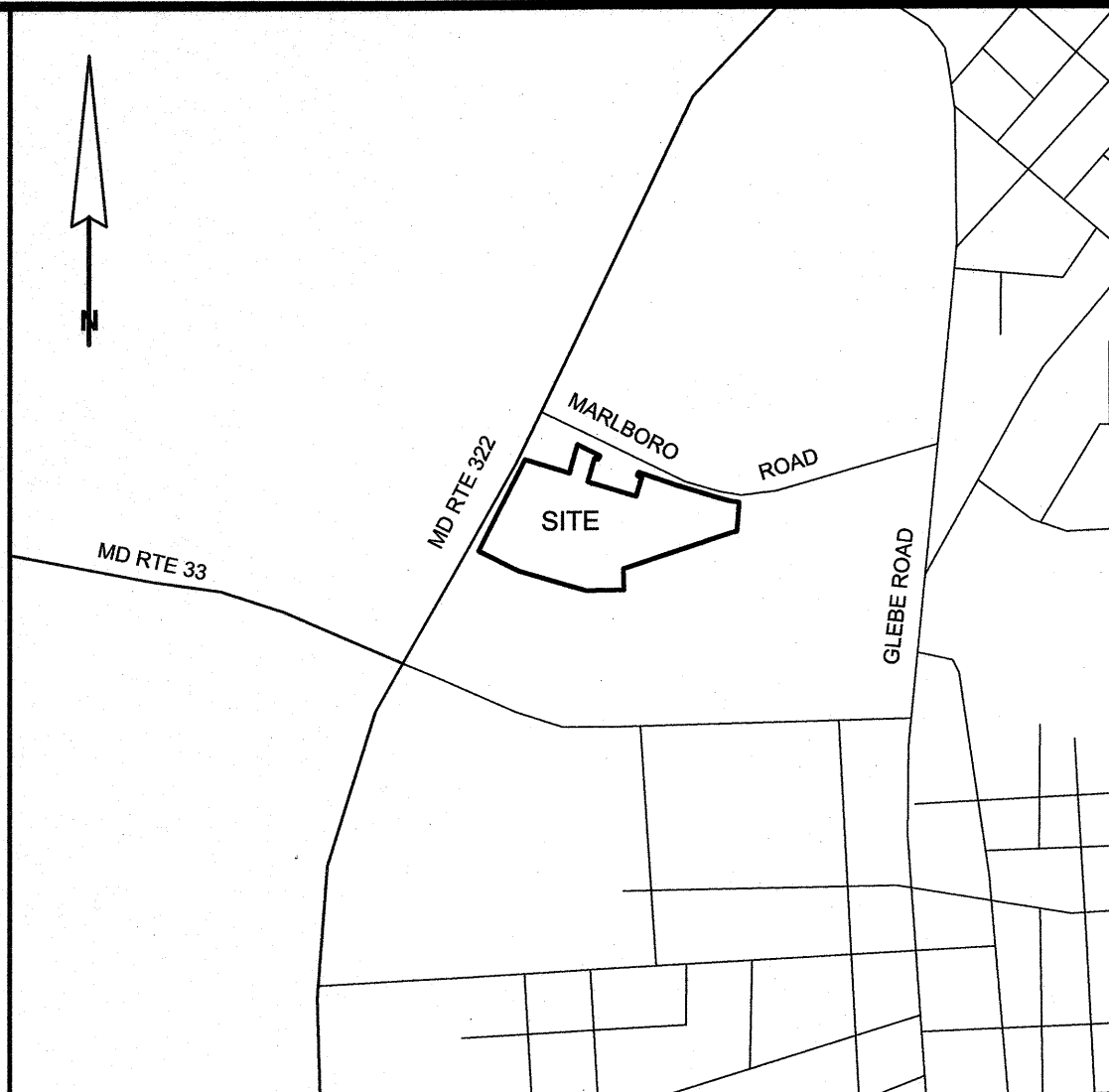
DATE OF PLAT OR MAP: MAY 17, 2016

WILLIAM M. EWALD, SR.
PROFESSIONAL LAND SURVEYOR #21544 (EXPIRATION DATE 12-22-2017)

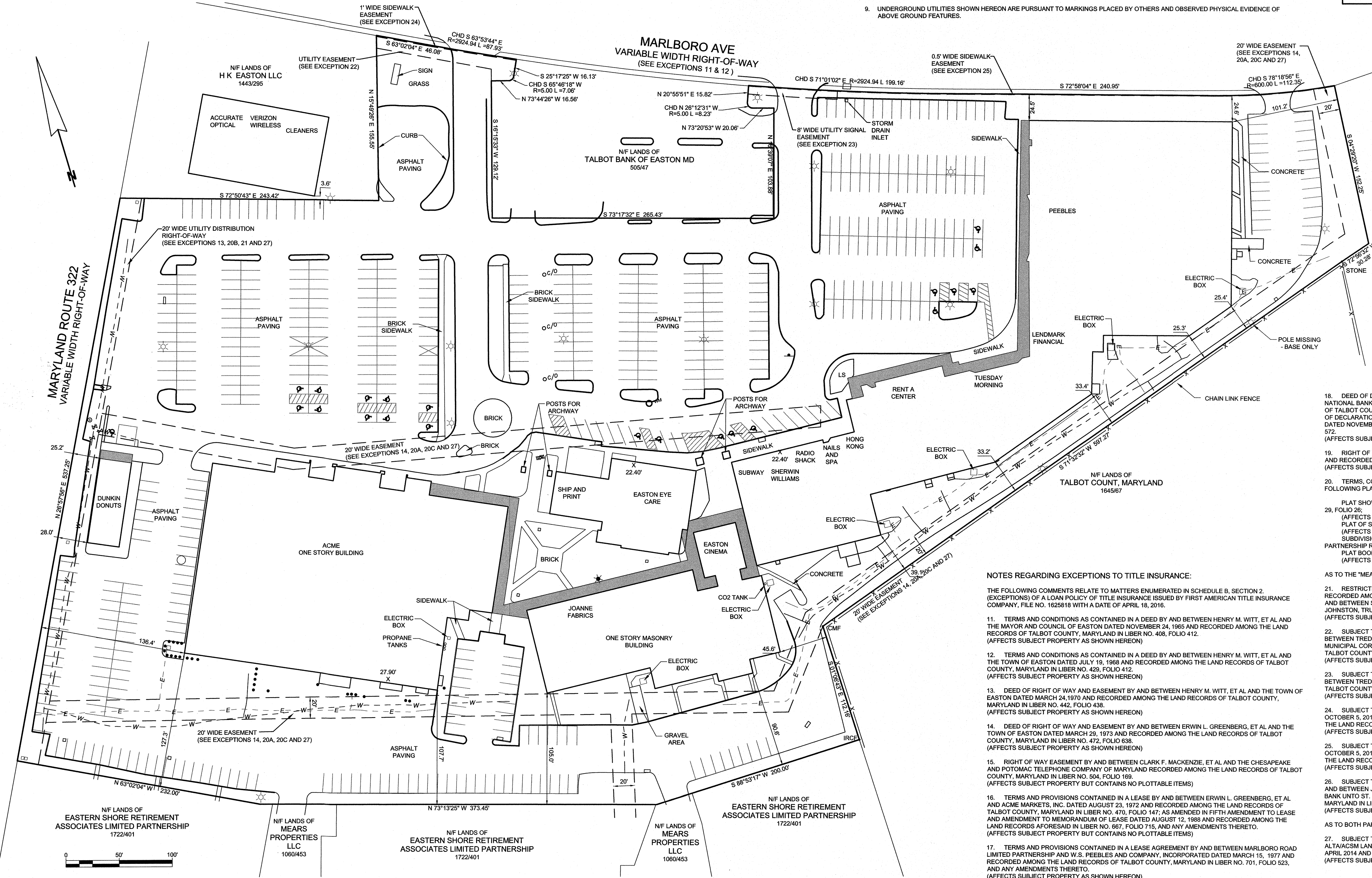
5-17-2016
DATE

NOTES:

