

THE TOWN OF MOUNT AIRY  
P.O. BOX 50 \* 110 S. MAIN STREET \* MOUNT AIRY, MARYLAND 21771  
(301) 829-1424

**MEMORANDUM of the  
PLANNING COMMISSION  
DISCUSSION on MA-BOA-2025  
July 10, 2025**

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Planning Commission meet on May 19, 2025, to discuss and provide a recommendation to the Board of Appeals related to the case MA-BOA-2025-01.

**CASE NO. MA-BOA-2025-01** – filed by Danielle Griffith to obtain a Special Exception for a Home Occupation (Licensed Home Daycare) as required under Section §112-25 of the Zoning Ordinance on the property known as 1810 Castle Green Circle, Mount Airy, MD, located in the R2 District.

First, I would like to explain how the staff presented to the Planning Commission with the Staff report dated July 10, 2025. The staff was interpreting the code as it has done in the past for this type of in-home “Family Daycare” under section §112-25C (1) – Home Occupations Special Exception, subsection §112-62 F (7) – Home Occupations.

This type of special exception request for a small in-house “Family Child Care” was common practice before I worked with the Town of Mount Airy under §112-62 F (7)—Home Occupations. Since 2018, during my time with the Town of Mount Airy, staff have always presented this type of smaller (eight children or fewer) (Exhibit #6) Family Child Care under §112-62 F (7)—Home Occupations.

The Planning Commission discussed this request under section §112-62 F (10) – Nursery Schools, child-care center. (see attached code section of both §112-62 F 7 & 10) (Exhibit #1) at the May 29, 2025, public meeting (see attached word-for-word discussion of the public meeting) (Exhibit #2). The approved Planning Commission minutes dated May 19, 2025, are attached (Exhibit #3), page 3, item #6. Below was the motion from the meeting.

***“Brian Bieda motioned to recommend approval to the Board of Appeals Case #MA-BOA-2025-01 for the Home-based Daycare business under the applicant Danielle Griffith, located at 1810 Castle Green Circle, Mount Airy, MD. With the exceptions of the plat survey and the fencing, verifying these 25-foot stipulations in the zoning code, and the H.O.A. approval. Martina Hatley seconded the motion. Vote: All in favor, none opposed.”***

§112-62 F (10) – Nursery Schools, child-care center (Exhibit #1) (d) speaks to “Yards 25 feet from all property lines”. This states that a play area is likely “fenced” 25 feet from all property lines. This would restrict the total area for play within the now completely fenced-in backyard, with an additional fence 25 feet from all property lines. State of Maryland (Exhibit #5) The Town has received a fence permit to install new fencing in areas that did not have fencing from the existing neighbors. This fence application has a plat survey as requested by Commission member Bieda (Exhibit #4). The applicant has provided an approval letter from the H.O.A. allowing this “Family Child Care” in the Nottingham Community. (Exhibit #5).

### **Board of Appeals**

Staff asks the Board of Appeals to determine whether this Special Exception request is approvable under §112-62 F (7) – Home Occupations, or §112-62 F (10) – Nursery Schools, child-care center.

(Exhibit #1) Town Code sections §112-62 F (7) – Home Occupations §112-62 F (10) – Nursery Schools, child-care center.

(Exhibit #2) Planning Commission meeting notes, May 19, 2025.

(Exhibit #3) Planning Commission Official Minutes from May 19, 2025.

(Exhibit #4) Fence Permit Application 1810 Castle Green Circle “Approved”

(Exhibit #5) State response about fencing related to Family Child Care and response to H.O.A. allowing a Family Day Care in the Nottingham Community.

(Exhibit #6) The State of Maryland defines child capacity for different types of facilities.

**TOWN OF MOUNT AIRY BOARD OF APPEALS**

**STAFF REPORT**

**SPECIAL EXCEPTION REQUEST – HOME OCCUPATION**  
**CASE MA-BOA-2025-01**

**July 10, 2025**

**APPLICANT:** Mrs. Danielle Griffith

**SITE LOCATION ADDRESS:** 1810 Castle Green Circle, Mount Airy, MD.

**ZONING:** R2 – Residential

**SITE LOCATION/ACREAGE:** Woodlands of Nottingham Phase 2, Lot 72, 16652 SF  
Map:0076, Grid 0007, Parcel:0286 Plat No:48 Page:59

**ZONING SECTION:** §112-25C (1) Home Occupations –§112-62 (F)(7) Home Occupations

***History:*** The Town used to approve this type of smaller Family Daycare business (8 children or fewer) administratively with a Zoning Certificate. The application would require the adjoining property owners to submit a letter stating that they knew of this request, that they were aware that it was coming, and that they were okay with it.

