

# Howard County Schedule of Hearings Before the Board of Appeals August 1, 2017

BA - Board of Appeals Hearing:

PB - Planning Board Meeting:

All meetings and hearings are held on the first floor of

3430 Courthouse Drive, Ellicott City, MD 21043

Telephone: (410) 313-2350

Key-

V - Variance

C - Conditional Use

D - Departmental Appeal

BA - Board of Appeals

TBS - To Be Scheduled

S - Sign Case

N - Nonconforming Use (NCU)

PB - Planning Board

WS - Work Session

**HEARINGS SCHEDULED @ 6:30 P.M.**

CASE #

PETITIONER

DATE OF HEARING

NONE

**HEARINGS TO BE SCHEDULED**

CASE #

PETITIONER

DATE OF HEARING

BA 740-D

Alan & Garalyn Magan (LeWinter)

Appeal of a decision of the Planning Board approving the Final Plan in PB 426, Ten Oaks Farm, F-16-123, for 6 single family lots on 20.12 acres (5020 Ten Oaks Road, Clarksville, MD)

BA 739-D

Denise Cortis (Taylor)

Appeal of a decision of the Planning Board approving the Preliminary Development Plan in PB 418, for 13 SFD lots and 5 open space lots, on 8.55 acres owned by Charles T. Lacey, et al. (3538 Church Road)

BA 741-D

Scott Pascucci

Appeal of Animal Matter Hearing Board decision nos. 15-059, 060 & 077

**PENDING DECISION**

CASE #

PETITIONER

BA 15-026C

Streaker Firewood, LLC. (Meachum)

10/27/16

**ZK**

Conditional Use for bulk firewood processing (13300/13370 Route 144, West Friendship, MD)

**(appeal of Hearing Examiner's decision of denial)**

BA 724-D

Bruce & Ruth Altschuler (continued)

5/11/17

Appeal of a Planning Board denial dated 2/4/16 to adjust the accessory structure setback requirement for the existing radio antenna to remain in its present location.

(7308 Silent Bird Ct., Columbia, MD)

**(appeal of Hearing Examiner's decision of denial)**

**PENDING DECISION (continued)**

<b><u>CASE #</u></b>	<b><u>PETITIONER</u></b>	
BA 16-031V BL	<u>Greenleaf Builders, LLC.</u> (Meachum) Residential variance to reduce the setback for a principal structure From a public street right-of-way from 75' to 25. (11855 Lime Kiln Road) <b>(appeal of Hearing Examiner's decision of approval by Andrew Atwell)</b>	6/12/17
BA 16-032V BL	<u>Greenleaf Builders, LLC.</u> (Meachum) Residential variance to reduce the setback for a principal structure from a public street right-of-way from 75' to 23.3' (11859 Lime Kiln Road) <b>(appeal of Hearing Examiner's decision of approval by Andrew Atwell)</b>	6/12/17
BA 727-D	<u>Tiru Liang, Alan Schneider &amp; King Lin</u> Appeal of DPZ's May 4, 2016 Mylar final signature approval of SDP-14-059 for the Donaldson Funeral Home. <b>(appeal of Hearing Examiner's decision to Dismiss)</b>	6/27/17

**DECISIONS MADE**

<b><u>CASE #</u></b>	<b><u>PETITIONER</u></b>	
BA 15-024C&V BL	<u>Naresh C. Das</u> (Oh) Conditional use for a religious facility to construct a 2,000 sq.ft. Hindu prayer hall for use by the Jagannauth Temple of North America and variance to reduce the use setback from lot lines to accommodate a proposed driveway (2028 Millers Mill Road, Woodbine) <b>(appeal of Hearing Examiner's decision of denial)</b>	DENIED 7/27/17

