



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
 3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350
 Lynda D. Eisenberg, AICP, Director FAX 410-313-3467

TECHNICAL STAFF REPORT

Hearing Examiner hearing of July 29, 2025

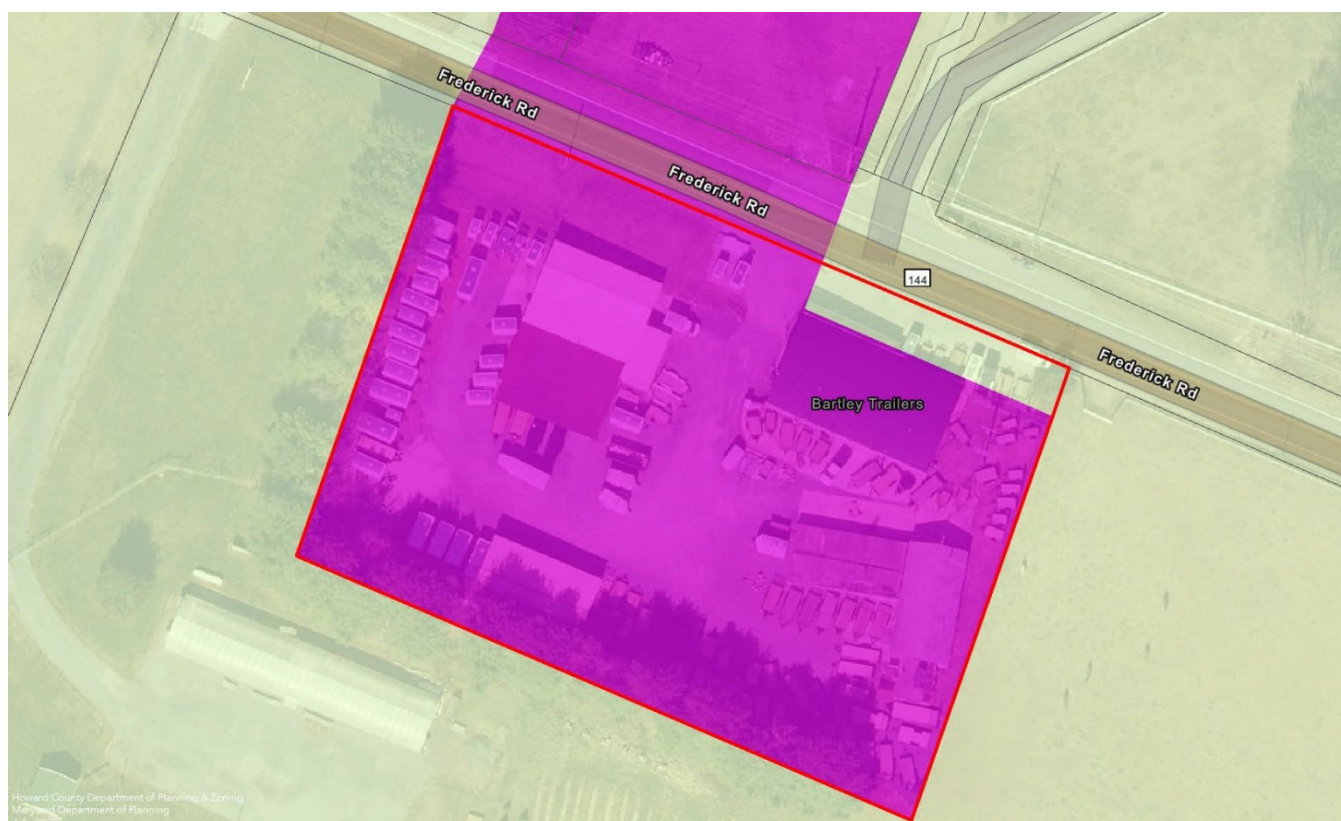
Case No./Petitioner: BA-25-007N 15095 Frederick Road LLC

Request: Enlargement of a nonconforming trailer sales/service and farm/light industrial equipment service to allow construction of a 4,970 square foot trailer/truck maintenance and storage building.

Location: 15095 Frederick Road; Tax Map 8, Parcel 58 (the "Property")

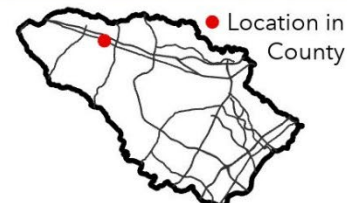
Area of Property: 2.00 acres

Zoning: B-1 (Business: Local) District



Zoning & Vicinity
15095 Frederick Road

BA-25-007N
Zoning
 ■ B-1
 ■ RC-DEO
 ■ FrederickRoad15095



0 0.01 0.02 mi.