- CURRENT PROPERTY OWNER: TRED AVON, LLC
C/O GREENBURG COMMERCIAL
10096 RED RUN BLVD, SUITE 100
OWINGS MILLS, MD 21117
- PROPERTY ADDRESS: 210 MARLBORO AVENUE
EASTON, MD 21001
- FOR CURRENT DEED REFERENCE SEE 980/698
- A TOTAL OF 539 PARKING SPACES WERE OBSERVED; 22 OF THESE WERE DESIGNATED AS HANDICAPPED.
- THERE WAS EVIDENCE OF CURRENT EARTH MOVING WORK, REGRADING AND RECONFIGURING THE PARKING LOT. THERE WAS EVIDENCE OF RECENT BUILDING RECONSTRUCTION THROUGHOUT THE SHOPPING CENTER.
- THERE WAS NO OBSERVED EVIDENCE OF THE SUBJECT PARCEL BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
- THERE WAS OBSERVED EVIDENCE OF RECENT SIDEWALK RE-CONSTRUCTION THROUGHOUT THE SHOPPING CENTER.
- THE SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN FLOOD ZONE "X" AS SCALED FROM FLOOD INSURANCE RATE MAP COMMUNITY PANEL No. 24041C0189C WITH AN EFFECTIVE DATE OF AUGUST 5, 2013.
- UNDERGROUND UTILITIES SHOWN HEREON ARE PURSUANT TO MARKINGS PLACED BY OTHERS AND OBSERVED PHYSICAL EVIDENCE OF ABOVE GROUND FEATURES.

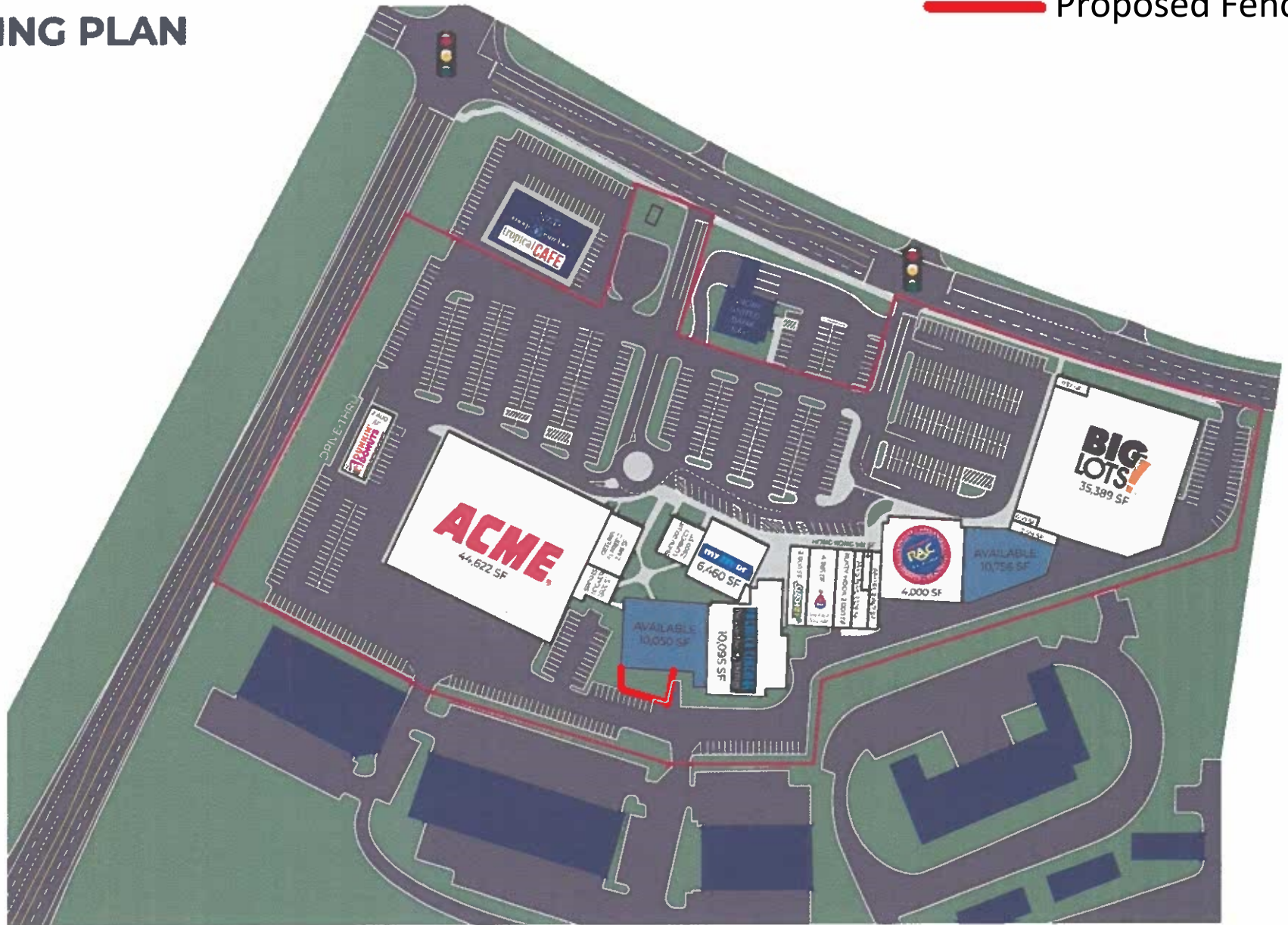


VICINITY MAP
SCALE: 1" = 1000'



LEASING PLAN

— Proposed Fencing



A Warm Introduction from our Founder

Sherry Shupe



I am thrilled to introduce you to Fur Baby Pet Resort, the ultimate destination for all of Delmarva's pet's needs. As the founder and owner of Fur Baby Pet Resort, I am passionate about providing pets with the highest quality care and enrichment possible.

For over a decade, I have been working with animals, partnering with rescues and fostering pets. I have always been dedicated to helping animals and providing them

with the care they deserve. That's why I decided to turn my passion into my career and create Fur Baby Pet Resort in 2011.

Our award-winning state-of-the-art facility offers a wide range of services and products, including luxury daycare & overnight hotel, wellness spa & grooming, gourmet nutrition and premium supplies. We have spacious accommodations for dogs and cats, a variety of indoor and outdoor play areas offering enrichment activities, acclaimed wellness spa and grooming, biologically appropriate nutrition and superior supplies.

Our team of trained & certified professionals are committed to providing the highest quality of care and service for you and your pets. We understand that your pets are part of the family, and we treat every pet that comes through our doors as if they were our own.

At Fur Baby Pet Resort, we believe in fostering the relationship between owners and their pets. That's why we curated a range of services to help you enrich your bond with your pet.