**UNSCHEDULED DOCKET**

<b><u>CASE #</u></b>	<b><u>PETITIONER</u></b>	<b><u>Date Placed on USD</u></b>
BA 722-D	<u>Paul S. DiMarco</u> (Oh) Appeal of the denial by DPZ of WP 16-065 & subsequent e-mail refusing to Reconsider such denial. 16.3 acres on Underwood Road, West Friendship <b>(appeal of Hearing Examiner's decision of denial)</b>	3/28/17
BA 732-D	<u>Woodbine/Brantley, LLC.</u> (Talkin) Appeal of a decision of the Hearing Examiner to dismiss BA 07-020C, Woodbine/Brantley (which was on the Unscheduled Docket since January, 2008) for age-restricted Housing (15850 Old Frederick Road) <b>(Appealing Admin. Dismissal by the Hearing Examiner)</b>	5/9/17
BA 718-D	<u>Two Farms, Inc.</u> (Oh) Appeal of the Planning Board denial of SDP 14-013 for one commercial Lot on 3.81 acres zoned NT for construction of a gas station, convenience Store and car wash (9585 Snowden River Parkway) <b>(Appealing Admin. Dismissal by the Hearing Examiner)</b>	5/15/17

**BOARD OF APPEALS CASES ON APPEAL TO COURT**

BA 13-033C

Al-Huda, Inc., t/a Dar-Us-Salaam

Conditional Use for structures used primarily for religious activities,  
child day care center and private academic school  
(14196 Frederick Road)

**Appeal to Circuit Court filed 3/11/16 by Al-Huda, Inc., ta/ Dar-us-Salaam****Record filed in Circuit Court 5/17/16****Order by Circuit Court affirming Board of Appeals Decision – 10/11/16****Appeal filed with Court of Special Appeals (11/10/16)****APPEAL DISMISSED BY APPELLANT - 7/21/17**

**Howard County Schedule of Hearings  
Before the Hearing Examiner  
August 1, 2017**

**HEARINGS SCHEDULED**

<u>CASE #</u>	<u>PETITIONER</u>	<u>DATE OF HEARING</u>
BA 16-034C BL	<u>Glenelg Country School</u> (Erskine) ( <b>continued</b> ) Conditional use to modify and expand existing private school (12793 Folly Quarter Road, Ellicott City)	8/10/17 6:00 p.m.
BA 16-036C&V BL	<u>Miller Family Trust</u> (Jonathan & Sonya Miller, Trustees) & <u>Shady Acres Lane, LLC.</u> (Erskine) Conditional use for home based contractor and variance to reduce the bulk regulations 20' minimum use setback from lot lines (10430 Shady Acres Lane, Laurel, MD)	CONTINUED TBS
BA 17-006C&V	<u>Locust United Methodist Church</u> (Coale) Conditional use for existing religious facility to add an addition and to expand the parking lot and variances to allow modifications (6821, 6851 & 6841 Martin Road, Columbia) <i>(postponed from 7/17/17 at request of H.E.)</i>	8/17/17 6:00 p.m.
BA 743-D	<u>Alan &amp; GERALYN Magan</u> (LeWinter) Appeal of DPZ approval of F-16-123 (PB 426) for the final Subdivision of Ten Oaks Farm in a letter dated 5/17/17 From Kent Sheubrooks	9/14/17 9:30 a.m.
BA 17-012C	<u>Chad Zirk</u> (Coale) To modify conditions of approval in BA 16-016C&V, Chad Zirk, which was approved by the Hearing Examiner on 12/23/16 for a landscape contractor conditional use and related variances to include a SFD residence (2060 Woodbine Road)	9/19/17 6:00 p.m.
BA 17-013V	<u>James Foster</u> (Meachum) Variance to reduce the setback from a collector right-of-way from 75' to 45' for a house (11745 Frederick Road, Ellicott City)	9/25/17 9:30 a.m.

**CASES TO BE SCHEDULED**

<u>CASE #</u>	<u>PETITIONER</u>	<u>DATE OF HEARING</u>
BA 744-D	<u>Sara Domerchie</u> (Holzer) Appeal of DPZ letter dated May 24, 2017 re: CE 17-89, Manor Hill Brewery, commercial activity in residential neighborhood (4851 Manor Lane, Ellicott City)	

**PENDING DECISION**

<b><u>CASE #</u></b>	<b><u>PETITIONER</u></b>	<b><u>HEARING HELD</u></b>
BA 17-009C	<u>S&amp;C Realty, LLC &amp; Animal Medical Hospital at Glenwood, Inc.</u> Conditional use for an animal hospital, kennel and pet grooming Establishment; 2892 McKendree Road, Glenwood	6/26/17 6:00 p.m.
BA 735-D	<u>Science Fiction, LLC.</u> (Meachum) (continuation) Appealing the Planning Board decision not to add a liquor store as a permitted use for FDP-117-A-III, Seiling Ind. Center (Wegmans Food Markets) 8855 McGaw Rd., Columbia	7/20/17 9:30 a.m.
BA 17-005V	<u>John L. Day</u> Residential variance to increase the required lot coverage of 600 sq.ft. for accessory structure (8085 Savage Guilford Road, Jessup)	7/24/17 4:30 p.m.

