

IN THE MATTER OF	:	BEFORE THE
<b>The Howard County</b>	:	HOWARD COUNTY
<b>Conservancy, Inc.</b>	:	BOARD OF APPEALS
Petitioner	:	HEARING EXAMINER
	:	BA Case No. 25-030C

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**DECISION AND ORDER**

On March 24, 2026, the undersigned, serving as the Howard County Board of Appeals Hearing Examiner, and in accordance with the Hearing Examiner Rules of Procedure, held the evidentiary hearing for the Petition of The Howard County Conservancy, Inc. (Petitioner) for a Charitable or Philanthropic Institution: Office and Educational Programs Conditional Use in a RC (Residential Conservation) and RR (Rural Residential) and DEO (Density Exchange Option) Zoning District, filed pursuant to Section 131.0.N.12 of the Howard County Zoning Regulations (HCZR).

The Petitioner certified to compliance with the notice and posting requirements of the Howard County Code. The Hearing Examiner viewed the subject property as required by the Hearing Examiner Rules of Procedure. Ms. Meg Boyd (Executive Director) represented Petitioner. Luke Groom (Civic Engineer) testified in support of Petitioner. No one appeared in opposition.

Petitioner submitted the following Exhibits:

Ex 1. Groom CV

Ex 2. Historic Preservation Commission agenda and letter

### **FINDINGS OF FACT**

Based upon the evidence of record, the Hearing Examiner finds the following facts:

1. Property Identification. The Property is located north side of Old Frederick Road (Rt 99), east of Woodstock Road, south of Davis Branch Road, and west of Hel Peg Road. The Property is located in Council District 5, at Tax Map 10, Grid 24, Parcels 315 and 331, Lots 1 and 2, and is identified as 10520-10524 Old Frederick Road, Woodstock, Maryland. The 83.7-acre site contains multiple parcels and is irregularly shaped. Parcel 315 is 78.44 acres, Parcel 313: Lot 1 is 3.45 acres, and Parcel 313: Lot 2 is 1.78 acres: 83.7 acres in total. The Property contains existing charitable and philanthropic institution use, including an educational building, outdoor patio areas, ADA compliant pathway and associated parking areas, originally approved in 2002 and 2016. The Property is also improved with a historic dwelling used for residential and office uses, and most of the property is used for farming. The parcels are encumbered with streams and wetland buffers. The site rises from an elevation of 380 feet along the northeastern property line to 450 feet at the southern boundary of the Property.

## 2. Vicinal Properties.

Direction	Zoning	Land Use
North	RC-DEO	Single-Family Residential
South	R-20/R-SC	Single-Family Residential/Old Frederick
East	RC-DEO	Open Space/Single-Family Residential
West	RC-DEO	County Parks and Open Space

3. Roads. Old Frederick Road has two travel lanes within an 80-foot right-of-way with dedicated turn lanes into the Property. The speed limit is 40 miles per hour. There are no proposed changes to the existing ingress or egress areas providing access to the Property. The Average Annual Daily Trips data for this section of Old Frederick Road indicates that there were 6,890 trips during 2024.

4. Water and Sewer Service. The portion of the Property containing structures is within the Planned Service Area and is served by public water and sewer. However, the open space areas outside of this area are outside of the Planned Service Area. Parcel 315 is not within the Planned Service Area according to the Howard County G.I.S. maps. Lots 1 and 2 are in the Planned Service Area and there is a public water line to the Education Building on Lot 1. There are septic easement areas to the south of the Education Building on Lot 1 and to the north of the house on Lot 2. The Site is served by both public water and private water and septic facilities.

5. General Plan. The Property is designated Rural Living and Rural Conservation on the Future Land Use Map of HoCo By Design. Old Frederick Road is a Minor Arterial Road.

6. Agency Comments. There are no agency or department comments in opposition.

The Development Engineering Division takes NO EXCEPTION for the nature based

playspace with pervious ADA pathway based on the justification presented in the application. The design shall meet all stormwater management requirements for all impervious areas constructed.

The Division of Land Development commented:

CRITERIA: Potential to comply with all technical requirements:

- A site development plan (SDP) for this development will be required should the conditional use be granted. As shown on the plan exhibit, the development has the potential to comply with the technical requirements in subsequent plan stages. Proposed site improvements and features shall be evaluated by DPZ staff and county review agencies as part of the SDP submission requirements, including access requirements, parking, landscaping, forest conservation, etc.
- This development is subject to the County's Forest Conservation requirements in accordance with Section 16.1200 of the County Code and will be evaluated at the site development plan stage.
- A forest stand delineation will be required to determine the existing forest resources on the site. If the site contains specimen trees, the approval of an alternative compliance application is required for the removal of any specimen trees, if applicable.
- Please be informed that approval of a Conditional Use plan and specific site design does not serve as unwarranted hardship justification for any potential alternative compliance requests to the Subdivision and Land Development Regulations. Future review of the site development plan for compliance with the Forest Conservation regulations may cause changes to the plan. If such changes do not constitute "minor modifications" as defined in Section 131.0.1.2.c, these changes may require a new

hearing by the Hearing Authority, unless otherwise specified in the Decision and Order.