***Proposal:*** Mrs. Danielle Griffith, the homeowner, would like to establish a state-licensed family daycare business that will provide care for no more than 8 children, five days a week. This daycare will operate from 7:30 a.m. to 4:30 p.m., Monday through Friday. Most of the drop-offs and pickups for this business will occur in the homeowner’s driveway.

*In evaluating any Special Exception, the proposed use must be analyzed to meet general standards that assess the appropriateness of the use within the neighborhood. Below is an evaluation of those criteria:*

**General Standards §112-62 E:**

A special exception may be granted when the Board of Appeals finds from a preponderance of evidence produced at the hearing that:

- A. *The proposed use, including its nature, intensity, and location, is in harmony with the intent of the Town Master Plan and the orderly and appropriate development of the district.*

**Establishing the Home Daycare service will provide a valuable service in the community.**

- B. *That adequate water supply, sewage disposal, storm drainage, and fire and police protection are or can be provided for the use.*

Due to its small size, this business will not significantly affect the water supply or other essential community services. There is no additional fire risk or burden on the Town Police force for this use.

- C. *The use of adjacent land and buildings will not be discouraged, and the location, nature, and height of buildings, walls, and fences will not impair the value of adjoining land and buildings.*

No additional buildings have been requested as part of this home occupation application. The majority of the adjoining property owners are aware of this request.

- D. *The use will be properly located with respect to existing or future streets, giving access to it. It will not create traffic congestion or cause industrial and commercial traffic to use residential streets.*

Traffic generation will be minimal. In addition, the business requires no special industrial traffic to utilize local residential roads, so this home occupation will generate no additional commercial traffic.

- E. *The specific standards (112-62) (F) for special exception use can be met.*

The review of the specific standards demonstrated that the applicant could meet the requirements for the home occupation.

#### **SPECIFIC STANDARDS:**

For this case, Code Section §112-62 (F)(7) Home Occupations. This is allowed in all residential districts, subject to the district's requirements, except as provided herein. The following specific standards will be as follows:

- A. People residing in the dwelling only may be employed or engaged in the occupation. Accessory structures on the property may be used for the home occupation.

The only person this business employs will be Mrs. Danielle Griffith, the homeowner.

- B. The character of the external appearance of the dwelling unit or accessory structure must be that of a dwelling or its accessory structure. No display of products may be shown as to be visible from outside the dwelling. A nameplate not larger than two square feet in area attached to the building and illuminated only by indirect lighting is permitted.

According to the homeowner's application, establishing this home occupation would not change the property's exterior. The applicant stated there would be no signage on the property; she would advertise through other methods.

- A. Not more than 25% of the gross floor area of the dwelling unit may be devoted to a home occupation. At least 25% of the home will be utilized for the home occupation.

The total square footage of the existing home is 3,878 SF, including the approximated finished basement area of 1,025 SF. The applicant did not provide the total SF to be used within the house as part of the daycare but did state that the children will primarily be inside the residence on the basement levels.