**DECISIONS MADE**

<b><u>CASE #</u></b>	<b><u>PETITIONER</u></b>	
BA 16-026C <b>ZK</b>	<u>F. Maxine Walker</u> (Adams) (continuation) To modify conditions of approval in BA 09-035C, Robert & F. Maxine Walker, which was approved on June 5, 2012 for a Limited Outdoor Social Assemblies and Antique Shop Conditional Use (3666 Jennings Chapel Road, Woodbine)	APPROVED 7/10/17
BA 17-003V	<u>Waverly Investors, LLC.</u> (Reuwer) Non-residential variance to reduce the required setbacks from external street and side to residential district (8159 Lark Brown Road)	APPROVED 7/10/17
BA 734-D	<u>Luis Felicio</u> (Springmann) Appeal of the decision of the Dept. of Planning and Zoning to deny the confirmation of a non-conforming use for motor vehicle towing/storage on CE-CLI zoned property (NCU-16-006) (9757 Washington Blvd., Laurel, MD)	DENIED 7/19/17
BA 737-D	<u>Robert H. Flathman</u> Appealing NCU 16-001 – DPZ denial of motor vehicle storage Use as NCU dated 11/30/16 (7009 Brookdale Drive, Elkridge)	DENIED 7/19/17
BA 17-002S	<u>Service Neon Signs, Inc. – Richard W. Pepper</u> Variance to reduce the required 40-foot setback for a 24.7 square foot freestanding ID sign, 20' in height, to be located 27' from Washington Blvd. (US Rt. 1) and 26 feet from New Montevideo Road (CVS Pharmacy) (7105 New Montevideo Road, Jessup)	APPROVED 7/20/17
BA 17-007V	<u>Charles Lewis, Jr.</u> (Springmann) Residential variance to reduce the side setback from vicinal properties to 3.4 feet and increase the maximum cumulative lot coverage for detached accessory structures to 1,319 square feet for a detached accessory garage (2938 Rogers Avenue, Ellicott City)	APPROVED 7/18/17

BA 16-028C&V ZK	<u>Marty A. Howard (Farrar)</u> Conditional use for an expansion of an existing Conditional Use for a Landscape contractor to include the addition of 2 existing buildings and a parking lot and related variances. (8045 Hunterbrooke Lane, Fulton)	DENIED 7/31/17
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**CASES IN PRESUBMISSION REVIEW****Date requested for more info:**

<u>CASE #</u>	<u>PETITIONER</u>
BA 14-004S	<u>ZDR Food Service, Inc. (Kurlander)</u> Sign variance for two freestanding ID signs: Sign A: 30 square feet Sign B: 50 square feet Both 10 feet from Baltimore National Pike ROW (9445 Baltimore National Pike)
BA 15-007S	<u>MMGMB, LLC (Alan &amp; Philip Margolis)</u> Sign variance for a 50 sq.ft. freestanding ID sign, 10 feet in height, to be located 10 feet from Washington Road (3060 Washington Road, Glenwood)
BA 17-002C&V	<u>Michael Fitzpatrick</u> Conditional Use for a home-based contractor & variance for accessory structure (11910 Emerald Court)
BA 17-004C	<u>PMIG 1027, LLC. (Lynch)</u> Conditional use for a motor vehicle fueling facility with convenience store and car wash (9320 Baltimore Nat'l Pike, Ellicott City)
BA 17-001S	<u>Krista Wilson/Fastsigns Arbutus</u> To reduce the required setback for 60 sq.ft. freestanding ID sign, 5'11" in height (6600 Amberton Drive)
BA 17-014C	<u>Vertical Bridge Development II, LLC</u> Conditional Use for a Communication Tower – 150' tall telecommunications monopole and accessory equipment and back-up generator, to be located in a fenced-in compound (3075 Route 32, West Friendship)
BA 17-015V	<u>Mark D. Thornton</u> Residential variance to reduce the 10 foot side setback to 5.8 feet for a proposed garage and to increase the maximum 600 square foot lot coverage to 1,180 sq. feet. (7910 Savage Guilford Road, Jessup, MD)
BA 17-016C	<u>Robert Shahverdian</u> Conditional Use for a Temporary Accessory Family Dwelling, 600 Sobrina Farms Court, Woodbine
BA 17-018C	<u>Elm Street Development (Erskine)</u> Conditional Use for an age-restricted adult housing (238 units) 9891 Route 99, Ellicott City

