

1 CHRISTOPHER J. ALLEVA, * BEFORE THE
2 PETITIONER * PLANNING BOARD OF
3 ZRA-173 * HOWARD COUNTY, MARYLAND

4 * * * * *

5 MOTION: *To recommend denial of ZRA-173 according to the DPZ recommendation, and to*
6 *recommend that DPZ and the County Council consider the issue of establishing*
7 *standards for aggrievement.*

8 ACTION: *Recommended denial for ZRA-173 and recommended approval that DPZ and the*
9 *County Council consider the issue of establishing standards for aggrievement.;*
10 *Vote 3 to 0.*

11 * * * * *

12 **RECOMMENDATION**

13 On August 3 ,2017, the Planning Board of Howard County, Maryland, considered the petition of
14 Christopher J. Alleva to amend Section 130.0.A. in the Howard County Zoning Regulations to define
15 eligibility standards for entities to be considered an “aggrieved person” in a Hearing Authority appeal case,
16 and also to specify that decisions of the Planning Board may be appealed to the Hearing Authority.

17 The Planning Board considered the petition, the Department of Planning and Zoning Technical Staff
18 Report and Recommendation, and reviewing agency comments. The Department of Planning and Zoning
19 recommended denial of the petition based on finding that proposed amendments conflict with the County
20 Code, which addresses appeals of Planning Board decisions.

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22 Testimony

23 The Petitioner stated that the purpose of the amendments is to correct an error that exists in the
24 County Code regarding appeals of decisions related to zoning and land development matters. Mr. Alleva
25 reviewed a number of Board of Appeals cases that have been dismissed due to lack of standing and asserted
26 that the code needs to clearly define who can stand for appeal. Mr. Alleva requested that the Board
27 recommend approval of ZRA-173 and that the County Council correct the error in the County Code and
28 define who is aggrieved. Nichole Galvin, William Ingles, Stuart Kohn, and Jean Wilson testified in support of
29 establishing eligibility standards for aggrieved persons to provide clarity and ensure citizen’s appeal rights.

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31 Board Discussion and Recommendation

32 In work session, the Board concurred that a Zoning Regulation Amendment is not the appropriate
33 process to correct the error in County Code. Also, a Board member suggested that the proposed definition of
34 aggrieved person is too broad.

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Motion and Vote

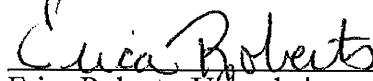
Mr. Coleman made the motion to recommend denial of ZRA-173 and recommended that DPZ and the County Council look at defining aggrieved person and clean up references in code so that they point to correct sections. Ms. Roberts seconded the motion. The motion passed by a vote of 3 to 0.

For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 7th day of September, 2017, recommends that ZRA-173, as described above, be DENIED, and recommends that DPZ and the County Council consider the issue of establishing standards for aggrievement.

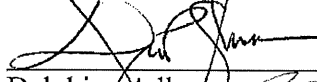
HOWARD COUNTY PLANNING BOARD

ABSENT


Phillips Engelke, Chair



Erica Roberts, Vice-chair

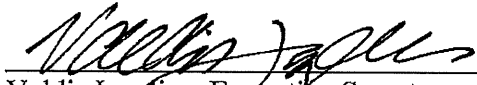


Delphine Adler



Ed Coleman

ATTEST:



Valdis Lazdins, Executive Secretary