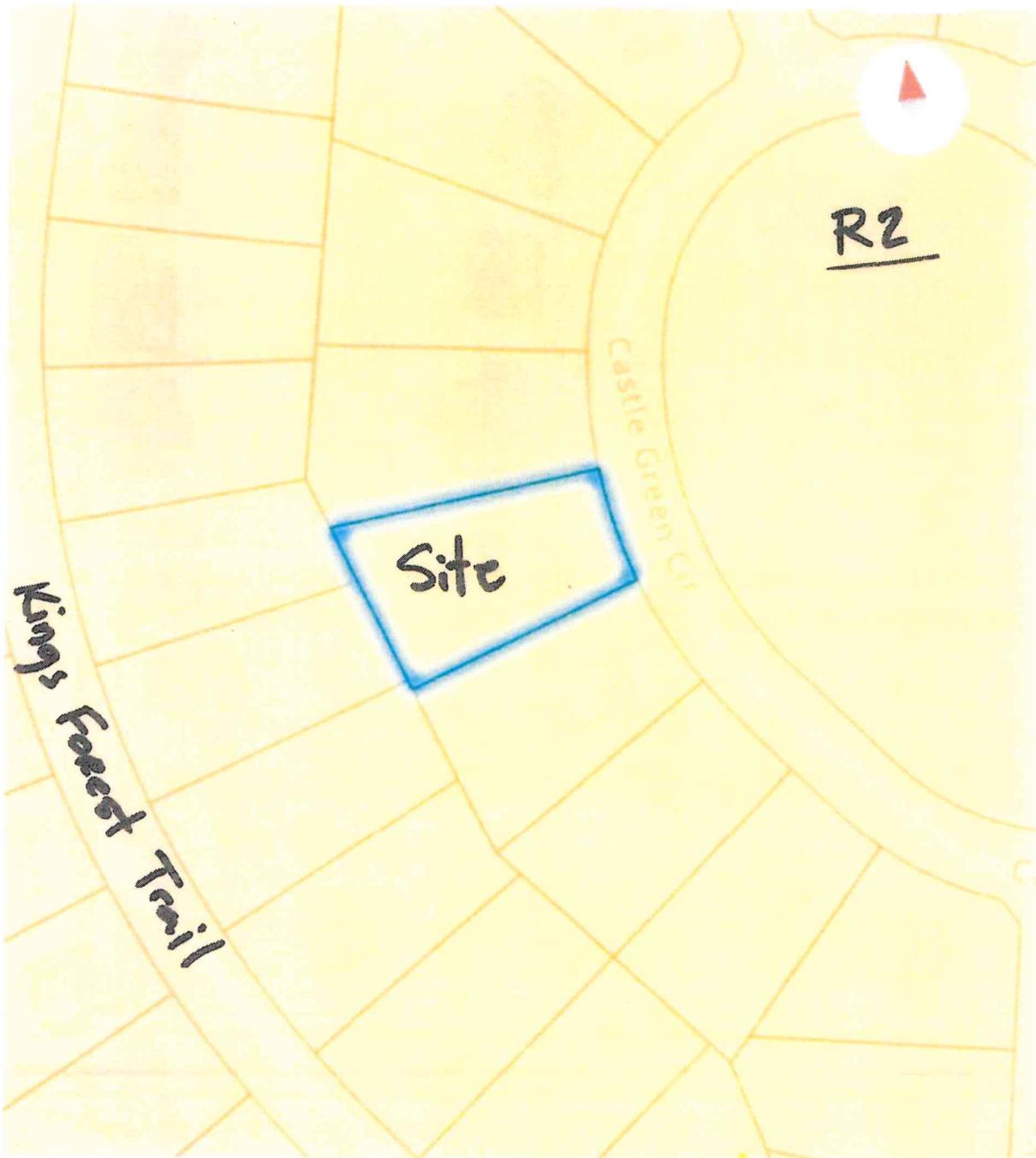
- B. Besides the required parking for the dwelling unit, additional parking located in the rear yard is required as follows:

Besides the required parking spaces for established residential homes, the house has more than sufficient parking area for the home occupation. Due to the nature of the business, no vehicles will be parked at home for no longer than 10-15 minutes during scheduled drop-off times of 7-9 am and pick-up times of 4-6 pm. The lot layout there is no access to the rear yard.

#### **STAFF RECOMMENDATION:**

Based on the favorable recommendation of the Planning Commission on May 19, 2025, to operate under Code Section §112-25C(1), Home Occupations 112-62 Special exceptions, and §112-62(F)(7) Home Occupations.

Staff recommend that the Board of Appeals grant approval of this Special Exception Request to establish a Home Occupation for a Licensed Family Daycare Business located at 1810 Castle Green Circle, Mount Airy, Maryland, 21771. (This business must receive approval from the HOA, County, and State.)



1810 Castle Green Circle



Site

Castle Green Cr

Kings Forest Trail

Image © 2025 Atlas

BOARD OF APPEALS - TOWN OF MOUNT AIRY - MARYLAND

PETITION FOR  
SPECIAL EXCEPTION  
UNDER ZONING ORDINANCE

CASE NO. MA-BOA-2025-01  
DATE FILED \_\_\_\_\_  
FILING FEE \$300.00  
DATE PAID 5/13/2025  
ZONING DIST. \_\_\_\_\_  
HEARING DATE \_\_\_\_\_

Petition is hereby made for a in home day care under the Zoning Ordinance, as follows:

Location of property: \_\_\_\_\_  
NSEW side of road; distance NSEW from nearest intersecting road

Subdivision Woodlands at Nottingham Lot 72 Block \_\_\_\_\_

Street and Number 1810 Castle Green Circle Zoning Classification R2

Use Proposed:

In home daycare

Zoning Ordinance subsection(s) providing for proposed use: R2 112-25 c1

R2 District Zoning Section 112-25 (c)(1) Home Occupations

Owner of Property: Name Danielle Griffith

Address 1810 Castle Green Circle

Petitioner's present legal interest in property: (CHECK ONE)

Owner (Including Joint Ownership) \_\_\_\_\_ Lessee \_\_\_\_\_ Tenant other than as lessee(describe)

Has any previous petition of appeal involving this property been made to the Board: If so, give Case Number(s):

N/A

Further comments, if any:

I hereby affirm that all of the statements and information contained in or filed with this petition are true and correct.