**CASES IN PRESUBMISSION REVIEW (cont.)****Date requested for more info:**

<b><u>CASE #</u></b>	<b><u>PETITIONER</u></b>
BA 17-019V	<u>Bruce &amp; Nancy Menz</u> (Coale) Residential variance to increase the maximum cumulative lot coverage for accessory structures from 2,200 square feet to 3,128 square feet to accommodate a 950 square foot addition (1771 S. Underwood Road, Sykesville)
BA 17-020C	<u>Elisa Kamens</u> (Coale) Conditional Use for a pet day care facility (4807 Manor Lane, Ellicott City)
BA 17-021C&V	<u>Countryside Doggy Day Care, LLC.</u> (Baker) Conditional Use for a pet day care facility in R-20 and related non-residential variances to reduce the 30 foot rear setback to 10 feet and to reduce the 20 foot use setback to 0 feet (4882 Montgomery Road, Ellicott City)

**HEARINGS UNSCHEDULED**

<b><u>CASE #</u></b>	<b><u>PETITIONER</u></b>	<b><u>Date Placed on List</u></b>
CE 14-24	<u>Jonathan &amp; Sonya Miller – 10430 Shady Acres Lane</u> Code Enforcement Citation – Maintenance of a contractor’s business including storage of related vehicles, equipment, and materials on R-20 (Residential:Single) zoned property (waiting for ZRA to be processed)	4/1/15
BA 595-D	<u>Rhonda and Barry Downey</u> Appealing disputes related to property, access and subdivision plat 410 Morgan Station Road, Woodbine (Arbitration Case pending in Court of Special Appeals)	
BA 730-D	<u>The Lyndwood Association, Inc.</u> (Zaller) Appeal of an administration decision by DPZ/Development Engineering, to approve a red-line revision to SDP 02-055 at the request of Hearthstone at Timbers Condominium, Inc. aka The Courtyards at the Timbers; DPZ letter dated 4/29/16 (16.375 acres adjacent to MD Route 103-Meadowridge Road)	3/1/17
CE 16-095	<u>Dar Al Taqwa Incorporated</u> Code Enforcement Citation – violation has not been abated Development is not in compliance with the approved Site Development Plan SDP-02-004 & BA 94-037E & BA 09-011C. (10740 Route 108, Ellicott City)	5/25/17
BA 742-D	<u>7075 Cedar, LLC.</u> (Oh) Appeal of denial of WP-17-085, Lennox Park, dated 4/6/17, which required SDP approval for 0.53 acres, Lennox Park, SE of Cedar Avenue	6/8/17
BA 17-011N	<u>Paul Saiz, t/a Bolder Restaurant</u> Nonconforming use to expand a restaurant to enlarge the kitchen, add a new outdoor roof structure and to increase the number of seats from 30 to 70 (17004 Frederick Road, Mt. Airy, MD)	6/29/17

## Howard County Schedule of Hearings Before the Zoning Board August 1, 2017

ZB - Zoning Board Hearing:  
PB - Planning Board Meeting:  
All meetings and hearings are held on the first floor of  
The George Howard Building  
3430 Courthouse Drive, Ellicott City, MD 21043  
Telephone: (410) 313-2350

Key  
R - Regulation Amendment  
M - Map Amendment  
TBS - To Be Scheduled  
SRC - Subdivision Review Committee  
PB Rec. - Planning Board Recommendation  
WS - Work session - Council Conference Room  
ZB - Zoning Board