Thank you for considering Fur Baby Pet Resort for Planning and Zoning approval. We look forward to providing Easton with the ultimate pet resort experience.

Warm regards,

Sherry Shupe, CPACO

Founder and Owner of Fur Baby Pet Resort

Certified Professional Animal Care Operator

Distinguished members of the Easton Planning and Zoning Board,

We at Fur Baby are seeking to open our second location in Easton. I appreciate your taking the time to consider us for the special exception and the variance related to having a pet care facility and outdoor fencing inside of city limits.

I would like to address any concerns about potential noise or foul odors. Pertaining to foul odors we do not have a traditional "kennel" smell. Our facility does not smell of urine or feces at anytime due to our hospital grade cleaning regime. We are the only pet care facility in the country that holds a hospital grade cleanliness certificate. Every detail of our cleaning regime is far beyond industry standard. Even our air is turned over and sterilized every 7 minutes. Our standards are rigorous, exacting and executed by our staff with utmost attention to detail so that we may maintain a safe, clean, and happy environment for our clients, after all wellness begins with cleanliness. Pertaining to noise we have never in 12 years received a single noise complaint as reported to us or the Milford Police Department. We utilize sound panels inside and maintain a calm, relaxing environment inside to minimize stress levels in dogs that might cause them to vocalize unnecessarily. The outside play yards are utilized from 8 AM until 6 PM so there is no noise generated at an unreasonable hour. While the dogs in our care play outside they are kept busy and engaged. While this does generate some happy/healthy barking it does not facilitate nervous or stress-based barking which is what most people find jarring.

We as a company strive to be a premier employer and a partner with our community. We pay our staff a living wage, offer benefits, and offer assistance should any of our employees find themselves in need. We prioritize people over profits and culture over currency. Though we are not a faith-based organization we do believe in "tithing" to the community as a whole. Fur Baby prides itself in our community, we love to give back. Any opportunity to give back to our community is welcomed with open arms and full-scale commitment. We sponsor all manner of charitable events and downtown activities and look forward to being able to do the same in Easton.

Warm Regards,

James Shaffer

Director of Operations

Fur Baby Pet Resort

August 28, 2023

ATTN:

Mrs. Sherry Shupe
Fur Baby Pet Resort
301 NE Front St.
Milford, DE 19963

Dear Community Members,

The Brandywine Valley SPCA (herein BVSPCA) has the fundamental mission of putting “human” back in humane animal treatment and advocate on their behalf. Our vision is to be the recognized leader in animal welfare that empowers communities to treat life with respect and dignity. As the leader in both the State of Delaware and the region, on behalf of the organization, it gives me great joy to write this letter of support for Fur Baby Pet Resort and their expanded and new facility. Together, both the BVSPCA and Fur Baby Pet Resort strive to impact the local community, with shared core values and an ongoing commitment to leave a lasting imprint.

Fur Baby Pet Resort opened their doors over 12 years ago, with the goal of ensuring pets could have robust resources within their daily reach. Through their pet boutique, grooming, boarding and day care programs, Fur Baby has provided a safe haven to thousands of local animals. These services also translate to peace of mind for the pet parents. In short, Fur Baby Pet Resort has been a cornerstone of the community for over a decade and with their expansion only solidifying even greater impact for years to come.

It also brings me joy to know that Fur Baby Pet Resort has implemented stringent safety protocols and practices to ensure the well-being of every pet entrusted in their care. Fur Baby truly believe that the pets deserve nothing but the best care, and they consistently go above and beyond to maintain the highest safety standards.

In closing, the Brandywine Valley SPCA supports Fur Baby Pet Resort and their expansion efforts to further support and service the local community. If you should have any questions, please do not hesitate to reach out at (302) 387-0099.

Sincerely,

Adam Lamb
Chief Executive Officer
Brandywine Valley SPCA
Alamb@bvscpa.org



2022
AMERICA'S
COOLEST
BY PETS+

THIS CERTIFICATE IS AWARDED TO

FUR BABY PET RESORT

MILFORD, DE

Desiree' Lynch
Desiree Lynch
PUBLISHER

Pamela Mitchell
Pamela Mitchell
EDITOR-IN-CHIEF



Evolve & Expand

Sherry Shupe started with an 800-square-foot boutique, and her latest goals involve taking her brand international.