Danielle Griffith  
Signature of Petitioner

1810 Castle Green Circle  
Address of Petitioner

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Number:

District - 13 Account Identifier - 043574

**Owner Information**

Owner Name: GRIFFITH ETHAN Use: RESIDENTIAL  
 GRIFFITH DANIELLE Principal Residence: YES  
 Mailing Address: 1810 CASTLE GREEN CIR Deed Reference: /10822/ 00050  
 MOUNT AIRY MD 21771-5892

**Location & Structure Information**

Premises Address: 1810 CASTLE GREEN CIR Legal Description: LT 72 -16652 SF PH 2  
 MOUNT AIRY 21771-5892 1810 CASTLE GREEN CIR48-59/67  
 WOODLANDS AT NOTTINGHAM

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0076	0007	0286	13010016.07	0000			72	2025	
									Plat Ref: 0048/ 0059

Town: MT. AIRY

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
2004	3,878 SF		16,652 SF	000000

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
2	YES	STANDARD UNIT	SIDING/	6	3 full/ 1 half	1 Attached	

**Value Information**

	Base Value	Value As of 01/01/2025	Phase-in Assessments	
			As of 07/01/2024	As of 07/01/2025
Land:	191,300	191,300		
Improvements	447,300	596,400		
Total:	638,600	787,700	638,600	688,300
Preferential Land:	0	0		

**Transfer Information**

Seller: CLENDENING KENNETH C	Date: 06/28/2022	Price: \$790,000
Type: ARMS LENGTH IMPROVED	Deed1: /10822/ 00050	Deed2:
Seller: WOODLANDS DEVELOPMENT CORPORATION	Date: 12/09/2004	Price: \$643,035
Type: ARMS LENGTH IMPROVED	Deed1: /04242/ 00167	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

**Exemption Information**

Partial Exempt Assessments:	Class	07/01/2024	07/01/2025
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.0000.00	0.0000.00

Special Tax Recapture: None

**Homestead Application Information**

Homestead Application Status: Approved 01/18/2024

**Homeowners' Tax Credit Application Information**

Homeowners' Tax Credit Application Status: No Application Date:

§112-62 F (7) – Home Occupations.

§112-62 F (10) – Nursery Schools, child-care center.

**(7)**

Home occupations. In all residential districts and subject to the requirements of the district in which located except as herein provided:

**(a)**

Persons residing in the dwelling only may be employed or engaged in the occupation. Accessory structures on property may be used for the home occupation.

**(b)**

The character of external appearance of the dwelling unit or accessory structure must be that of a dwelling or its accessory structure. No display or products may be shown so as to be visible from outside the dwelling. A nameplate not larger than two square feet in area attached to the building and illuminated only by indirect lighting is permitted.

**(c)**

Not more than 25% of the ground floor area of a dwelling unit may be devoted to a home occupation.

**(d)**

Besides the required parking for the dwelling unit, additional parking located in the rear yard is required as follows:

**[1]**

One space for the home occupation and one space for each member of the immediate family employed in the home occupation.

**[2]**

Three additional spaces for a physician or dentist.

**(10)**

Nursery schools, child-care center. In all residential, NC and CC Districts and subject to the requirements of that district in which located except as herein provided:

**(a)**

Lot area: 12,000 square feet minimum.

**(b)**

Lot width: 100 feet minimum.

**(c)**

Pupil density: the maximum attendance at any one time shall be based upon the total square footage of the lot area as follows:

**[1]**

One pupil per 1,000 square feet in RE, R2, R3.

**[2]**

One pupil per 500 square feet in R5, R7, NC, CC.

**(d)**

Yards: 25 feet from all property lines.

**(e)**

There shall be an adequately sized play area, fully fenced and enclosed.