### HEARINGS/MEETINGS/WORKSESSIONS SCHEDULED

<u>CASE #</u>	<u>PETITIONER</u>	<u>PB</u>	<u>ZB</u>
ZB 1109M	<u>Bozzuto Homes, Inc.</u> (Oh) AZM: to rezone 3.7 acres from RR-DEO to R-SA-8. (11475 Route 216, Fulton, MD)	5/25/17	9/12/17 6:00 p.m.
CEF Proposal	<u>Elm Street Development</u> (Erskine) Initial Community Enhancement Floating District plan To rezone a 34.9 acre property (Roberts Property) to CEF-R for residential development 6767 Washington Blvd., Elkridge <b>(Informal review of their initial CEF Development Concept Plan &amp; Criteria at a public meeting before the Zoning Board)</b>		9/27/17 6:00 p.m. <b>ZB Initial Meeting</b>
ZB 1111M	<u>Maple Grove at St. Johns, LLC</u> (Oh) AZM: to rezone 10.85 acres from POR, R-12 & R-20 to R-A-15 with site plan documentation (9011, 9060, 9061, 9071 & 9081 Upton Road, Ellicott City)	9/7/17	

### PENDING DECISIONS:

<u>CASE #</u>	<u>PETITIONER</u>		<u>DATE OF HEARING</u>
ZB 1105M <b>ZK</b>	<u>Chapelgate Presbyterian Church</u> (Oh) (continued) AZM: from R-20 (Residential) to CEF-M (Community Enhancement Floating-Mixed Use) zoning district – 61.83 acres (2600 Marriottsville Road, Marriottsville)	10/2/14	6/26/17 Closings/Deliberation
ZB 1112M	Howard Research and Development Corp. <u>(Lang Miller &amp; Assoc.)</u> (Meachum) Redevelopment of Grandfather's Nursery To increase the density of the NT district from 2.3727 dwelling units to 2.3808 dwelling units per acre 5320 Phelps Luck Drive, Columbia-assign 19 units 11608 Little Patuxent Parkway – assign 1 unit	5/4/17	7/19/17



ZB 1113M      Howard Research and Development Corporation,  
 (Clary’s Forest Ltd. Part.) (Scherr)      5/4/17      7/19/17  
 In conjunction with ZB 1112M, HRD (Land Miller & Assoc) for an amendment to a Preliminary Development Plan to increase the # of dwelling units permitted in NT by 1 dwelling unit to permit an existing office unit to be used as an apartment unit in the Poplar Glen Apartment Dev.

**CASES TO BE SCHEDULED**

<u>CASE #</u>	<u>PETITIONER</u>	<u>DATE OF HEARING</u>
CEF Proposal	<u>Shelter Development, LLC.</u> (Coale) Initial Community Enhancement Floating District plan To rezone property to CEF-M for development of Brightview Independent Living and Assisted Living Residence 6680 Martin Road, Columbia, MD 21044 <b>(Request by Petitioner for informal review of their initial CEF Dev. Concept Plan &amp; Criteria at a public meeting before the Zoning Board)</b>	Zoning Meeting Completed 7/26/17

**DECISION MADE**

<u>CASE #</u>	<u>PETITIONER</u>	<u>HEARING HELD</u>
None		

**UNSCHEDULED DOCKET**

<u>CASE #</u>	<u>PETITIONER</u>	<u>HEARING HELD</u>
ZB 1085M ZK	<u>Kit Kat Road Partners II, LLC</u> (continued) AZM: To apply the Solid Waste Overlay District to this property which is currently zoned M-2. Northwest of Kit Kat Road, south of US 1. (7167 Kit Kat Road)	

**ZB CASES IN PRESUBMISSION REVIEW:**

ZB 1114M	<u>Caltabiano Family, LLC.</u> (Coale) AZM: to rezone 0.316 acre strip between two B-1 parcels from R-20 to B-1 – between 9469 & 9525 Baltimore National Pike, Ellicott City	
CEF Proposal	<u>Erickson at Limestone Valley</u> (Erskine) Initial Community Enhancement Floating District plan To rezone 62.709 acres to CEF-M for development of a continuing care retirement community and to permit the expansion/relocation and architectural enhancement of the existing Freestate Gasoline Service Station (SW corner of MD 108 & Sheppard Lane, Clarksville)	

