

Howard County Schedule of Hearings Before the Board of Appeals December 15, 2016

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.

<u>CASE #</u>	<u>PETITIONER</u>	<u>DATE OF HEARING</u>
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) (appeal of Hearing Examiner's decision of denial)	CONTINUATION 1/19; 1/24 & 1/26
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 (appeal of Hearing Examiner's decision of denial)	4/13/17 (postponed from 12/8)

HEARINGS TO BE SCHEDULED

<u>CASE #</u>	<u>PETITIONER</u>	<u>DATE OF HEARING</u>
BA 724-D	<u>Bruce & Ruth Altschuler</u> 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)	TBS
BA 727-D	<u>Tiru Liang, Alan Schneider & King Lin</u> Appeal of DPZ's May 4, 2016 Mylar final signature approval of SDP-14-059 for the Donaldson Funeral Home. (appeal of Hearing Examiner's decision to Dismiss)	TBS

HEARINGS TO BE SCHEDULED (continued)

<u>CASE #</u>	<u>PETITIONER</u>	<u>DATE OF HEARING</u>
BA 731-D	<u>Dr. Jeffrey A. Schaler</u> Appeal of a decision by the Animal Matters Hearing Board dated May 17, 2016 (AMB CASE NO. 16-017 –Citation #12934) Hearing to be “on the record”	TBS
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)	TBS

PENDING DECISION

<u>CASE #</u>	<u>PETITIONER</u>	
BA 702-D	<u>AMHA, LLC. & British American Building, LLC.</u> (K. Taylor) Appeal of a letter from DPZ to Two Farms, Inc. dated 2/11/14 approving request to waive Subsection 16.119(f)(1) of the Subdivision Regulations as it applied to plans for Royal Farms Store #186 & Canton Car Wash (WP 14-080) (Appeal by Kathryn Taylor, Esq. of the Hearing Examiner Dismissal)	To be Dismissed 9/8/15
BA 708-D	<u>Laura “Nuit” Hansgen</u> Appeal of the denial by DPZ for a non-conforming use in NCU 14-004 (15912 Frederick Road, Lisbon, MD)	12/10/15
BA 15-026C ZK	<u>Streaker Firewood, LLC.</u> (Meachum) Conditional Use for bulk firewood processing (13300/13370 Route 144, West Friendship, MD) (appeal of Hearing Examiner’s decision of denial)	10/27/16
BA 14-022C BL	<u>Two Farms, Inc.</u> (Oh) Conditional use for a gasoline service station (8268 Lark Brown Road, Columbia) (appeal of Hearing Examiner’s decision of denial)	11/22/16

DECISIONS MADE

<u>CASE #</u>	<u>PETITIONER</u>	
BA 14-018C	<u>Elisa Kamens (Oh)</u> Conditional Use for a pet day care facility (4807 Manor Lane, Ellicott City) (Motion for Reconsideration Filed 12/7/16)	DENIED 11/22/16

BOARD OF APPEALS CASES ON APPEAL TO CIRCUIT COURT

- BA 10-001C Donaldson Funeral Home, (Oh)
 H32 Conditional use for a funeral home.
 ZK West of Route 108, about 1600' south of Ten Oaks Road intersection with Rt. 108.
 (12540 Clarksville Pike)
 Circuit Court affirmed Board of Appeals Decision of Approval
 Court of Special Appeals affirmed BOA Decision of Approval – 7/20/16
 Reconsideration filed to Court of Special Appeals by Opposition
 Order by Ct. of Special Appeals denying Reconsideration Request – 9/28/16
 Writ of Certiorari filed in Court of Appeals of Maryland on October 13, 2016.
 Appeal pending in Court of Appeals
- 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)
- BA 14-005C AT&T Mobility (Rapisarda) (Continuation)
 BL New telecommunications monopole with related equipment and ground
 compound; 12200 Scaggsville Road
 Appeal to Circuit Court filed 4/4/16 by Viram Patel
 Partial record filed in Circuit Court on 8/5/16
 Order dated 11/7/16 - Board of Appeals Decision Affirmed by Circuit Court
 (Motion to Dismiss granted)