May 19, 2025, Planning Commission Meeting notes on MA-BOA-2025-01- 1810 Castle  
Green Circle, Danielle Griffith

Ralph Ghent. – We have the first item, which is an introduction, discussion, and a recommendation of approval or disapproval that will be provided to the Board of Appeals per the code on the Happy Castle Daycare. It's a Special Exemption to have a home-operated daycare. This is covered by code sections 112-25C and 112-62(F10). It may show on your agenda as F7, but it's F10. And so I ask the applicant, Ms. Griffith, and any representatives you wish to accompany you. Please if you could come forward. Am I correct Ms. Danielle Griffith? Very good, Thank you. And so we will begin the item on the agenda with asking for a staff report from John Breeding.

John Breeding – I do want to apologize, the staff report does have a couple of corrections that will be part of what goes to the Board of Appeals. Instead of Home Occupations, it's under section 112-25(C2), a nursery or daycare. So some of the special exception criteria is gonna change. But ultimately, you're here today to get a recommendation from the Planning Commission to say that use is allowed within the zone, which is under this special exception request. So again, if you go to the last page, we can go down through some of this, or Ralph, did you want to hit on anything in particular? I know we had concerns about the fencing, and some of those, again, the staff report is sort of off track from the wrong code.

Steve O'Malley asked, "What type of fencing are you putting in? Due to the pool next door."

Brian Beida is talking about fencing. Is it black rod iron, kind of, to match the rest of the neighborhood? Have you submitted your ark application for that yet? You should do that. Just do that while you are working with vendors to decide on a price for it, you have that approved, and you can go ahead with it for your day care. I recommend getting a land survey to ensure you are not on anybody else's property, even though you are butting up against the fence in the back. Send it over to Claggett, who runs the homeowner's association. A home daycare is needed for just our neighborhood. Ensure you get your ARC application in and ask about the home daycares. Congratulations, you have my vote.

Ralph Ghent – if I could touch upon the fence again, Ms. Griffith. According to the code that I am referencing, 112-62, the paragraph in the code that falls under special exceptions, you are on an R2 property, the special exception has to be made so that you can go to the Board of Appeals. So that's the process, and so under 112-62F(10) or subparagraph 10, it talks about the fencing and it says an interesting thing, and I am going to be admitting to you I am not trying to be a gotcha here because I have discussed this with the Town Zoning

Administrator. It says that for the yards 25 feet from all property lines. It is odd because we know your yard goes to the property lines. So, what I am trying to do here, is I am trying to provide clarity and interpretation to what's in the code. If it's not clear. And so there is also a brief consultation with the town Attorney, Mr. McCarron, to your left. And so right after that, there's also a statement in the code that says there shall be an adequately sized play area fully fenced and enclosed. When you put the two together, it sounds like you have to have an outside play area for the children, and I believe you are estimating eight children max, correct? And so there's nothing in the code that gives us anything other than adequately sized. And so if I may bring up that point and kind of trail on Commissioner Bieda's recommendation, I believe when you go before the Board of Appeals, you may want to have good answers about the size of the outside play area. My point is that if you put in for a fence, which is usually for homeowners, it goes on the property line. This code says that if you want to operate a daycare, a fence-enclosed area has to be 25 feet from the property line. I just mentioned that because if you apply for and succeed and put in a fence along the property line, you still need a fenced area 25 feet away from adjacent property lines that's fully enclosed for just the children's outside activities.

**PLANNING COMMISSION MINUTES****May 19, 2025****Meeting Attendance****Commission Members**

Ralph Ghent - Chairman  
 Martina Hatley - Vice Chairwoman  
 Bill Butts  
 Brian Bieda  
 Steve O'Malley  
 Kim Buynak  
 Heather Wallace - Alternate  
 Sean Kelly - Council Liaison

**Town Staff**

John Breeding - Director of Planning &  
 Zoning  
 Barney Quinn - Town Engineer/Inspector –  
 Debra Clinton - Planning & Zoning  
 Review Coordinator

**Commission Members Absent**

Kim Buynak

**Others**

Thomas McCarron - Town Attorney

**1. CALL TO ORDER**

The meeting was called to order at 7:30 p.m. by Chairman Ralph Ghent, who also led the Commission in the Pledge of Allegiance. Ralph Ghent introduced and welcomed Sean Kelly, the new Town Council Liaison for the Planning Commission.

**2. APPROVAL OF MINUTES**

**Motion:** Brian Bieda motioned to approve the April 28, 2025, Planning Commission Minutes. Seconded by Bill Butts. Vote: All in favor, none opposed.