Published

7 months ago

on

February 9, 2023

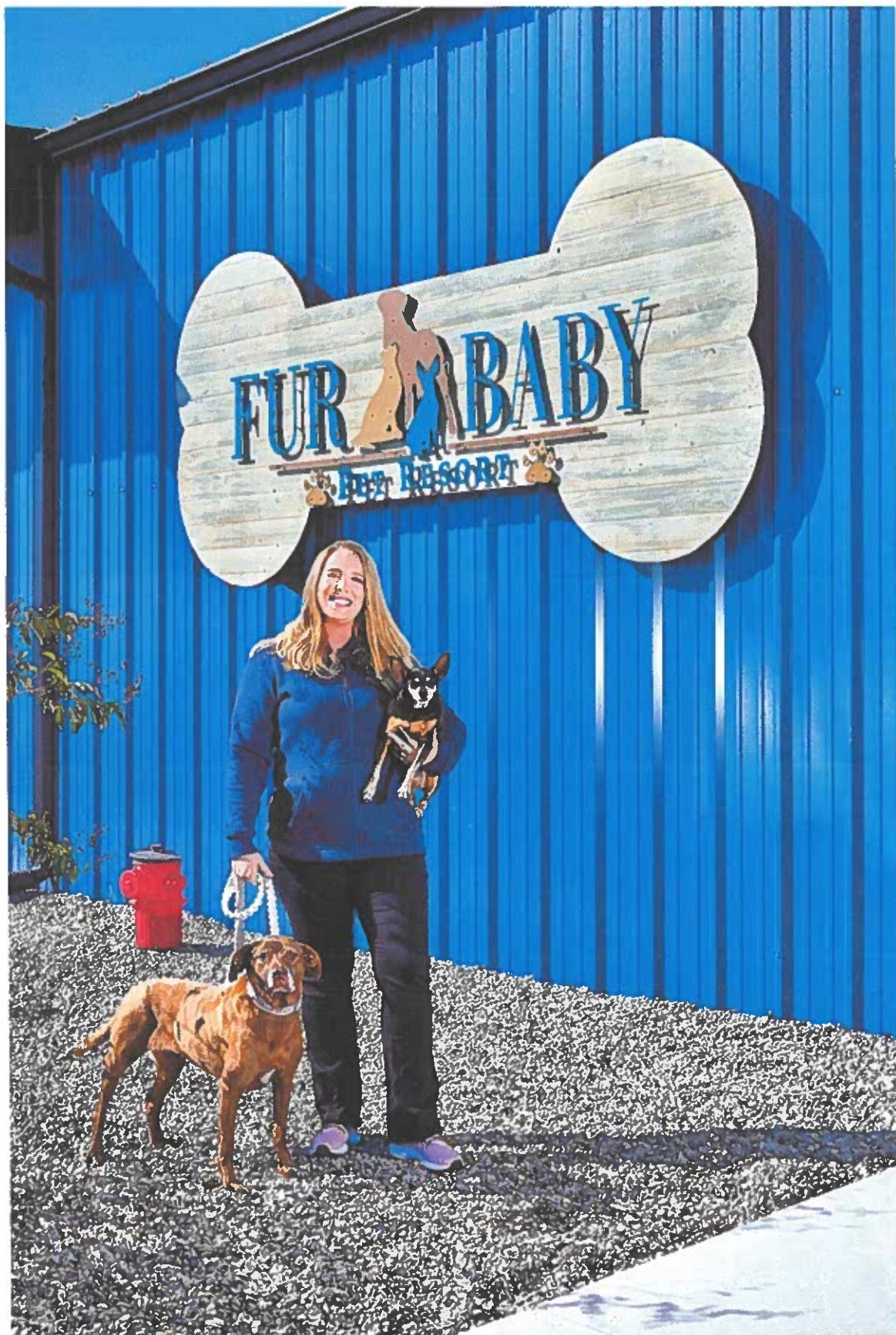
By

[Roxanne Hawn](#) **PETS+ JANUARY-FEBRUARY 2023**

Fur Baby Pet Resort, Milford, DE

OWNER: Sherry

Shupe; **URL:** furbabypetresort.com; **FACEBOOK:** facebook.com/furbabypetresort; **FOUNDED:** 2011; **ARE A:** 10,000 square feet indoors, 3/4 acre outdoors; **TOP BRANDS:** Fromm, Zignature, Primal, Steve's Real Food, Tuffy Dog Toys, West Paw, Grandma Lucy's, Vital Essentials, Summit Dog; **EMPLOYEES:** 8 full-time, 13 part-time



Owner Sherry Shupe

WHEN SHERRY SHUPE founded Fur Baby in 2011, she never imagined that her small boutique in Milford, DE, would evolve into Fur Baby Pet Resort, a successful multi-service business with plans to open an international location.

Shupe put herself on this path while searching for existing pet resorts to buy in the U.S.

“It’s actually been incredibly hard to find businesses to the scale of what we’re looking for,” she says. “So we put out some international feelers just to see if there were any countries intrigued and ready to receive us.”

More than a year into that process and with help from the U.S. Department of Commerce and government agencies from countries in Asia, Shupe estimates the first international Fur Baby will open by the end of this year. Making such growth possible are modernizations and efficiencies she has put in place at her Delaware resort.

From 800 Square Feet to 10,000+

Shupe expanded her original store with services and space three times before purchasing in December 2019 the property for today’s Fur Baby Pet Resort. It spans 10,000 square feet and has a 3/4-acre outdoor play yard.

“2,000 of that is devoted to our boutique,” she says. “We got intentional and focused on nutrition, what is important to our pet parents and the health of our fur babies. The rest we’ve devoted to day care, hotel and spa.”

The larger footprint meant a \$400,000 investment and revitalization of a rundown building that had been empty for 20 years. The former storage facility for farm equipment offered a depressing welcome to downtown Milford.

“The rehabilitation of this building allowed us to reimagine the gateway into our hometown and make it a warm welcome for other small businesses,” Shupe says.

Its bright blue exterior catches the eyes of passersby, with more muted blues and greens covering the walls throughout the inside and complementing the building’s bones.

“We kept the industrial feel but provided much-needed structural updates: new plumbing, electric, flooring, insulation, HVAC, walls, siding, windows, massive overhead garage doors!”

Pandemic-related shutdowns extended the buildout timeline from four months to 13.

“I always like to think that everything happens for a reason,” she says. “This time was helpful for us. We used it wisely to rethink our operations and develop a more educated, robust team.”



Fur Baby Pet Resort spans 10,000 square feet inside, and has a 3/4-acre play yard outside.

Focus on Modernization

Many of the operational improvements Shupe made involve the latest in technology. Examples include a commercial dishwasher that saves at least two hours of labor per day and a riding Kärcher Chariot 2 iScrub — think Zamboni for floors. Costing around \$10,000, it proves five times as efficient as a walk-behind unit. It takes only 90 minutes to clean and sanitize the facility's hospital-grade, polyurea flooring.

James Shaffer, director of operations at Fur Baby, says, "All of this modernization allows for us to take better care of our clients and keep a hospital-grade cleanliness at all times. In turn, it allows our team to spend more personal time with our dogs, which is the heart of our business and what pet parents really want at the end of the day."

An artificial-intelligence marketing firm helps with new customer acquisition. This includes micro-targeting, where algorithms show different people different images and messaging on tightly controlled landing pages. AI predicts and tests what works best for various types of pet parents, based on market trends and consumer behavior.

Rather than letting online searchers loose on the resort's full website, which results in significant drop-offs, Shupe says, AI presents a narrow slice. People who search for "dog grooming near me," for example, only see the AI version of spa content and booking tools.



Pet parents will find everything they need in the boutique at this multi-service business, from raw foods to products for people.

FBU & Beyond

Beyond typical onboarding, Fur Baby University provides new-hire and ongoing training for everyone on staff.

Shupe says, "We are much more than a pet retail shop, we interact and care for dogs every minute of every day. Our team is educated on pet behavior, nutrition and the latest research in our industry. A well-educated team makes for a safer working environment, a more enjoyable stay for our dogs, and a happier and more informed pet parent."

FBU includes training modules from The Dog Gurus and in-house protocols such as a 28-page cleaning manual. Four levels of training each take from eight to 20 hours or more to complete. Traditional testing and implementation phases take another 30 to 90 days. Shupe also encourages staff to pursue continuing education and certifications. The resort's main groomer is an OPawz certified color expert, for example.

Big Picture

All of the above helps free up Fur Baby leadership to focus on strategic planning such as the previously mentioned expansion to new markets, both domestic and international. And it has helped strengthen the core business. At the new location since early 2021, the hotel has seen 335% revenue growth, with day care up 168% and spa services up 225%, according to Shaffer.

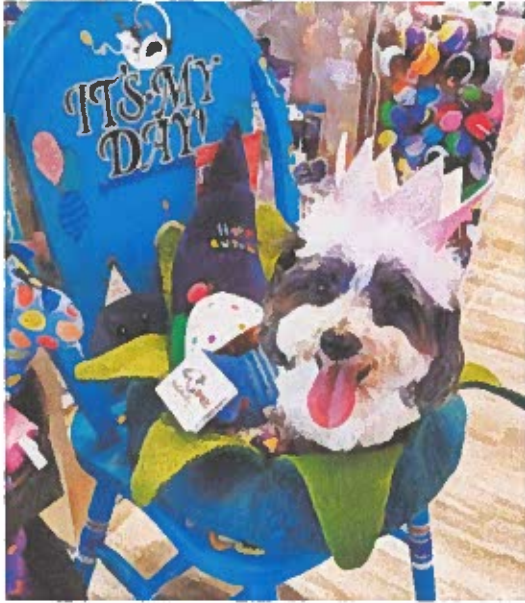
Competing only with themselves, Shaffer says, "We're always looking for the next greatest thing to move us forward."

