

IN THE MATTER OF : BEFORE THE  
**COUNTRYSIDE DOGGY DAYCARE, LLC** : HOWARD COUNTY  
Petitioner : BOARD OF APPEALS  
: HEARING EXAMINER  
: BA Case No. 17-021C&V

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**DECISION AND ORDER**

On November 11, 2017 and January 31, 2018, the undersigned, serving as the Howard County Board of Appeals Hearing Examiner, and in accordance with the Hearing Examiner Rules of Procedure, heard the Conditional Use and Variance petitions of Countryside Doggy Daycare, LLC (Petitioner) for a Pet Day Care Facility in an R-20 (Residential: Single Family) and B-1 (Business: Local) zoning district, filed pursuant to §§ 131.0.N.39 and 130.B.2 of the Howard County Zoning Regulations (HCZR).

Petitioner certified to compliance with Howard County Code hearing notice and advertising compliance requirements. The Hearing Examiner viewed the property as required by the Hearing Examiner Rules of Procedure. Adam Baker, Esquire, represented the Petitioner. Carroll Thumel and Paul Cavanaugh testified in support of the petition. No one appeared in opposition to the petition.

Petitioner introduced into evidence the exhibits as follows.

1. Amended Conditional Use/Variance Plan, December 20, 2017.
2. Resume, Paul Cavanaugh

**A Preliminary Matter**

HCZR § 131.0.N.39.d mandates a Pet Day Care Facility conditional use "shall not be

located on a shared driveway." DPZ, however, states, without support in the TSR, that it "interprets this criterion to apply to a shared driveway with a residential use. The proposed facility is not located on a shared driveway. Access to Montgomery Road is through a drive aisle and parking area shared with the adjacent shopping center. Therefore, this criterion does not apply."

The Hearing Examiner owes DPZ's interpretation no deference because it is 1) contrary to the plain text, 2) inconsistent with a prior interpretation, and 3) unsupported by legislative history and the 2013 Comprehensive Zoning Plan. First, the plain text clearly commands the land use driveway *not be shared*; there is no "residential use" qualifier to the term "shared driveway" for this conditional use category. Second, this interpretation is arbitrary and capricious, being contrary to DPZ's prior and correct interpretation of the use standard in its BA 14-018C TSR for a proposed Pet Day Care Facility, where on pg. 8, DPZ evaluated the proposed driveway to conclude, "[t]he Facility will not be located on a shared driveway."

Third, this interpretation is inconsistent with a DPZ-driven set of coordinated amendments to the Zoning Regulations in the 2013 Comprehensive Zoning Plan intended to resolve issues about conditional uses sharing driveways, particularly with residential properties. In support of this objective, the 2013 Comprehensive Zoning Plan amended the definition of "direct access": "Vehicular access from a proposed development or use to a public road where the access is not by way of AN EASEMENT OR a common driveway WHERE THE ACCESS IS shared with other PROPERTIES OR uses. (The capitalized words are amending language.) Accordingly,

the specific standards for many conditional use categories were amended, where appropriate to the land use, to require direct access. The 2013 amendments further modified the HCZR § 131.0.B.3.d general test for safe ingress and egress and sight distance to incorporate testing for conditional use category sites sharing access with other residential properties (the amendment is capitalized).

d. The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate. FOR PROPOSED CONDITIONAL USE SITES, WHICH HAVE DRIVEWAY ACCESS THAT IS SHARED WITH OTHER RESIDENTIAL PROPERTIES, THE PROPOSED CONDITIONAL USE WILL NOT ADVERSELY IMPACT THE CONVENIENCE OR SAFETY OF SHARED USE OF THE DRIVEWAY.

An additional set of amendments to multiple conditional use categories modified specific driveway/access standards. For example, the standards for the HCZR § 131.0.N.42 Religious Facility conditional use were amended to add a new subsection "c" requiring that "access to the facility shall not be on a driveway or private road shared with other uses." The Pet Day Care Facility being a new conditional use category added through the 2013 Comprehensive Zoning Plan, the shared driveway language as enacted, and which does not mandate direct access to a public road, may not be read to apply only to driveways shared with residential uses.