**3. CITIZEN COMMENTS (for items not on the agenda)**

None

**4. CARROLL /FREDERICK COUNTY PLANNERS**

**Carroll County Planner** – Vacant - No memo received.

**Frederick County Planner** Vanessa Moreno – Not in attendance.

**5. SITE PLANS/ SUBDIVISIONS/ DEVELOPMENT PROJECTS**

- **S-22-0037 Southside Plaza Site Development Plan – Final Site Development Plan - Approval.** Proposed final site development plan and elevations for possible approval from the planning commission. Ralph Ghent gave a synopsis of the Southside Plaza Site Plan. John Breeding presented the staff report and recommendations. Ron Thompson, an Engineer from Vanmar Associates, and Clark Shaffer, an Attorney, represented the applicant. Regarding the Southside Plaza S-22-0037, Steve O'Malley motioned to disapprove the

current plan until it changes the plans discussed regarding the building material. Ralph Ghent modified the motion to be specific to the change in materials from the EIFS to some brick. Modified motion accepted by Steve O'Malley. Heather Wallace seconded the motion. Ralph Ghent amended the motion to include the condition that the elevations replace the current amount of EIFS panels with at least 25% brick. Revision to the motion accepted by Steve O'Malley. Heather Wallace seconded the motion. Heather Wallace recommended an amendment to go to the original motion, which was not to specify a percentage. It should be up to the architect to follow the town design guidelines. I don't think we should specify a percentage because I believe many things can be done on a building that can soften it without taking up a quarter of it. I think that following the design guidelines would be appropriate. To follow the town's guidelines, an element of brick must soften the exterior. Steve O'Malley accepted the amendment in the revised motion. No second on the amendment. Ralph Ghent read the original motion, which was seconded, that Steve O'Malley recommended disapproval of the concept site development plan for Southside Plaza file S-22-0037, with the condition that they return with designs with at least 25% brick added to the exterior. Vote: 1 Yea – Steve O'Malley, 4 Nay - Brian Bieda, Martina Hatley, Ralph Ghent, Heather Wallace, 1 Abstention - Bill Butts. Ralph Ghent motioned that the planning commission grant final site development plan approval of the site plan for Southside Plaza located at 1508 and 1510 South Main Street under the following conditions. 1. The applicant resubmits their development plan showing revised elevations that portray a brick-like appearance on the current EIFS Panels. When submitted to the Town Zoning Administrator, he will be joined by three commissioners to review the revised elevations. When that group, the zoning administrator, and three commissioners review those revised elevations for that specific new effect. 2. All town and county agency comments shall be addressed before the Town of Mount Airy approves building permits. The applicant and the town council must agree to a Public Works Agreement, and all bonding must be received before a building permit is issued for this project. Brian Bieda seconded the motion. Vote: All in favor, none opposed.

- **S-22-0036 King Sports Construction Lot 15C, Section 4, Twin Arch Business Park— Concept Site Development Plan.** King Sports Construction LLC requests approval of the Concept Site Development Plan located at 2310 Back Acre Circle, Mount Airy, MD 21771. The applicants are John and Christina King and their representative, Ron Thompson, with Vanmar Associates. John Breeding presented the staff report and recommendations. Ralph Ghent motioned that the planning commission grant conditional approval of the concept site plan for Lot 15C of the Twin Arch Business Park, Section 4, for King Sports Construction with the following conditions. 1. All town and county comments must be addressed before the Town of Mount Airy staff approve or sign any final approval or grading permit. 2. Provide all legal documents, easements, PWA, and bonding before grading permit/building permit approval. 3. All related materials for the recycling of the turf fields shall be stored in waterproof bags or under cover from exposure to the weather. 4. The understanding is that no residential use will be allowed on this parcel, per the Town of Mount Airy code, the code of Industrial use properties. 5. All existing wells and septic systems must be abandoned, capped, and inspected by the Carroll County Health Department. Provide the Town of Mount Airy with the report of that action from a Licensed Well Driller and the Carroll County Health Department. 6. The owner must provide the town with a Phase 1 ESA

certification for the portion of Lot 15 to be deeded to the Town of Mount Airy before a Final Site Development plan is granted final approval for Lot 15C. 7. On the fence discussion, show the details of the final property fencing and any privacy material. Martina Hatley seconded the Motion. Vote: All in favor, none opposed.