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

A. NONCONFORMING USE CONFIRMATION and ENLARGEMENT PROPOSAL

The Petitioner requests the modification of an existing nonconforming use for a trailer sales/service and farm/light industrial equipment service. The petitioner is requesting approval to construct a 4,970 square foot maintenance and storage building. This new building would replace a structure that has already been demolished.

As labeled on the submitted nonconforming use modification plan, if the Petition was approved, the property would include an:

- 1. Existing 3,242 square foot building (A),
- 2. Existing 4,555 square foot building (B)
- 3. Existing 690 square foot open Pole Barn (C),
- 4. Existing 2,060 square foot open Pole Barn (D)
- 5. Proposed 4,970 square foot proposed replacement building.
- 6. 21 parking spaces

II. BACKGROUND INFORMATION

A. Site Description

The rectangular shaped property consists of a 3,242 square foot repair shop, a 4,555 square foot trailer sales storefront, a 690 square foot open pole barn for storage, a 2,060 square foot open pole barn for storage, parking spaces, and a gravel yard area.

B. Vicinal Properties

Direction	Zoning	Land Use
North	B-1	Undeveloped
South	RC-DEO	Farming
East	RC-DEO	Farming
West	RC-DEO	Residential

C. Roads

At this location, Frederick Road has a prescriptive Right-of-Way with the Property’s boundary extending to the approximate road centerline. Frederick Road has two travel lanes within a 27-foot paved roadway. The speed limit is 45 miles per hour.

According to the State Highway Administration records, the current AADT for Frederick Road is over 4,825 vehicles.

D. Water and Sewer Service

The Property is outside the Planned Service Area for Water and Sewer and is served by private well and septic. The Petitioner has been in communication with the Bureau of Environmental Health regarding the potential for installation of a new well and new septic system.

E. General Plan

The Property is designated Rural Conservation on the Designated Place Types Map of the HoCo By Design General Plan.

Frederick Road is a Minor Arterial.

F. Agency Comments

Agency comments are attached.

III. ZONING HISTORY

Case No.	NCU-15-001
Request:	Confirmation of a nonconforming trailer sales/service and farm/light industrial equipment service facility.
Action:	Approved June 8, 2015
Case No.	BA-19-023N
Request:	Enlargement of a nonconforming trailer sales/service and farm/light industrial equipment service consisting of a 4,624 square foot trailer/truck maintenance and storage building.
Action:	Approved June 18, 2020
Note:	BA-19-023N was determined void pursuant to Section 129.0.E.2 of the Zoning Regulations because the Petitioner did not obtain a building permit conforming to the plans for which the approval was granted within two years.

IV. EVALUATION AND CONCLUSIONS

A. Evaluation of petition according to Section 129.0.D of the Zoning Regulations. (Confirmation of Nonconforming Uses).

Nonconforming use confirmations do not have specific criteria, but rather they are based on evaluations of the following items:

1. *A statement and plans or other illustrations fully describing the magnitude and extent of the nonconforming use.*

The nonconforming use confirmation was previously approved for a trailer sales/service and farm/light industrial equipment service facility for the entire 2.0-acre property under NCU-15-001.
2. *A statement identifying the date the use became nonconforming to the use provisions of the Zoning Regulations.*

The Property became nonconforming as of the effective date of the initial Zoning Regulations in 1948. This was affirmed by the NCU-15-001 Decision and Order.
3. *Documentation substantiating the existence of the use on the date it became nonconforming and clearly demonstrating the continued and uninterrupted use or operation thereof from the specified date to the time of filing the application. The burden shall be on the property*

owner to establish the existence of the nonconforming use.

The continued and uninterrupted use or operation thereof from the initial date of nonconformance was affirmed by the NCU-15-001 and BA-19-023N Decision and Orders.

B. Evaluation of petition according to Section 129.0.E of the Zoning Regulations. (Extension, Enlargement or Alteration of a Nonconforming Use).

1. *That any changes or additions to the activities taking place in connection with the nonconforming use will not change the use in any substantial way.*

The proposed enlargement consists of a 4,970 square foot increase for a storage building and trailer/truck maintenance.