Assuming *arguendo* DPZ invoked this interpretation because the proposed access to Montgomery Road would be shared with and pass through a commercial use drive aisle and parking area, the issue is not the proposed Pet Day Care Facility sharing a driveway with a commercial use, because the conditional use category does not require "direct access," to a

public road, as do other categories. The concern is rather where the access driveway begins and ends. If the driveway is located wholly on the land area proposed for the conditional use site, it is not a shared driveway. The issue then is whether the Subdivision Regulations or other county laws regulate or control the proposed Pet Day Care Facility's indirect vehicular access to Montgomery Road through the commercial shopping center drive aisle and parking area.

Such indirect access is often litigated or administratively appealed and must be reviewed and authorized by DPZ's other divisions. The Hearing Examiner takes notice here that in BA 12-012C, concerning a proposed religious facility on Parcel 234 (west of the veterinary clinic), veterinarian Caroll Thumel (the effective petitioner for the proposed Pet Day Care Facility) opposed the religious facility's use (through an existing easement) of the same vehicle entrance to Montgomery Road proposed for the Pet Day Care Facility based on traffic safety reasons related to a high demand for parking on Saturdays.

The Hearing Examiner is therefore approving the petition subject to the conditions that DPZ's development and engineering divisions and all other necessary agencies approve/authorize the access through the commercial property and that Petitioner obtain all required authorizations from property owners/access easement holders for this access.

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1. Property Identification. The subject property is located in the 2<sup>nd</sup> Election District on the south side of Montgomery Road about 275 feet southeast of Hale Haven Drive. It is identified as Tax Map 0031, Grid 0007, Parcel 36, Lot PAR B and known as 4882 Montgomery

Road (the Property). According to the Amended Plan Note 4, the Property is 4.44 acres.

2. Property and CUS Description. According to the Amended Plan, the irregularly shaped proposed CUS is 1.108 acres (48272sf) and the overall Property is predominantly wooded. The Property itself can be described as having two sections, a relatively rectangular, small, front section, and a larger and very irregularly shaped rear section. The southwesterly portion of the CUS is predominantly steep slopes associated with the stormwater management facilities for the commercial building originally developed on another section of the original property. The Property does not have direct frontage/access to Montgomery Road. Access is proposed through the remainder of the lot and a shopping center parking lot on adjoining Parcel 17.

3. Vicinal Properties. The northern and eastern B-1 zoned properties are improved for commercial use. The southern R-20 zoned property is improved with an age-restricted conditional use (Hearthstone of Ellicott City). To the west, the properties are zoned either B-1 or R-20 and improved with commercial or residential uses.

4. Roads. Montgomery Road has two travel lanes and a variable paved width within a proposed 100-foot right ROW. Waterloo Road has two travel lanes and variable paved width within a 100-foot ROW. The posted speed limit is 40 MPH.

5. Water and Sewer Service. The Property is served by public water and sewer.

6. The General Plan. According to the TSR, the Property is designated "Established Communities" on the PlanHOWARD2030 Designated Place Types Map. The PlanHOWARD2030 General Plan Transportation classifies Montgomery and Waterloo Roads as minor roads.

7. The Conditional Use Proposal. The condition use petition proposes a Pet Day Care Facility for up to 45 dogs within a new 6,525sf building with indoor recreation spaces, ancillary office space, and a 10'x160' outdoor exercise area. The operator will be the owner of the adjacent Countryside Veterinary Clinic. Four-six employees will staff the facility, which would operate 7am to 7pm Monday through Friday; 9am to 2pm on Saturday and be closed on Sunday. According to the Amended Plan, a 4,538SF portion of the CUS will be located to the northeast of the main portion of the proposed CUS and the adjoining northeasterly portion of Parcel 17 (4872 Montgomery Rd.) for an access drive to Montgomery Road, through the creation of an easement or fee simple purchase. Indirect access to Montgomery Road is proposed through the adjoining commercial shopping center drive aisle and parking area.

8. The Requested Variances. The variance petition asserts the irregular shape of the Property causes practical difficulty in complying with the applicable setbacks.