**Howard County Schedule of Hearings
Before the Hearing Examiner
December 15, 2016**

HEARINGS SCHEDULED

<u>CASE #</u>	<u>PETITIONER</u>	<u>DATE OF HEARING</u>
BA 16-033V BL	<u>Triangle Route 108 Associates, LLC.</u> (Gontrum) Residential variance to reduce the required 30' structure setback to 8' for retaining wall along Columbia Road; and to reduce the required 50' apartment setback to 34.4' for the building at northern boundary and to 20.3' for buildings along eastern boundary of site (9562-9598 Old Route 108, Ellicott City)	12/19/16 9:30 a.m.
BA 16-003C BL	<u>Holly House Farm LLC & Samuel Clements</u> (Erskine)(continued) Conditional Use for a home based contractor (3408 Folly Quarter Road, Ellicott City)	1/9/17 6:00 p.m.
BA 733-D	<u>Rainmaker Development, Inc.</u> Appeal of AA 16-010 – 2225 Millers Mill Road (Brian & Andrea Furlong & Celestino Torres, Petitioners) To reduce setbacks to construct a SFD, which was approved in DPZ's D&O dated 9/26/16.	1/12/17 9:30 a.m.
BA 16-034C	<u>Glenelg Country School</u> (Erskine) Conditional use to modify and expand existing private school (12793 Folly Quarter Road, Ellicott City)	1/23/16 6:00 p.m.
BA 16-035V BL	<u>Michael & Caroline Boosalis</u> (Meachum) Variance to reduce the setback for a principal structure from a collector street right-of-way from 75' to 32' (12090 Hall Shop Road)	1/30/17 5:00 p.m.
BA 16-022C&V ZK	<u>Christ Memorial Presbyterian Church</u> (Meachum) Conditional use for an existing religious facility and approval of a proposed expansion and related variances. (6410 Amherst Avenue)	1/30/17 6:00 p.m.
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)	2/2/17 9:30 a.m.
BA 16-036C&V	Miller Family Trust (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)	2/6/17 6:00 p.m.
BA 735-D	<u>Science Fiction, LLC.</u> (Meachum) 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	2/9/16 9:30 a.m. (all day hearing)

HEARINGS SCHEDULED (continued)

<u>CASE #</u>	<u>PETITIONER</u>	<u>DATE OF HEARING</u>
BA 16-012C	<u>BP Gas Station</u> (Chun) Conditional Use for office space in existing auto repair shop (8720 Baltimore Nat'l Pike, 21043)	2/13/17 6:00 p.m.
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)	2/23/17 9:30 a.m.
BA 16-027C ZK	<u>Richard Waskey, Trustee for Windsor Mill Gospel Hall, Inc.</u> Conditional use for a religious facility (10002 Reed Lane)	2/27/17 6:00 p.m. (CONTINUED)
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)	3/16/17 9:30 a.m. (CONTINUED)

CASES TO BE SCHEDULED

<u>CASE #</u>	<u>PETITIONER</u>	<u>DATE OF HEARING</u>
BA 16-024C	<u>Michael Do</u> Conditional use for a home occupation (10213 Baltimore Nat'l Pike)	
BA 16-028C&V	<u>Marty A. Howard</u> (Farrar) 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)	

PENDING DECISION

<u>CASE #</u>	<u>PETITIONER</u>	<u>HEARING HELD</u>
BA 16-016C&V BL	<u>Chad Zirk</u> (Coale) Conditional use for a landscape contractor business and related storage & variance to reduce the use setback from lot lines to accommodate a driveway (2060 Woodbine Road)	11/7/16 6:00 p.m.
BA 15-029C ZK	<u>Dale & Timmy Martins</u> Conditional use for pet grooming within the residence (10688 Harding Road, Laurel)	11/21/16 6:00 p.m.