The use will remain a commercial operation including trailer storage, sales and repair operations related; therefore, the proposed enlargement will not change the commercial use in any substantial way.

2. *That an enlargement may not exceed 100% of the gross floor area of structures or 100% of the gross acreage in the case of nonconforming land, above that which legally existed at the time the use first became nonconforming.*

The gross floor area of the confirmed nonconforming trailer sales/service and farm/light industrial equipment service is 10,547 square feet. The Petitioner proposes to increase the gross floor area by 4,970 square feet, which is an increase of approximately 47.1% (4,970sqft/10,547sqft * 100).

3. *That the boundaries of a nonconforming use may be enlarged only to provide additional parking area.*

The entire Property was confirmed as a nonconforming trailer sales/service and farm/light industrial equipment service through NCU-15-001 on June 8, 2015. The Petitioner is not requesting an enlargement of the boundaries; therefore, this criterion does not apply.

4. *That an enlargement would not cause a violation of the bulk regulations for the zoning district in which the property is located.*

The Property is zoned B-1 and the setback from a residential zoning district is 30 feet. The proposed building is 77 feet from the side lot line and 30 feet from the rear lot line. The allowed height in B-1 is 40 feet or 48 feet for a pitched roof. The highest point on the proposed building is 26 feet. The expansion does not violate the bulk regulations of the B-1 zoning district.

5. *That the extension, enlargement or structural alteration would not cause an adverse effect on vicinal properties.*

The properties to the east and south consist of a 16.09-acre farm and a 15.97-acre tree farm, respectively. A dense vegetative buffer screens the Property from the tree farm to the south, but no buffer exists along the east property line. Perimeter and parking landscaping will be required for this development with the site development plan (SDP), in accordance with

Case No.: BA-25-007N

Petitioner: 15095 Frederick Road LLC

Page | 5

the Landscape Manual. The 5-acre property to the west contains a single-family dwelling that is approximately 600 feet from the proposed building and is screened by a dense landscape buffer. The properties to the north consist of a vacant B-1 zoned property and single-family residences. The closest residence is approximately 500 feet from the proposed building and is screened by the existing trailer store building.

Therefore, the enlargement is unlikely to have adverse effect on vicinal properties.

Approved by:

DocuSigned by:

 DE9E18E4B5B1444...

7/15/2025

Lynda D. Eisenberg, Director

Date



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

Agency Comment Form

Nonconforming Use Expansion

Date: May 6, 2025
Use Category: Trailer Storage, Sales and Repairs
File No.: BA-25-007N
Petitioner: Andrew Bartley
Property Address: 15095 Frederick Road
Map No: 8
Parcel: 58

COMMENT REQUEST	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	OOT	FD
Certification that the development shown on the proposed plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x	x

COMMENTS: **Please see comments below from the Division of Land Development:**

CRITERIA: Potential to comply with all technical requirements:

A site development plan (SDP) for the trailer storage, sales and repair uses will be required subsequent to the approval of this non-conforming use expansion. Proposed site improvement and features shall be evaluated by DPZ staff and county agencies as part of the SDP submission requirements.

1. This development may be subject to public road improvements such as curb, gutters, drain systems, sidewalks, street lights and street trees, per Subtitle 1, Article III of the County Code.
2. An inventory of the existing environmental conditions of the subject site must be prepared by an environmental professional and findings provided with the forthcoming SDP. All environmentally sensitive areas regulated by this County must comply with Sections 16.115 –16.117 of the Subdivision and Land Development Regulations.
3. Forest conservation for this development must be satisfied, in accordance with Section 16.1200 of the County Code and the Forest Conservation Manual.
4. Off Street Parking requirement for the use is subject to Section 133.0 of the Zoning Regulations and DPW design standards for access, spacing, and drainage purposes. The Zoning Regulations require 2.0 parking spaces per 1,000 SF of building area excluding service bays, plus 1 space per 1,000 SF of outdoor display area, plus 3 spaces per service bay for vehicle sales, rental and ancillary uses as outlined in Section 133.0.D.4.s of the Zoning Regulations. Warehouse and distribution require 0.75 spaces per 1,000 SF. The number of parking spaces required and provided will be reviewed upon the submission of the SDP.
5. Perimeter and parking landscaping will be required for this development with the SDP, in accordance with the Landscape Manual.