- Variance #1: Reduce the 30-foot principal structure rear yard setback imposed by HCZR § 108.0.D.4.c(1)(c)(i) to 10 feet for a Pet Day Care Facility building.
- Variance # 2. Reduce the 20-foot use setback imposed by HCZR § 108.0.D.4.c(2) to 0.0 (zero) feet for a parking lot and driveway.
- Variance #3. Reduce the B-1 zoning district 30-foot use setback from a residential district imposed by HCZR § 118.0.D.2.b to 29.10 feet for a new driveway connection to Parcel 17.

9. Carroll Thumel and Paul Cavanaugh testified about the proposed use and CUS.

## CONCLUSIONS OF LAW

### I. The Specific Standards for Variances

The standards for variances are contained in HCZR § 130.0.B.2.a. Pursuant to this section, the Hearing Examiner may grant a variance only if the Petitioner demonstrates compliance with

all four variance criteria. Based upon the foregoing Findings of Fact, and for the reasons stated below, subject to all conditions of approval, the Hearing Examiner finds the requested variances comply with §§ 130.0.B.2.a(1) through (4), and therefore may be granted.

**(1) That there are unique physical conditions, including irregularity, narrowness or shallowness of the lot or shape, exceptional topography, or other existing features peculiar to the particular lot; and that as a result of such unique physical condition, practical difficulties or unnecessary hardships arise in complying strictly with the bulk provisions of these regulations.**

The first criterion for a variance is that there must be some unique physical condition of the property, e.g., irregularity of shape, narrowness, shallowness, or peculiar topography that results in a practical difficulty in complying with the particular bulk zoning regulation. Section 130.0.B.2.a(1). This test involves a two-step process. First, there must be a finding that the property is unusual or different from the nature of the surrounding properties. Secondly, this unique condition must disproportionately impact the property such that a practical difficulty arises in complying with the bulk regulations. *Cromwell v. Ward*, 102 Md. App. 691, 651 A.2d 424 (1995). A “practical difficulty” is shown when the strict letter of the zoning regulation would “unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.” *Anderson v. Board of Appeals, Town of Chesapeake Beach*, 22 Md. App. 28, 322 A.2d 220 (1974).

With respect to the first prong of the variance test, the Maryland courts have defined “uniqueness” thus.

In the zoning context, the ‘unique’ aspect of a variance requirement does not refer to the extent of improvements upon the property, or upon neighboring property. ‘Uniqueness’ of a property for zoning purposes requires that the subject property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography,

subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions. In respect to structures, it would relate to characteristics as unusual architectural aspects and bearing or party walls. *North v. St. Mary's County*, 99 Md. App. 502, 514, 638 A.2d 1175 (1994) (italics added).

The practical difficulty compelling the need for this variance arises from irregular shape of the Property. The petition accords with § 130.0.B.2.a(1).

**(2) That the variance, if granted, will not alter the essential character of the neighborhood or district in which the lot is located; will not substantially impair the appropriate use or development of adjacent property; and will not be detrimental to the public welfare.**

Subject to all conditions of approval for the Pet Day Care Facility conditional use, there is no evidence of the variances altering the essential character of the neighborhood or district or impairing the use of development of adjacent property. The neighborhood is a mixture of commercial and residential uses, with the latter being located some distance from the CUS. The CUS itself is adjacent to multiple commercial properties. The petition complies with § 130.0.B.2.a(2).

**(3) That such practical difficulties or hardships have not been created by the owner provided, however, that where all other required findings are made, the purchase of a lot subject to the restrictions sought to be varied shall not itself constitute a self-created hardship.**

The Petitioner did not create the practical difficulties, which are attributable to unique physical conditions. The petition complies with § 130.0.B.2.a(3).

**(4) That within the intent and purpose of these regulations, the variance, if granted, is the minimum variance necessary to afford relief.**

The proposed variances are for a reasonable use of the Property, in compliance with § 130.0.B.2.a(4).



## **II. General Criteria for Conditional Uses (§ 131.0.B)**

HCZR §§ 131.0.B.1-3 require the Hearing Authority to evaluate whether a proposed Conditional Use through the application of three standards, harmony with the General Plan, overall intensity and scale of use, and adverse impacts.