## 6. NEW BUSINESS/ INTRODUCTION/ RECOMMENDATION

- **MA-BOA-2025-01 Special Exception Happy Castle Daycare** – A Special Exception for a Home Occupation under code section §112-25C(1) and section §112-62F(7) for a recommendation to the Board of Appeals. John Breeding presented the staff report and recommendations. Brian Bieda motioned to recommend approval to the Board of Appeals Case #MA-BOA-2025-01 for the Home-based Daycare business under the applicant Danielle Griffith, located at 1810 Castle Green Circle, Mount Airy, MD. With the exceptions of the plat survey and the fencing, verifying these 25-foot stipulations in the zoning code, and the H.O.A. approval. Martina Hatley seconded the motion. Vote: All in favor, none opposed.
- **The Hair Impressions Boutiques Addition** - Possible approval of the proposed building and rear entrance addition. An ADA-compliant sidewalk and ramp access to the Hair Impression located off Ridgeville Blvd are included. (*Possibly eligible for a Simplified Site Plan through the Carroll County Government Bureau of Development Review.*) John Breeding presented the staff report and recommendations. Ralph Ghent motioned that the planning commission approve the single-story boutique addition and handicapped entrance addition with the following conditions. 1. The applicant would need to apply for all building permits through Carroll County for all permits that might be required. 2. To meet all the requirements of the state, county, and town through the permit process. 3. To relocate the four existing handicapped parking spaces to meet ADA requirements. 4. The exterior finishes and elevations should match the existing building. 5. Record the cross-access easement with the adjacent business, the funeral home, with the Carroll County Land Records, before receiving approval from the town for this building permit. Martina Hatley seconded the motion. Vote: All in favor, none opposed.

## 7. REPORTS/OTHER BUSINESS/FUTURE ITEMS

- **Council Liaison Report** – Sean Kelly is the new Council Liaison for the Planning Commission. Councilman Kelly updated the Commission on the May 05, 2025, Town Council Meeting.
- **Zoning Administrator Report** - The Town Zoning Administrator approved 23 permits for April 2025, generating \$705.25 in revenue.
- **Next Planning Commission Meeting Date**  
The next meeting will be on Monday, June 30, 2025, at 7:30 p.m. at the Town Hall.

8. ADJOURNMENT

- Chairman Ralph Ghent adjourned the planning commission meeting at 9:35 p.m.

Submitted by Chairman Ralph Ghent

A handwritten signature in black ink, appearing to read 'R. Ghent', written over a horizontal line.

Signature

Prepared by Debra Clinton

**FENCE CONSTRUCTION PERMIT**

Permit Fee: \$15.00

Town of Mount Airy, PO Box 50, Mount Airy, MD 21771  
Phone: 301-829-1424 Web Page: www.mountairymd.gov

Location: 1810 Castle Green Circle Phone: 240-475-1828

Property Owner: Danielle Griffith Email: \_\_\_\_\_

Contractor's Name: Frederick Fence

Address: 1505 Tilco Drive, Frederick MD 21704

Telephone: 800-493-3623 Email: \_\_\_\_\_

Fence Description: Type (picket, solid, split Rail)  
Aluminium Fencing

PAID  
TOWN OF MOUNTAIRY  
JUN 26 2025

Front Yard Height: 0 Side Yard Height: 0 Rear Yard Height: 5'

MISS UTILITY Contacted: Yes  Yes  No If yes when: Must call prior to dig

Information Needed to Process:  
Site Plan with fence location designated, Easement Agreement, and Payment: \$15.00

I/We are aware of the fencing regulations for the Town of Mount Airy as stated below and will construct a fence according to these regulations:

Date: 6/26/2025 Signature: See Email Application

**CHAPTER 112 ZONING, ARTICLE IV, § 112-33. Fencing. [Amended 3-3-2003 by Ord. No. 2003-5]**

- A. **Permit Required:** A permit shall be obtained prior to the construction of a fence in residential zones.
- B. **Front Yard Area Regulations:** Fences up to 42 inches in height are permitted in front yard areas on the front lot line and side lot lines but shall not be closer than 12 inches to any existing or planned sidewalk location. Fences shall be designed to permit visibility through the fence and shall be no more than 50% opaque.
- C. **Side and Rear Yard Area Regulations:** In side and rear yard areas, fences may be located on the side and rear of lot lines. The fence material shall be no more than six feet in height, and maybe 100% opaque to provide for privacy. Installed, the fence shall not exceed six feet six inches in height.
- D. **Setback from Driveways:** Fences shall be no closer than 5 feet to the edge of the pavement of a driveway.
- E. **Homeowners' Association:** It is the homeowner's responsibility to have his or her fence approved by his or her homeowners' association where applicable. A permit from the Town does not negate a homeowners' association's covenants and/or restrictions.