Five Cool Things About Fur Baby Pet Resort

- 1. GBAC STAR:** In late 2022, Fur Baby earned Global Biorisk Advisory Council Accreditation for facility cleanliness from the International Sanitary Supply Association. Meant for human hospitals and medical facilities, the resort is the first pet facility to hold this designation in the world.
- 2. CHEF'S TASTING MENU:** Hotel guests can enjoy "nutrition-forward" treats with super foods and nutrient-dense items such as donuts made with broccoli, spirulina, turmeric and chia seeds, or raw quail or duck eggs from the local farmer's market.
- 3. 'IT'S MY DAY' CHAIR:** Pets can pose in this special chair on their birthday or gotcha day. It's also included with Birthday Packages that run from \$25 to \$75 for pet parents hosting parties for their dog's Fur Baby friends.
- 4. ALFIE BUCKS:** Team members can earn these credits, named after the store's mascot (Shupe's rescued Miniature Pinscher) for modeling company culture, such as leading by example, supporting teammates, exceeding goals and reliability. They trade Alfie Bucks for prizes (valued \$5 to \$1,000), including gift cards, designer items, kitchen gadgets, tech gifts and even paid time off.
- 5. LITTLE LEAGUE DONATIONS:** With a population of just 12,000 people, Milford, DE, remains a small town. When the local Little League field needed a new scoreboard, Fur Baby Pet Resort paid for it and continues sponsoring teams.

PHOTO GALLERY (7 IMAGES)





NOTE TO THE CLERK:

THIS DEED IS EXEMPT FROM
RECORDATION AND TRANSFER
TAXES PURSUANT TO MARYLAND
TAX-PROPERTY CODE ANNOTATED
SECTIONS 12-108(y), 13-207(a)(18) and
13-405(c)

IMP FD SURE \$ 5.00
RECORD FEE - 20.00
TOTAL 25.00
Rec'd TAGS Rec'd \$ 48398
HAS 8423 Blk # 435
Nov 13, 2000 09:16 am

DEED

THIS DEED is made on this 3rd day of October, 2000, by and between TA
ASSOCIATES LIMITED PARTNERSHIP, a Maryland limited partnership ("Grantor") and
TRED AVON LLC, a Maryland limited liability company ("Grantee").

RECITALS

A. Grantor holds record legal title to the "Property" (as defined and described
below) located in Talbot County, Maryland.

B. Grantor has elected to convert from a limited partnership to a Maryland
limited liability company under the name "Tred Avon LLC," as Grantee hereunder, and, in
accordance therewith, Articles of Organization were filed with the Maryland State Department of
Assessments and Taxation converting Grantor to a limited liability company.

C. The members of Grantee are identical to the partners of the converting
limited partnership, which is the Grantor. Each member's allocation of the profits and losses of
Grantee are identical to that member's allocation of the profits and losses of the converting limited
partnership, and this instrument represents the dissolution of the Grantor for purposes of conversion
to a limited liability company.

D. This Deed is made in compliance with Section 12-108(y), Section 13-207(a)(18)
and Section 13-405(c) of the Maryland Tax-Property Code Annotated, for the purpose of
transferring title in and to the Property to Grantee in connection with the conversion of Grantor to a
limited liability company.

CONVEYANCE

WITNESS: for no consideration whatsoever, Grantor does grant, convey, and
transfer unto Grantee, successors, and assigns, in fee simple, that certain parcel of land situate in
Carroll County, Maryland, as more particularly described on Exhibit A attached hereto and made a
part hereof (the "Property");

TOGETHER with all improvements thereon and all of the easements, rights,
privileges, appurtenances and advantages thereto belonging or appertaining and all of the estate,
right, title, interest and claim, either at law or in equity, of Grantor of, in, to or out of the Property.

TO HAVE AND TO HOLD the Property unto the Grantee, and its successors and
assigns, in fee simple, forever.

GRANTOR COVENANTS that it will warrant specially the Property hereby
conveyed and that Grantor shall execute such further assurances of the Property as may be required.

137904
JES
October 5, 2000

LIBR0980 FOLIO 98

Commonwealth, Land Title
31 Light St. Balt MD 21202

LIBERTY COUNTY CIRCUIT COURT (Land Records); LHAS 980, p. 0359; LHAS CE91, 917 Date available: 01/02/2014. Printed: 03/19/2016.

IN WITNESS WHEREOF, the Grantor has executed this Deed under seal as of the day and year first above written.

WITNESS/ATTEST:

GRANTOR:

TA ASSOCIATES LIMITED PARTNERSHIP

BY: TA GP CORPORATION,

General Partner

By: Kenneth C. Sappington (SEAL)
Kenneth C. Sappington, President

STATE OF MARYLAND

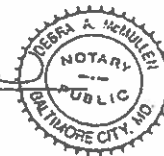
CITY/COUNTY OF Baltimore

SS:

I HEREBY CERTIFY, that on this 30th day of October, 2000, before me, the undersigned officer, personally appeared KENNETH C. SAPPINGTON, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Deed, dated October 30, 2000, and acknowledged that he executed the same on behalf of the SOLE GENERAL PARTNER OF THE Grantor for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Debra A. McMillen
Notary Public



My Commission Expires: 5/1/2003

THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

Robert M. Ercole
Robert M. Ercole

AFTER RECORDATION, PLEASE RETURN TO:

Robert M. Ercole, Esquire
Neuberger, Quinn, Gielen, Rubin & Gibber, P.A.
One South Street
27th Floor
Baltimore, Maryland 21202

President of TA GP Corporation, General Partner of TA ASSOCIATES LIMITED PARTNERSHIP

- 2 -

117004
JES
October 3, 2000

LIBERO980 FOLIO699

EXHIBIT 'A'
LEGAL DESCRIPTION

Beginning for the same at a capped iron pipe now found at the beginning of the first or South 73 degrees 49 minutes 58 seconds West 30.28 feet line of that parcel of land conveyed to Marlboro Road Limited Partnership by a deed dated July 23, 1975 and recorded among the Land Records of Talbot County in Liber 495, folio 512, thence binding along the outline of said conveyance the seven following courses and distances:

1. South 73 degrees 49 minutes 58 seconds West 30.28 feet to a stone monument now found,
2. South 72 degrees 25 minutes 58 seconds West 597.27 feet to a stone monument now found,
3. South 00 degrees 13 minutes 17 seconds East 112.16 feet to an iron pin now found.
4. South 89 degrees 46 minutes 43 seconds West 200.00 feet,
5. North 72 degrees 19 minutes 59 seconds West 373.45 feet to a capped iron pipe now found,
6. North 62 degrees 08 minutes 38 seconds West 232.00 feet to a capped iron pipe now found, thence binding along a portion of the seventh or North 27 degrees 51 minutes 22 seconds East 731.35 feet line of aforesaid conveyance,
7. North 27 degrees 51 minutes 22 seconds East 537.25 to a point at the end of the third or North 71 degrees 57 minutes 17 seconds West 243.42 feet line of that parcel of land conveyed to Parkway Limited Partnership by a deed dated June 9, 1980 and recorded among aforesaid Land Records in Liber 546, folio 462, thence binding reversely along the outline of said conveyance the two following courses and distances,
8. South 71 degrees 57 minutes 17 seconds East 243.42 feet,
9. North 16 degrees 42 minutes 52 seconds East 155.55 feet to an iron pin now found on the southerly right-of-way line of Marlboro Avenue (60 feet wide) at a point distant 46.08 feet from the end of the eighth or South 62 degrees 08 minutes 38 seconds East 255.88 feet line of the firstly hereinmentioned conveyance, thence binding thereon to the end thereof, and binding along said Marlboro Avenue.