### **A. Harmony and Intensity of Use**

#### **1. The proposed Conditional Use plan will be in harmony with the land uses and policies in the Howard County General Plan which can be related to the proposed use.**

This mandate is reflected in the language of § 131.0.B.1, where the "harmony with the General Plan" standard is clarified to mean that the evaluation of a conditional use plan under the "in harmony with" the General Plan standard shall be premised on land uses and policies that can be "related to the proposed use."

PlanHOWARD2030 designates the Property as "Established Communities." Pet Day Care facilities are presumptively compatible in an Established Community absent specific Plan policies that such institutional or assembly uses in a Rural Resource Area are inharmonious. There are no Howard County General Plan policies directly relating to the proposed use. The petition accords with § 131.0.B.1.

#### **2. The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site are such that the overall intensity and scale of the use(s) are appropriate for the site.**

The proposed Pet Day Care facility for up to 45 dogs is relatively intense in a limited portion of the Property. Assuming the Subdivision and Land Development Regulations permits access to/from the CUS through an existing parking lot to Montgomery Road, meaning the

proposed access through the parking lot is not a shared driveway, the overall intensity and scale of the use is appropriate at the proposed access. The petition accords with § 131.0.B.2.

### **B. Adverse Impacts**

Unlike HCZR §§ 131.0.B.1 and B.2, which concern the proposed use's harmony or compatibility with the General Plan and the on-site characteristics of the proposed use, compatibility with the neighborhood is measured under § 131.0.B.3's six, off-site "adverse effect" criteria: (a) physical conditions; (b) structures and landscaping; (c) parking areas and loading, (d) access, (e) impact on environmentally sensitive area; and (f) impact on the character and significance of historic sites.

Inherent in the assessment of a proposed conditional use under these criteria is the recognition that virtually every human activity has the potential for adverse impact. The assessment therefore accepts some level of such impact in light of the beneficial purposes the zoning body has determined to be inherent in the use. Thus, the question in the matter before the Hearing Examiner is not whether the proposed use would have adverse effects in the applicable zoning districts. The proper question is whether there are facts and circumstances showing the particular use proposed at the particular location would have any adverse effects above and beyond those inherently associated with such a special exception [conditional] use irrespective of its location within the zones. *People's Counsel for Baltimore County v. Loyola College in Maryland*, 406 Md. 54, 956 A.2d 166 (2008); *Schultz v. Pritts*, 291 Md. 1, 432 A.2d 1319 (1981); *Mossburg v. Montgomery County*, 107 Md. App. 1, 666 A.2d 1253 (1995). For the reasons

stated below, and as conditioned, Petitioner has met its burden of presenting sufficient evidence under HCZR § 131.0.B.3 to establish the proposed use will not have adverse effects on vicinal properties beyond those ordinarily associated with a religious facility conditional use in the district.

**3. The proposed use at the proposed location will not have adverse effects on vicinal properties above and beyond those ordinarily associated with such uses. In evaluating the proposed use under this standard, the Hearing Authority shall consider whether or not:**

**a. The impact of adverse effects such as, but not limited to, noise, dust, fumes, odors, intensity of lighting, vibrations, hazards or other physical conditions will be greater at the proposed site than it would generally be elsewhere in the same zoning district or other similar zoning districts.**

The Pet Day Care activities associated with the Conditional Use will occur predominately indoors and are not likely to create adverse effects. There is no evidence of atypical adverse effect from dust, fumes, vibrations, increased lighting, hazards, or other physical conditions. The occasional outdoor activity associated with dogs being dropped off or picked up will occur a considerable distance from vicinal residential properties and be buffered by the rears of vicinal commercial structures.

The TSR references the Petitioner's statement that the proposed use would comply with the Howard County Noise Ordinance. DPZ, though, recommends a 6-foot privacy fence be installed fence around the exercise area and along the north property line between the shopping center to mitigate the impact of noise on adjacent properties. Additionally, the Hearing Examiner explained during the proceeding that compliance with this "noise" adverse impact test is not a matter of compliance with county noise laws. If this were the test, it would be expressly stated. Even more, all HCZR land uses must comply with county noise law. The test for atypical, off-site,

adverse noise from a proposed conditional use is a factual determination based on the operational characteristics of the proposed use.