PENDING DECISION (cont.)

<u>CASE #</u>	<u>PETITIONER</u>	<u>HEARING HELD</u>
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 25.1' (11855 Lime Kiln Road)	12/5/16 9:30 a.m.
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)	12/5/16 9:30 a.m.

DECISIONS MADE

<u>CASE #</u>	<u>PETITIONER</u>	
BA 16-013V BL	<u>Srinivas and Sai Mallampalli</u> (Coale) (continued) Variance to reduce the 7.5 foot side setback to 1.5' and to reduce the 25' rear setback to 15' to accommodate a deck (3917 Edith Court, Ellicott City)	APPROVED 11/28/16
BA 16-025V	<u>Amanda and Douglas Fries</u> Residential variance to reduce the 10' side setback to 4.5' for a garage extension. (2875 Country Lane, Ellicott City)	APPROVED 12/5/16
BA 16-020C ZK	<u>HeaOck Do</u> Modification to condition of approval #4 in BA 14-006C (approved on 5/27/14 for a two family dwelling) requesting the removal of the condition that the Conditional Use be renewed every 2 years. (11746 Clarksville Pike)	APPROVED 12/12/16

CASES IN PRESUBMISSION REVIEW**Date requested for more info:**

<u>CASE #</u>	<u>PETITIONER</u>	
BA 14-012C BL	<u>Oak Ridge Farm, LLC.</u> (Meachum) Conditional use for the production of mulch and firewood (2700 Woodbine Road, Woodbine)	
BA 14-004S	<u>ZDR Food Service, Inc.</u> (Kurlander) 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</u> (Alan & Philip Margolis) 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)	

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

<u>CASE #</u>	<u>PETITIONER</u>	
BA 16-026C	<u>F. Maxine Walker</u> (Adams) 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)	
BA 16-029V	<u>Farooq Khawaja</u> Residential variance to reduce the required 10' side setback to 0' For a storage shed (3749 Font Hill Drive)	
BA 16-030V	<u>Edgar Bonilla</u> Residential variance to reduce the setback for a deck, swimming pool and shed (8324 Dawn Court)	
CE 14-24	<u>Jonathan & 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 728-D	<u>Gilliece Family, LLC.</u> (Erskine) Appeal of DPZ decision to deny Petitioner's request to waive Sec. 16.116(a) which prohibits grading, removal of vegetative cover and trees, paving and new structures within 100' of a perennial streambank for the single driveway crossing for Buildable Preservation Parcel A (SE River Road, Sykesville, MD)	4/20/16
BA 15-035C&V BL	<u>Waverly Investments, LLC.</u> (Reuwer) Conditional use for use of historic building for personal service establishment – health, spa, yoga, massage therapy, hair salon, nail salon, wellness classes and similar uses; and variance to reduce the front building setback (10437 Clarksville Pike, Columbia, MD)	5/12/16
BA 711-D	<u>AMHA, LLC.</u> (Taylor) Appeal of waiver petition WP-15-058 (SDP 14-013) "reactivating" SDP And "extending" revised plan submission date	5/22/16
BA 713-D	<u>AMHA, LLC.</u> (Taylor) Appeal of waiver petition WP-15-058 (SDP 14-013) "reactivating" SDP And "extending" revised plan submission date	5/22/16
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)	6/7/16

Howard County Schedule of Hearings Before the Zoning Board December 15, 2016

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 1106M ZK	<u>Dorsey's Ridge, LLC</u> , (Erskine) (continuation) Hearing for Petitioner to present to Zoning Board for approval an agreement to transfer the Pue-Fulton House to a non-profit organization for their operation & maintenance – (Rezoning to CEF-R approved 10/13/16) (3956, 3952 & 3960 (aka 3948) Cooks Lane, Ellicott City)		1/18/17 @ 6:00 p.m.
ZB 1105M ZK	<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	Summation/Deliberation TBS (Mediation Requested by Zoning Board)
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)		TBS