LIBER 0980 FOLIO 700

10. South 52 degrees 08 minutes 38 seconds East 46.08 feet, thence continuing along the outline of said firstly hereinmentioned conveyance,

11. by a curve to the left with a radius of 2924.94 feet an arc distance of 87.93 feet, said arc subtended by a chord bearing South 63 degrees 00 minutes 18 seconds East 87.93 feet to a point at the end of the tenth or North 26 degrees 08 minutes 15 seconds East 16.13 feet line of that parcel of land conveyed to The Talbot Bank Of Easton, Maryland by a deed dated August 31, 1976 and recorded among aforesaid Land Records in Liber 505, folio 47, thence binding reversely along the outline of said conveyance the ten following courses and distances, as now surveyed, and leaving said Marlboro Avenue,

12. South 26 degrees 10 minutes 51 seconds West 16.13 feet,

13. by a curve to the right with a radius of 5.00 feet an arc distance of 7.06 feet, said arc subtended by a chord bearing South 66 degrees 38 minutes 26 seconds West 6.49 feet,

14. North 72 degrees 51 minutes 00 seconds West 15.56 feet,

15. South 17 degrees 08 minutes 59 seconds West 129.12 feet,

16. South 72 degrees 24 minutes 06 seconds East 265.43 feet,

17. North 17 degrees 32 minutes 33 seconds East 103.88 feet,

18. North 72 degrees 27 minutes 27 seconds West 20.06 feet,

19. by a curve to the right with a radius of 5.00 feet an arc distance of 8.23 feet, said arc subtended by a chord bearing North 25 degrees 19 minutes 05 seconds West 7.33 feet,

20. North 21 degrees 49 minutes 17 seconds East 15.82 feet to a point on the aforesaid southerly right-of-way line of Marlboro Avenue at a point distant 199.16 feet from the end of the ninth or 507.10 feet of arc with a radius of 2924.94 feet line of the firstly hereinmentioned conveyance, thence binding thereon to the end thereon and along the outline of said conveyance the four following courses and distances, and binding along said Marlboro Avenue,

21. by a curve to the left with a radius of 2924.94 feet an arc distance of 199.16 feet, said arc subtended by a chord bearing South 70 degrees 07 minutes 36 seconds East 199.13 feet,

22. South 72 degrees 04 minutes 38 seconds East 240.95 feet,

LIBERO 980 FOLIO 701

23. by a curve to the left with a radius of 600.00 feet an arc distance of 112.35 feet, said arc subtended by a chord bearing South 77 degrees 25 minutes 30 seconds East 112.19 feet, thence leaving said Marlboro Avenue,

24. South 05 degrees 22 minutes 46 seconds West 152.25 feet to the point of beginning, containing 578,887.85 square feet, or 13.2894 acres of land, more or less.

Being the same and all that parcel of land designated as "Parcel A" on a plat recorded among the Land Records of Talbot County in Plat Book No. 52, folio 27.

Being a portion of Parcel One conveyed by Erwin L. Greenberg, et al, to Marlboro Road Limited Partnership by a deed dated October 2, 1973 and recorded among said Land Records in Liber No. 478, folio 235.

Being also a portion of that parcel of land conveyed by Erwin L. Greenberg, et al, to Marlboro Road Limited Partnership by a deed dated July 23, 1975 and recorded among said Land Records in Liber No. 495, folio 512.

Together with the benefit of that certain Deed of Declaration dated September 3, 1976 and recorded among the Land Records of Talbot County in Liber No. 505, folio 31 by and between Marlboro Road Limited Partnership and The First National Bank of Maryland; as amended by Amendment to Deed of Declaration and Mutual Release of Right of Way dated November 10, 1992 and recorded among the aforesaid Land Records in Liber No. 739, folio 572 by and between John H. Mears, Jr., et al.

Together with the benefit of a right of way set forth in Right of Way Agreement dated October 27, 1992 and recorded among the Land Records of Talbot County in Liber 739, folio 567 by and between John H. Mears, Jr., et al. and St. Michaels Bank and subject to the terms and provisions contained therein.

NOTARY PUBLIC
IN AND FOR TALBOT COUNTY
RECORDS OF TALBOT COUNTY

DAVID H. SMITH
SUPERVISOR OF ASSESSMENTS
JAMES H. MOULS, JR. OFFICER/bul
PER _____

11/13/2000

NOTATION IS MADE THAT ALL TAXES
ON THE PROPERTY INDICATED IN
THIS INSTRUMENT
HAVE BEEN PAID TO THE
TAX OFFICE OF TALBOT COUNTY

TAXES PAID TO THE TAX OFFICE OF TALBOT COUNTY
DATE 11/13/2000

LIBER 0980 FOLIO 702

Page 30 of 45



TOWN OF EASTON
PLANNING & ZONING DEPARTMENT
P.O. BOX 520
Easton, Maryland 21601

Exhibit 'B'

September 20, 2023

Re: BOZA Application SE-1035/SE 23-09 & V-1035/V 23-12
210 Marlboro Avenue - Fur Baby LLC
Tax Map 101, Grid 020, Parcel 0491
Easton, Maryland 21601

James Shaffer
Fur Baby LLC
301 Northeast Front Street
Milford, Delaware 19963

Town of Easton		
*** CUSTOMER RECEIPT ***		
Oper: CKAHANE	Type: OC	Drawer: 1
Date: 9/19/23 01	Receipt no:	4061
Year	Number	Amount
2023	1035	
PZ	PZ - PAYMENTS	
		\$950.00
Tender detail		
CK CHECK	2067	\$950.00
Total tendered		\$950.00
Total payment		\$950.00
Trans date: 9/19/23	Time: 11:55:39	
THANK YOU FOR YOUR PAYMENT.		

- \$700.00 Special Exception Review Fee
- \$250.00 Commercial Variance Review Fee

Exhibit 'C'



Sign posted on October 2, 2023

Exhibit 'D'

Date of Hearing: October 17, 2023

3a

BOARD OF ZONING APPEALS PUBLIC HEARING STAFF REPORT

SUBJECT: SPECIAL EXCEPTION & VARIANCE 1035

ELECTION WARD: Ward 1

CRITICAL ACTION DATE: At the pleasure of the Board.

STAFF CONTACTS: Nicholas Johnson - Planner
Miguel Salinas - Director of Planning and Zoning

APPLICANT: James Shaffer on behalf of Fur Baby LLC.

PURPOSE: The applicant is seeking a special exception to operate a commercial kennel within the Commercial General (CG) Zoning District. The applicant is also seeking a variance from §28-1007.2.A.9(a) to allow a commercial kennel and associated run, to be within two-hundred (200) feet of a property line. This enhanced setback is established as a Supplemental Standard for the use, “Commercial Kennel.”

RECOMMENDATION:

Staff supports a Board of Zoning Appeals (Board) **approval** of the variance and the special exception request. The Board may wish to impose conditions aimed at mitigating possible negative externalities such as sound and odor.

APPLICATION INFORMATION:	
APPLICANT: Fur Baby LLC. 301 Northeast Front Street Milford DE, 19963	REPRESENTATIVE: James Shaffer

PARCELS/ACREAGE:	
Parcel Information	Acreage
Map 101, Grid 20, Parcel 491	13.24
ACCEPTANCE DATE: September 19, 2023	LOCATION: 210 Marlboro Road
EXISTING ZONING Commercial General (CG)	EXISTING LAND USE: Commercial
HISTORIC DISTRICT: No	FUTURE LAND USE: Commercial

CONTEXT:

Location/Site Access – The subject property is located off of Marlboro Avenue and is known as Tred Avon Square. The proposed commercial kennel will occupy the space previously occupied by Joanne Fabrics. The site is accessed via three (3) entrances off of Marlboro Avenue and a connection to Bay Street through an office complex.