This petition is for a proposed Pet Day Care Facility where dogs will enjoy outdoor exercise in a 10'x160' area behind the day care building, and zero feet from a lot line. Without appropriate mitigation, this aspect of the proposed use would generate atypical noise simply due to its location. For this reason, the Hearing Examiner is approving the petition subject to the condition that Petitioner install a 6-foot privacy fence around the exercise area and along the north property line between the shopping center. To further ensure there are no atypical off-site impacts, there shall be no gate, no pedestrian, or animal access between the Property or the CUS and the adjoining Countryside Veterinary Clinic.

The facility has a plan in place for disposal of pet waste and odor will be contained by double bagging animal waste and disposing of it in the dumpster on the Property, which the Hearing Examiner is unable to locate this dumpster within the CUS; therefore, as a condition of approval I am requiring an enclosed dumpster be shown on the Site Development Plan in compliance with all bulk regulations, if it is not shown on the Amended Plan. Subject to these conditions of approval, the petition accords with § 131.O.B.3.a.

**b. The location, nature and height of structures, walls or fences, and the nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than it would generally elsewhere in the same zoning district or other similar zoning districts.**

The uses adjacent to the CUS are commercially developed. The Amended Plan depicts the proposed building close to adjoining commercial structures, but there is no evidence of the use

or structure hindering or discouraging these uses. Additionally, a fence is to be installed as a condition of approval along the exercise area and the north property line between the shopping center and the use. The petition did not include a Landscape Plan., but the Amended Plan shows additional landscaping along the common lot line with the two northwesterly properties. Amended Plan Note 20 states, "Existing vegetation will be used to satisfy the requirements of Section 16.124 of the Howard County Code and the Landscape Manual, and supplemented where necessary by new planting." Subject to compliance with all Landscape Manual requirements, the proposed structure will be comport with § 131.O.B.3.b.

**c. The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.**

HCZR § 133.0 of the Zoning Regulations does not specify parking requirement for the proposed land use. DPZ explains the closest parking use category is the Animal Hospital requirement of four spaces per 1,000 square feet of floor area; for the proposed 6,525 square foot building, then 27 spaces are proposed and 53 are provided. In the Hearing Examiner view, this is an unusually high number of spaces. Witnesses testified this is owing to the need to use two parking spaces for drop-off/pick up to get dogs in and out of cars safely. The petition accords with § 131.O.B.3.c.

**d. The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate. For proposed Conditional Use sites which have driveway access that is shared with other residential properties, the proposed Conditional Use will not adversely impact the convenience or safety of shared use of the driveway.**

If the Howard County Subdivision Regulations and all other state and local law and

regulations permit access through the adjoining shopping center drive aisle and parking areas, the existing SHA- approved vehicular access to Montgomery Road will continue to provide safe access and adequate sight distance. The driveway will not be shared with other residential properties. Subject to this approval condition, the petition accords with § 131.O.B.3.d.

**e. The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.**

There no off-site environmentally sensitive areas in the vicinity. The petition accords with § 131.O.B.3.e.

**f. The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.**

The closest historic site is the Marks-Lough house (HO-538), a 1911 private residence located across Montgomery Road about 600 feet from the Property. There is no evidence of the proposed use, which will be screened by the existing structures to the north, diminishing the character of this historic site. The petition accords with § 131.O.B.3.f.

### **III. Specific Criteria for Pet Day Care Facilities (§ 131.0.N.39)**

A Conditional Use may be granted in the RC, RR or R-20 Districts for pet day care facilities, provided that:

**a. The minimum lot size shall be one acre.**

The RC-20/B-1Property is 4+-acres and the CUS is 1.108 acres.

**b. All day care business functions must be completely enclosed within a building. Indoor noise must not be perceptible at lot lines.**

The pet day care service business function will be conducted primarily inside the building.

Witnesses testified the building design and construction would contain all noise so as not to be perceptible at lot lines.

**c. The Hearing Authority may set hours of operation and limitations on the number and type of pets cared for.**

Four-six employees will staff the facility, which would operate 7am to 7pm Monday through Friday and 9am to 2pm on Saturday. It will be closed on Sunday. The Hearing Authority is approving Petitioner's request to care for up to 45 dogs.

**d. The facility shall not be located on a shared driveway.**

See the above "Preliminary Matter" analysis. Subject to the conditions of approval therein, the facility will not be located on a shared driveway.