## Schedule of Hearings Before the Howard County Council for Amendments to the Zoning Regulations August 1, 2017

CC - County Council Public Hearing:

**PB - Planning Board Meeting: Held @ 7:00 p.m.**

All meetings and hearings are held on the first floor of

3430 Courthouse Drive, Ellicott City, MD 21043

Telephone: (410) 313-2350

### Key

R - Regulation Amendment

TBS - To Be Scheduled

\* To be Televised, Cable 15

PB Rec. - Planning Board Recommendation

WS - Work session - Council Conference Room

CC - County Council

CB - Council Bill

<b>HEARINGS SCHEDULED</b>	<b>PB</b>	<b>PREFILE</b>	<b>INTRO</b>	<b>PUBLIC</b>
<b><u>CASE</u>      <u>PETITIONER</u></b>	<b><u>DATE</u></b>	<b><u>DATE</u></b>	<b><u>DATE</u></b>	<b><u>HEARING</u></b>
ZRA 158 <u>Jon Weinstein, Councilperson</u> To amend Section 128: Supplementary Zoning District Regs. to permit density from potential infill lots in R-20, R-12 & R-ED to be sent to R-SA-8, R-A-15, R-APT and CAC under certain circumstances.	5/19/16			
ZRA 169 <b>CB 53-2017</b> <u>Warren H. Boyer (Erskine)</u> To amend Section 128.0.D in order to provide 1) that modular office buildings may be used as part of a CU Plan; 2) to provide that office trailers may be converted into modular office buildings; and 3) to provide that in all zoning district, a storage of refuse container may be used with certain conditions imposed.	9/1/16	5/25/17	6/5/17	6/19/17 <b>TABLED 7/3/17</b>
ZRA 171 <b>CB 31-2017</b> <u>Olenka Stasyshyn (Oh)</u> Amend Section 131.0. to add a conditional use for "School Instructional" that would be permitted for properties adjoining a non-residential zoning district or an existing conditional use in R-20 district	12/15/16	n/a	4/3/17	4/17/17 <b>Approved 6/5/17</b> <b>Effective 8/16/17</b>
ZRA 173 <u>Christopher J. Alleva</u> Amend Section 130.0.A.3. to clarify and define "aggrieved person" in the Zoning Regulations	8/3/17			
ZRA 177 <u>Valdis Lazdins, Director, DPZ (Johnson)</u> Clarifying requirements of Final Development Plans in that an approved FDP supersedes and embodies an approved Comprehensive Sketch Plan.				
ZRA 178 <u>K2 Properties, LLC. (Coale)</u> Add "hotels, motels, country inns and conference centers" as a matter of right in the B-1 district & to amend the definition of "hotel or motel" to allow for extended stays, not exceeding 6 months	8/3/17			

**HEARINGS SCHEDULED (continued)**

<u>CASE</u>	<u>PETITIONER</u>	<u>PB DATE</u>	<u>PREFILE DATE</u>	<u>INTRO DATE</u>	<u>PUBLIC HEARING</u>
ZRA 179	<u>David Moxley (Erskine)</u> To amend Section 127.6 (Traditional Neighborhood Center) to provide for expansion of certain permitted uses and to modify and clarify the bulk regulations for properties in the Route 40 Corridor and to provide appropriate regulations for redevelopment of property with substantial existing structures and uses.	TBS			
ZRA 180 <b>CB 60-2017</b>	Valdis Lazdins, Director of DPZ for Allan Kittleman, County Executive; <u>Mary Kay Sigaty and Greg Fox, Councilmembers</u> To amend various sections of the Zoning Regulations to address concerns related to potential large scale mulch and composting facilities in Western Howard County.	5/25/17	6/22/17	7/3/17	7/17/17 <b>TABLED 7/26</b>
ZRA 181 <b>CB 59-2017</b>	<u>Jon Weinstein, Councilperson (Johnson)</u> To amend Section 131.0 of the Zoning Regulations to allow Country Inn Conditional Uses in the R-VH Zoning District Under certain circumstances	6/15/17	6/22/17	7/3/17	7/17/17 <b>Approved 7/26/17</b> <b>Effective 9/26/17</b>