Existing Conditions – The subject property is best described as an existing strip shopping center and associated surface parking.

Surrounding Properties –

	Land Use	Zoning District(s)	Future Planned Land Use
South	Commercial	CG	Commercial
East	Commercial	CB	Commercial
North	Commercial	CG	Commercial



Figure 1 Vicinity Map

PROPOSAL: Fur Baby LLC is proposing to open a commercial kennel in a vacant suite of the Tred Avon Square Shopping Center. The applicant is also proposing to construct an outdoor dog run in the grass area behind the shopping center. The proposed commercial kennel and associated dog run will both be located within two hundred (200) feet of the rear property line.

The applicant has submitted the following:

- Site plan
- Authorization from the property owner
- Deed

POLICY ANALYSIS (VARIANCE)

- a. Granting the application: (i) will not be contrary to the public interest, (ii) will be in harmony with the purpose and intent of the Ordinance and (iii) will not be injurious to the neighborhood or otherwise detrimental to the public welfare;**

Analysis – The properties located along the rear property line that are within two hundred (200) feet of the proposed commercial kennel and run, are commercial properties that are mostly used as offices. The closest residential properties are located roughly five hundred (500) feet from the proposed commercial kennel. The intent of this enhanced setback is to provide a buffer from any negative externalities typically associated with a commercial kennel such as noise and odor. The applicant has provided documentation and details regarding their sanitation and noise reduction methods utilized at their Milford location to effectively mitigate these externalities. These

include, providing hospital grade sanitation, the utilization of sound panels, and limiting outside hours.

- b. Owing to conditions peculiar to the property, which conditions are not the result of any action taken by the applicant, a literal enforcement of the Ordinance will result in practical difficulty to the applicant.**

Analysis – There is very little green space within this shopping center for a dog run to be installed. The portions of the property that are two hundred (200) feet away from a property line, are utilized as parking. This large surface parking area pushes the commercial units almost to the rear property line making it difficult for any of these units to meet the enhanced setback. The primary purpose of the enhanced setback for this use is to alleviate noise concerns and the Applicant has indicated that they have taken measures in their existing facility in Delaware that accomplishes the same purpose and that they can replicate such measures at this location.

POLICY ANALYSIS (SPECIAL EXCEPTION)

- a. The proposed use conforms in all aspects to minimum requirements of the district in which it is located.**

Analysis – A variance from the two hundred (200) foot enhanced setback is required in order for this use to conform to the Zoning Ordinance's requirements.

- b. The proposed use is not adversely affecting the health, safety, and general welfare of residents of the area.**

Analysis – The applicant has outlined their cleaning and noise reduction strategies to mitigate for any negative externalities associated with commercial kennels. Also, the closest residents are buffered by the office buildings located directly to the south of the property.

- c. The proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exceptions;**

Analysis – Existing public facilities are already in place to serve commercial uses within this established shopping center.

- d. The proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;**

Analysis – The existing shopping center is designed to provide easy ingress and egress for automobiles. The shopping center has multiple connections to Marlboro Avenue (including one signalized) and more than adequate parking.

e. The proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;

Analysis – The applicant utilizes a strict sanitation and cleaning routine to eliminate any negative externalities associated with odor at their original location. Sound panels are utilized to reduce noise and outdoor hours are limited. There should be no smoke or increased stormwater drainage associated with the proposed use. Adequate access is provided to the shopping center.

f. The proposed use will not adversely affect the established character of the area.

Analysis – The existing area is primarily a large commercial shopping center. A commercial kennel is in keeping with the existing character of the shopping center and should not adversely impact the shopping center's established character.

g. The proposed use shall be in conformity with the provisions of the Easton Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complementary and uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.

Analysis – The Comprehensive Plan's future land use map designates this property for commercial use which is consistent with the proposed use.

RECOMMENDED CONDITIONS:

1. The outdoor area shall only be operated between the hours of 8:00 AM and 6:00 PM
2. Sound and odor reduction technologies shall be included as part of the plans submitted to the Building Inspection Department for a commercial building permit.

DRAFT MOTIONS:

1. I move that the Board of Zoning Appeals **approve** Variance and Special Exception 1035 with staff's recommended conditions.

OR

2. I move that the Board of Zoning Appeals **deny** Special Exception and Variance 1035 based on the following findings...

OR

3. I move an alternate motion.

Exhibit 'E'

THE STAR DEMOCRAT - ONE TIME - SUNDAY, OCTOBER 1, 2023

NOTICE

Notice is hereby given that Fur Baby LLC has filed application SE-1035 / SE 23-09, pursuant to Section 28-1303.5.B of the Zoning Ordinance of the Town of Easton, to obtain a special exception for a Commercial Kennel, use (2) 208 in Table 2.1 of Section 28-201 in the Commercial General (CG) zoning district. The applicant has also filed V-1035 / V 23-12, pursuant to Section 28-1303.5.C of the Zoning ordinance of the Town of Easton, to obtain a variance from Section 28-1007.2.A.9.a, the minimum setback from any property line for any buildings or runs associated with a commercial kennel.

The property is located at 210 Marlboro Avenue Suite 47, Easton, Maryland and is situated in the CG – Commercial General District.

The property is owned by Tred Avon LLC. A copy of the application may be inspected during normal business hours in the Department of Planning and Zoning. The undersigned Board will hold a public hearing with respect to said application on Tuesday, October 17, 2023 at 9:00 A.M. in the Town Council Chambers, second floor, located at 14 S. Harrison Street. All interested parties are invited to attend. Please continue to check our website at <https://eastonmd.gov/129/Agendas-Minutes> for agenda updates.

EASTON BOARD OF ZONING APPEALS

Notice to Star Democrat: Please publish as indicated above and send Certificate of Publication to Planning and Zoning, Town of Easton, P.O. Box 520, Easton, Maryland 21601, prior to date of hearing.

APG Media of Chesapeake, LLC
29088 Airpark Drive
Easton, MD 21601

09/28/23

Phone: Fax:
<http://www.chespub.com>

Cust. AcctID:	Creation Date: 09/28/23
	Ad Date: 10/01/23
	Class: 10
Name: Joanne Drummer	Ad ID:
Company: TOWN OF EASTON (L)	Ad Taker: AHALL
Address: PO Box 520	Sales Person: 503
EASTON, MD 21601	Words: 209
	Lines: 22
Telephone: (410) 822-2525	Agate Lines: 66
Email:	Depth: 2.75
Description: Application SE-1035/SE	Inserts: 2
	Blind Box:

Other Charges:

Total:

Discount:

Paid Amount:

Surcharge:

Credits:

Amount Due:

Bill Depth:

CREDIT CARD DETAILS

PT	CT	CN	Number	Exp.	Amnt.

Publication	Start	Stop	Inserts	Cost
The Star Democrat	10/01/23	10/01/23	1	

NOTICE

Notice is hereby given that Fur Baby LLC has filed application SE-1035 / SE 23-09, pursuant to Section 28-1303.5 B of the Zoning Ordinance of the Town of Easton, to obtain a special exception for a Commercial Kennel, use (2) 208 in Table 2.1 of Section 28-201 in the Commercial General (CG) zoning district. The applicant has also filed V-1035 / V 23-12, pursuant to Section 28-1303.5 C of the Zoning Ordinance of the Town of Easton, to obtain a variance from Section 28-1007.2 A.9.a, the minimum setback from any property line for any buildings or runs associated with a commercial kennel.