DS

Derrick Jones, DLD



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

Agency Comment Form

Nonconforming Use Expansion

Date: 4/2/25

Use: Trailer storage, sale, and repair operations related to "Bailey Trailers"

File No.: BA-25-007N

Petitioner: Andrew Bartley

Property Address: 15095 Frederick Road

Map No: 8

Parcel: 58

COMMENT REQUEST	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	OOT	FD
Certification that the development shown on the proposed plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x	x

Comments Due:

COMMENTS: Health has been working with the hired engineers for this project to bring the well & septic components up to code. Most recently we approved a Perc Certification Plan and were able to utilize perc testing that was conducted in the early 2000s. The engineer is currently working with us to install a new septic system that will be designed appropriately for all uses. Health records for their current well & septic components are extremely limited. The GPD flow for the current septic use is most likely undersized. Construction proposals for this new structure will force abandonment of all existing well & septic components and we'll be installing a new well & a new septic system. Health has been asking for all current uses, proposed uses, and # of employees to size the new septic system appropriately. We have not approved any OSDS plan, which will be required prior to any building permit release.

Zack Silvest

SIGNATURE



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

Agency Comment Form

Nonconforming Use Expansion

Date: 4/2/25

Use: Trailer storage, sale, and repair operations related to "Bailey Trailers"

File No.: BA-25-007N

Petitioner: Andrew Bartley

Property Address: 15095 Frederick Road

Map No: 8

Parcel: 58

COMMENT REQUEST	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	OOT	FD
Certification that the development shown on the proposed plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x	x

Comments Due:

COMMENTS: SHA has no objection to this request.

Anish Thomas

SIGNATURE



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

Agency Comment Form

Nonconforming Use Expansion

Date: 4/2/25

Use: Trailer storage, sale, and repair operations related to "Bailey Trailers"

File No.: BA-25-007N

Petitioner: Andrew Bartley

Property Address: 15095 Frederick Road

Map No: 8

Parcel: 58

COMMENT REQUEST	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	OOT	FD
Certification that the development shown on the proposed plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x	x

Comments Due:

COMMENTS: The Development Engineering Division takes NO EXCEPTION to the request for the Nonconforming Use Enlargement Request Modification of an existing nonconforming use for a nonconforming trailer sales/service and farm/light industrial equipment service to allow construction of a 4,970 square foot trailer/truck maintenance and storage building, located in a B-1 (Business: Local) Zoning District Nonconforming Use Confirmation Case Number: NCU-15-001. This request is subject to meeting all current design criteria including stormwater management (an ECP shall be required) and a Site Development Plan addressing the improvements including APFO impacts and Complete Streets.

SIGNATURE



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

Agency Comment Form

Nonconforming Use Expansion

Date: 4/2/25

Use: Trailer storage, sale, and repair operations related to "Bailey Trailers"

File No.: BA-25-007N

Petitioner: Andrew Bartley

Property Address: 15095 Frederick Road

Map No: 8

Parcel: 58

COMMENT REQUEST	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	OOT	FD
Certification that the development shown on the proposed plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x	x

Comments Due:

COMMENTS: Department of Inspections License and Permits: 1. No proposed parking is shown around the replacement building, additionally no handicap parking or accessible route is provided. These are required by the ADA

Andrew Arnold

SIGNATURE



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

Agency Comment Form

Nonconforming Use Expansion

Date: 4/2/25

Use: Trailer storage, sale, and repair operations related to "Bailey Trailers"

File No.: BA-25-007N

Petitioner: Andrew Bartley

Property Address: 15095 Frederick Road

Map No: 8

Parcel: 58

COMMENT REQUEST	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	OOT	FD
Certification that the development shown on the proposed plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x	x

Comments Due:

COMMENTS: RCD has no objection to the request. For a General Note Markup, Please add the note that this parcel is sited adjacent to a Howard County designated Scenic Road.

Beth Burgess. RCD Chief

SIGNATURE



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

Agency Comment Form

Nonconforming Use Expansion

Date: 4/2/25

Use: Trailer storage, sale, and repair operations related to "Bailey Trailers"

File No.: BA-25-007N

Petitioner: Andrew Bartley

Property Address: 15095 Frederick Road

Map No: 8

Parcel: 58

COMMENT REQUEST	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	OOT	FD
Certification that the development shown on the proposed plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x	x

Comments Due:

COMMENTS: The Department of Fire and Rescue Services has no comment on, nor objection to, this request.

Robert Ferguson
Battalion Chief
Office of the Fire Marshal