PENDING DECISION

<u>CASE #</u>	<u>PETITIONER</u>	<u>HEARING HELD</u>
ZB 1108M BL	<u>Kevin and Maria Garvey</u> (Oh) AZM: to rezone 0.7 acre of POR zoned to RR-DEO zone (2605 Route 97)	10/13/16 7:00 p.m.
ZB 1107M BL	<u>Olde Scaggsville, LLC</u> (Oh) AZM: to rezone 2 acres from RR-MXD-3 to B-1 (Business Local) (11292 Scaggsville Road, Fulton)	10/24/16 7:00 p.m.

DECISION MADE**CASE # PETITIONER****HEARING HELD**

none

ZB CASES IN PRESUBMISSION REVIEW:ZB 1109M Bozzuto Homes, Inc. (Oh)AZM: to rezone 3.7 acres from RR-DEO to R-SA-8.
(11475 Route 216, Fulton, MD)ZB 1111M Maple Grove at St. Johns, LLC (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)

Schedule of Hearings Before the Howard County Council for Amendments to the Zoning Regulations December 15, 2016

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

HEARINGS SCHEDULED		PB	PREFILE	INTRO	PUBLIC
<u>CASE</u>	<u>PETITIONER</u>	<u>DATE</u>	<u>DATE</u>	<u>DATE</u>	<u>HEARING</u>
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 160	<u>Dayton Rural Preservation Society (Holzer)</u> To amend various sections to eliminate yard waste composting and mulching and add State of MD Regs. for Composting and Natural Wood Waste Recycling – based on discussions held by the Mulch and Wood Waste Task Force.				
ZRA 164 CB 59-2016	<u>Dr. Calvin Ball, Councilperson (Johnson)</u> To amend Section 106.1, County Preservation Easements, and Section 131.0, Conditional Uses, to eliminate an unintended conflict that would prohibit the Commercial Solar Facilities on preservation parcels as a Conditional Use	5/10/16	8/26/16	9/6/16	9/19/16 approved – 10/5/16 Effective – 12/16/16
ZRA 165 CB 60-2016	<u>Robert Haney (Meachum)</u> To establish a new Conditional Use category in 131.0.O for “Athletic Facilities, Commercial.	7/21/16	8/26/16	9/6/16	9/19/16 approved – 10/5/16 Effective – 12/12/16
ZRA 167 CB 71-2016	<u>Elisa Kamens (Coale)</u> To amend Section 131.0.N.39.b. to clarify language regarding noise being perceptible at lot lines for Pet Day Care Facilities	8/4/16	10/27/16	11/7/16	11/21/16 TABLED 12/5/16

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 168 CB 72-2016	<u>Demirel Plaza, LLC</u> , (Oh) To amend the Zoning Regulations to add 9 uses to be permitted as a matter of right in Section 117.3.C. – Office Transition (OT) District.	9/1/16	10/27/16	11/7/16	11/21/16 TABLED 12/5
ZRA 169	<u>Warren H. Boyer</u> (Erskine) 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 or refuse container may be used with certain conditions imposed.	9/1/16			
ZRA 170 CB 54-2016	<u>Valdis Lazdins, Planning Director</u> (Johnson) Amend Sec. 125.0 regarding downtown revitalization development projects and moderate income housing units & Sec. 133.0 to update base parking ratios for residential land uses	4/14/16	6/27/16	7/8/16	7/14; 7/18 Tabled passed 11/14/16 effective 1/14/17
ZRA 171	<u>Olenka Stasyshyn</u> (Oh) 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			
ZRA 172	<u>Stephen Ferrandi, MD Land Advisors</u> (Oh) Amend Sec. 128.0.K. to make certain Neighborhood Preservation sending parcels eligible for a conditional use for Historic Building Uses	12/15/16			
ZRA 173	<u>Christopher J. Alleva</u> Amend Section 130.0.A.3. to clarify and define “aggrieved person” in the Zoning Regulations				