**Fence Easement Agreement MUST be signed for all fence permits.**

Issued By: [Signature] Date: 7-1-25  
Zoning Administrator

Compliance: \_\_\_\_\_ Date: \_\_\_\_\_  
Code Enforcement Specialist

For questions or clarification, please contact the Town of Mount Airy  
Permits Department at (301) 829-1424



LARRY HUSHOUR  
Mayor

TIM WASHABAUGH  
Council President



Council Member,  
LINDA GALLETT  
Secretary

KARL L. MUNDER  
STEPHEN L. TOMSTOR

### FENCE EASEMENT AGREEMENT

While the Town of Mount Airy Zoning Code allows property owners to erect fences, at their own risk there are caveats attached to permitting this use. Ensure the fence will be on your property.

- Excavation may not cause damage to existing utilities located in the easement.
- The fence must not cause a drainage or sediment control problem.
- Town of Mount Airy may enter the property and make use of the easement area for grading and/or the installation or repair of utilities.
- Town of Mount Airy may enter the property and remove the fence if the fence violates one of the above provisions.

**THE COST OF REPAIR RESULTING FROM ANY DAMAGE TO UTILITIES LOCATED IN THE EASEMENT OR THE COST OF REMOVAL OF THE FENCE BY THE TOWN OF MOUNT AIRY WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.**

Danielle Griffith  
Witness

Paul Ann      6/25/25  
Signature      /      Date

For questions or clarification, please contact the Town of Mount Airy  
Permits Department at (301) 829-1424

**Applicant:**

Yes, I will work on that and get it back to you this evening.

I had my zoning planning meeting last night with the Town of Mount Airy. There is some confusion with the fencing requirements with their zoning codes and I said I would reach out to you to find out what the State of Maryland or Carroll County requires for fencing. Thank you for any information you can provide.

Danielle Griffith

**State of Maryland:**

We only require fencing if there is a potential hazard to children. I won't know that until I inspect.

Sincerely,



**Lisa Warner**

**Licensing Specialist**

**Division of Early Childhood/Office of Child Care**

O: (410) 549-6498

[Lisa.Warner@maryland.gov](mailto:Lisa.Warner@maryland.gov)

1643 Liberty Road, Suite 205  
Eldersburg, Maryland 21784

[marylandpublicschools.org](http://marylandpublicschools.org)



**Applicant:**

Hello,

I am a current resident of the Nottingham Community in Mount Airy. I am working on obtaining my license to open a Family Daycare in my house. I am meeting with the Mount Airy Zoning Committee on Monday May 19th to prepare for my zoning approval. They are requiring me to get approval from the HOA to go through the process. I was wondering if you could assist me with written approval that I can send to the Zoning Board. Please let me know, thank you.

Danielle Griffith  
1810 Castle Green Circle  
Nottingham Neighborhood  
240-475-1828

**Nottingham H.O.A.:**

Hi,

Daycares are allowed in the HOA as long as you have all of the permits. It is noted in the HOA bylaws.

I am not sure what to provide you otherwise. Others have one in the community as well, or have had, in the past.

Thanks!  
Allison

*Allison Meador, CMCA® AMS®*

Community Association Manager

Clagett Management, Inc.

Real Estate Broker

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**Child Care Scholarship Freeze**

Starting May 1, 2025, the Child Care Scholarship (CCS) Program will temporarily stop issuing scholarships to new families.

[LEARN MORE](#)

## Licensing Orientations



Are you interested in opening a child care program in Maryland?

To become a child care provider you first need to decide if you want to open a business in your home or if you want to create a center-based business. Below is a definition of each type of business:

- **Family Child Care** – You may provide care for up to 8 children in your home
- **Large Family Child Care** – You may care for up to 12 children in your home
- **Child Care Center** – You may provide care in a facility outside of your home that is zoned to be used as a child care center. The number of children you serve is dependent upon the square footage of the building.

Your first step is to complete the mandatory online orientation. Mandatory second orientation sessions are conducted by the Office of Child Care's Regional Licensing Offices. Anyone planning to open a child care home or center must also attend a second orientation at their Regional Licensing Office. Contact your regional office for information on licensing requirements and the schedule of upcoming sessions.

On-line Orientation

Carroll County 410-750-8771

Region	City/County	Phone Number
1	Anne Arundel County	410-573-9522
2	Baltimore City	667-354-5178