**e. Parking areas shall be located and landscaped to minimize visibility from roads and adjacent residential properties.**

The proposed parking areas will be located behind existing commercial uses on adjoining properties, which will lessen their visibility from roads. Existing and proposed landscaping and distance will limit the visibility of this area the adjacent residential properties.

**f. There shall be no overnight boarding of pets.**

No overnight boarding of pets is proposed.

**g. Outdoor areas for walking or exercising pets may be permitted provided that pets shall not be left unattended in such an area. The Hearing Authority may set a limit on the number of pets permitted simultaneously in the outdoor area. The perimeter of this outdoor area shall be fenced and landscaped to ensure that animals are confined to the property and to minimize the visibility of the enclosure. All fencing shall comply with all requirements for fences as noted elsewhere in Section 128.0. The petitioner must clearly delineate the outdoor area on the Conditional Use plan.**

For the reasons set forth in the above variance petition findings, Petitioner shall install a

6-foot privacy fence to attenuate noise and minimize the visibility of the exercise area. Owing to its location and the privacy fence requirement, the Hearing Examiner is not limiting the number of pets permitted simultaneously in the outdoor area. The outdoor area is clearly delineated on the Amended Plan.

**h. Disposal of wastes must be such that odors or other emissions are not perceptible at lot lines.**

As evaluated infra, the facility will dispose of pet waste and associated odors by double bagging animal waste and disposing of it in the dumpster on the Property, which the Hearing Examiner was unable to locate on the Amended Plan. As a condition of approval, I am requiring an enclosed dumpster be shown on the Site Development Plan in compliance with all bulk regulations, if it is not shown on the Amended Plan, and located as far away from the commercial shopping center structure as possible.

**i. On an ALPP purchased or dedicated easement property, the following additional criteria are required:**  
**(1) The use shall not interfere with farming operations or limit future farming production.**  
**(2) Any new building or building addition associated with the use, including any outdoor storage and parking area shall count towards the cumulative use cap of 2% of the easement.**

The proposed conditional use will not be located on ALPP purchased or dedicated easement property. The petition accords with § 131.O.B.3.i.



**ORDER**

Based upon the foregoing, it is this **26<sup>th</sup> day of February 2018** by the Howard County Board of Appeals Hearing Examiner, **ORDERED**:

That the Petitions of Countryside Doggy Day Care, LLC, for a Pet Day Care Facility in an R-20 (Residential: Single Family) and B-1 zoning district are **APPROVED**.

**Provided, however**, that:

1. The conditional use shall be conducted in conformance with and shall apply only to the uses described in the petition and depicted on the Amended Plan dated December 20, 2018, subject to all approval conditions, and not to any other activities, uses, or structures on the Conditional Use Site.
2. DPZ's development and engineering divisions and all other necessary agencies shall approve the access through the commercial shopping center property.
3. Petitioner shall obtain all required authorizations from property/easement owners for the access through the shopping center property. These authorizations shall be submitted with the Site Development Plan application.
4. Petitioner shall install a 6-foot privacy fence around the exercise area and along the north property line between the shopping center. The fence shall comply with HCZR § 128.0's fence requirements.
5. There shall be no gate, pedestrian, or animal access between the Property or the conditional use site and the adjoining Countryside Veterinary Clinic.
6. An enclosed dumpster shall be shown on the Site Development Plan in compliance with all bulk regulations, if it is not shown on the Amended Plan. The dumpster shall be located as far away from the commercial shopping center structure as possible.
7. Petitioner shall comply with all applicable federal, state, and county laws and regulations.
8. Petitioner shall obtains all required permits and licenses.

HOWARD COUNTY BOARD OF APPEALS  
HEARING EXAMINER



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Michele L. LeFaivre

Date Mailed: \_\_\_\_\_

Notice: A person aggrieved by this decision may appeal it to the Howard County Board of Appeals within 30 days of the issuance of the decision. An appeal must be submitted to the Department of Planning and Zoning on a form provided by the Department. At the time the appeal petition is filed, the person filing the appeal must pay the appeal fees in accordance with the current schedule of fees. The appeal will be heard de novo by the Board. The person filing the appeal will bear the expense of providing notice and advertising the hearing.