The property is located at 210 Marlboro Avenue Suite 47, Easton, Maryland and is situated in the CG - Commercial General District. The property is owned by Fred Avon LLC. A copy of the application may be inspected during normal business hours in the Department of Planning and Zoning. The undersigned Board will hold a public hearing with respect to said application on Tuesday, October 17, 2023 at 9:00 A.M. in the Town Council Chambers, second floor, located at 14 S. Harrison Street. All interested parties are invited to attend. Please continue to check our website at <https://eastonmd.gov/129/Agendas-Minutes> for agenda updates.

EASTON BOARD OF ZONING APPEALS

3035724 SD 10/1/2023

Ad Note:

Customer Note:

We Appreciate Your Business!
Thank You Joanne Drummer!

Exhibit 'F'



TOWN OF EASTON

Planning & Zoning Department

14 South Harrison Street

P.O. Box 520

Easton, Maryland 21601

NOTICE OF APPLICATION SUMMARY

2023-10-17

SE-1035 / SE 23-09

V-1035 / V 23-12

Applicant notified of hearing date: Email: 2023-09-28– 19 days

Exhibit A: Application – 2023-09-19 – 28 days

Exhibit B: Paid Receipt – 2023-09-19 – 28 days

Exhibit C: Picture of Property Sign Posting – 2023-10-02 – 15 days

Exhibit D: Staff Report – 2023-10-10 – 7 days

Exhibit E: Public Advertisement

Advertisement sent to the Star Democrat: 2023-09-26 – 21 days

Advertisement run in Star Democrat: 2023-10-01 – 16 days

Exhibit F: Notices

Applicant Hearing Letter: 2023-09-28– 19 days

400' Notices Distributed: 2023-10-02 – 15 days



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

September 28, 2023

James Shaffer
Fur Baby LLC
301 Northeast Front Street
Milford, Delaware 19963

Re: BOZA Application SE-1035 / SE 23-09
210 Marlboro Avenue Suite 47 - Fur Baby LLC
Tax Map 101, Grid 0022, Parcel 0491
Easton, Maryland 21601

Mr. Shaffer,

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, October 17th at 9:00 A. M.*** in the Chambers of the Mayor and Council of Easton. You should appear at the above time and place, together with any witnesses you may care to present and be prepared to submit evidence, which will establish:

1. the proposed use conforms in all aspects to minimum requirements of the district in which it is located;
2. the proposed use is not adversely affecting the health, safety, and general welfare of residents of the area;
3. the proposed use will not interfere with the adequate and orderly provision of public facilities necessary to service the area or the proposed special exception;
4. the proposed use will not create congestion in the streets or undue traffic hazards, and that adequate egress and ingress are provided;
5. the proposed use will not adversely affect the area and surrounding property due to adverse environmental characteristics including undue smoke, odor, noise, improper drainage, or inadequate access;
6. the proposed use will not adversely affect the established character of the area;
7. the proposed use shall be in conformity with the provisions of the Easton

Mr. James Shaffer
September 28, 2023
Page 2

Comprehensive Plan including those provisions of the Comprehensive Plan relating to design and performance standards for the development or redevelopment of land. In addition to the criteria set forth elsewhere herein when considering an application for additional principal uses upon an approved lot, the proposed additional uses shall be compatible and complementary to uses customarily found near or in conjunction with one another. This provision may not be used to permit shopping centers which are governed by other provisions of this Ordinance.

NOTE: In the event your application pending before the Easton Board of Zoning Appeals requires a recommendation to the Board from the Easton Planning and Zoning Commission, the Appeals Board will not hear your application until it is in receipt of the Planning and Zoning Commission's recommendation. It is your responsibility to see that the recommendation required is before the Board of Zoning Appeals before any evidence is heard.

If there are any restrictions attached to the deed of the property subject to this application, please advise the Board thereof.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning and Zoning Department
410-822-1943 ssmith@eastonMD.gov



TOWN OF EASTON

P.O. Box 520
Easton, Maryland 21601

September 28, 2023

James Shaffer
Fur Baby LLC
301 Northeast Front Street
Milford, Delaware 19963

Re: BOZA Application V-1035 / V 23-12
210 Marlboro Avenue Suite 47 - Fur Baby LLC
Tax Map 101, Grid 0020, Parcel 0491
Easton, Maryland 21601

Mr. Shaffer,

The above matter has been scheduled for a public hearing before the Town of Easton Board of Zoning Appeals on ***Tuesday, October 17th at 9:00 A. M.*** in the Chambers of the Mayor and Council of Easton. You should appear at the above time and place, together with any witnesses you may care to present and be prepared to submit evidence, which will establish:

1. That granting the application will not be contrary to the public interest;
2. that granting the application will be in harmony with the purpose and intent of the Ordinance;
3. that granting the application will not be injurious to the neighborhood or otherwise detrimental to the public welfare;
4. that owing to conditions peculiar to the property, which conditions are not the result of any action taken by the applicant, a literal enforcement of the Ordinance will result in practical difficulty to the applicant.

Please be prepared to answer the four listed items above at the time of the Hearing. If there are any restrictions attached to the deed of the property subject to this application, please advise the Board thereof.

Samantha N. Smith

Samantha N. Smith, Administrative Specialist
Planning and Zoning Department
410-822-1943 ssmith@eastonMD.gov



TOWN OF EASTON

14 South Harrison Street
Easton, Maryland 21601

October 2, 2023

Dear Resident,

The Easton Board of Zoning Appeals will hold a public meeting on **Tuesday, October 17, 2023 at 9:00 a.m.** in the Easton Town Council Chambers located on the second floor of 14 South Harrison Street. The Town of Easton Zoning Ordinance requires that owners of property located within 400 feet of a parcel on which certain types of applications are pending be given notice of upcoming meetings or hearings. If you are a tenant in or an owner of a multi-unit building, please distribute or post this notice in a visible location for all other tenants or owners to view. If you are a tenant of a rental property, please notify the property owner that this notice letter has been distributed to their property. Notice has also been sent to the Star Democrat, a sign has been posted at the subject property and the hearing agenda has been posted on the Town of Easton website: <http://eastonmd.gov/>.

This letter is sent to inform you that Fur Baby LLC has filed application SE-1035 / SE 23-09, pursuant to Section 28-1303.5.B of the Zoning Ordinance of the Town of Easton, to obtain a special exception for a Commercial Kennel, use (2) 208 in Table 2.1 of Section 28-201 in the Commercial General (CG) zoning district. The applicant has also filed V-1035 / V 23-12, pursuant to Section 28-1303.5.C of the Zoning ordinance of the Town of Easton, to obtain a variance from Section 28-1007.2.A.9.a, the minimum setback from any property line for any buildings or runs associated with a commercial kennel.

Copies of the proposed application are on file and available for public review in the Town's Planning Office at 14 South Harrison Street between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. **In addition, digital copies will be available for review one week prior to the scheduled meeting via the Town's website at <https://www.eastonmd.gov/129/Agendas-Minutes>.** If you have any questions regarding this application, please contact the Planning Office at (410) 822-1943 or via email at ssmith@eastonMD.gov.

Samantha N. Smith

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