CRITERIA: 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

The improvements proposed appear to be internal to the site. Landscaping requirements will be reviewed at the site development plan stage.

CRITERIA: The number of parking spaces will be appropriate to serve the particular use.

Parking areas loading areas, driveway and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties

Parking requirements will be reviewed and evaluated at the SDP stage. Based on the proposed uses, and the required ratios outlined in Section 133.0 of the Zoning Regulations, the proposed development appears to have adequate parking capacity.

CRITERIA: The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere (streams, wetlands, floodplain, forest conservation, etc.)

There do not appear to be environmental impacts within the Limit of Disturbance as shown on the conditional use exhibit. An environmental concept plan for the site must be approved prior to the site development plan to identify any impacts to streams, wetlands, and their buffers, floodplain, steep slopes and specimen trees on site which are protected from disturbance per the Subdivision and Land Development Regulations. The existing natural environmental conditions of the subject site must be thoroughly assessed by an environmental professional and findings must be provided with the forthcoming plans.

**CRITERIA: Design Advisory Panel review**

The proposed development is not subject to Design Advisory Panel (DAP) review as it is not within the boundaries of a DAP review area.

The Historic Preservation Commission advised:

The proposed conditional use for Charitable or Philanthropic Institutions: Offices and Educational Programs does not trigger review by the Historic Preservation Commission. However, if the Applicants would like to receive Advisory Comments from the Commission, they may submit an application.

The property contains historic structures listed on the Historic Sites Inventory as HO-406, Mt. Pleasant. Advisory Comments from the HPC would only be required if the applicant has to submit a subdivision or site development plan to DPZ for approval. Per County Code Section 16.603A, "Prior to the initial submittal of an application for subdivision or site development plan approval on a site located in a historic district established under this subtitle, adjoining a multi-site historic district, or that contains a historic structure, the applicant shall request review by the Commission to identify all historic resources on the site and obtain advice from the Commission regarding the design of development." For applicants who may need advice on historic trees for compliance with the Forest Conservation Act, the HPC may advise on which trees may be considered historic. According to the Forest Conservation Manual, historic trees are part of an historic site and contribute to a significant view or setting, or they are associated with a historic structure.

7. Historic Preservation Commission. During the March 5, 2026, meeting, the Historic Preservation Commission reviewed Petitioners request for advisory comments.

Request: The Applicant, Meg Boyd from the Howard County Conservancy, requests Advisory Comments related to a site development plan for 10520 Old Frederick Road, Woodbine.

Background and Site Description: This property is not located in a local historic district, but is listed on the Historic Sites Inventory as HO-406, Mt. Pleasant.

According to the Historic Sites Inventory form, the farmhouses dates circa 1775.

The Historic Sites Inventory documentation contains a MHT Determination of Eligibility for the National Register and indicates it would be considered eligible.

The form provides the following information:

“Mount Pleasant, a ca. 1775-1950s farmstead, is located in Woodstock, Maryland, which is near the northern edge of Howard County, along the Baltimore County boundary. The house is set atop a rise north of Old Frederick Road (Route 99) and is surrounded by a range of agricultural outbuildings on approximately 230 acres of rolling Piedmont farmland...Buildings on the property are grouped around two yards: a house yard and a barnyard. The buildings surrounding the house yard include: the farmhouse (ca. 1775-1950), 2 chicken coops, smokehouse, privy, (most constructed ca. 1902 on old foundations), and dairy foundation (19th c). The buildings surrounding the barnyard include: a bank bam, blacksmith shop, wagon shed, com crib, carriage house (most constructed ca. 1902 on old foundations), and education center (ca. 2005 in the location of the historic bam - which does not contribute to the property). An equipment shed (late 20th c. - which also does not contribute to the property) is located along the drive.”

Scope of Work: The Applicant seeks Advisory Comments related to a site development plan for the creation of a redesigned nature play space that adds an ADA accessible pathway through the play elements and the existing picnic area. According to the application, existing play space elements include “the picnic area, nature play area, sensory gardens, meadow education area and orchard” and explains “the goal of the current project is to formalize and enrich these areas and connect them with a pervious ADA pathway, thereby improving the nature play opportunities we offer to the public and increasing ADA accessibility.”

The ADA pathway will be a 790-foot pervious pathway connecting existing uses on the property. The application explains, “the closest element of the play space to the historic house is approximately 130 feet. This is approximately the same distance to the existing picnic area. The nature play element closest to the farmhouse will be logs for balancing, which will be from an elm tree on the property that had to be removed last year. There will also be a “quiet area” in that vicinity which will include benches and a Little Free Library.”

Staff Recommendation to the HPC: Staff recommends HPC identify any potential historic resources within the proposed area for the nature play space and pathways and provide advice accordingly.

By letter dated March 24, 2026:

The Commission found the proposed pathway material, Organic-Lock, was appropriate, and that the proposal would not impact historic structures or archeological features. The Commission said the pathway will enhance connectivity of the site, add to the existing historical landscape features on the property and

assist in preservation of the site.

8. Zoning History.

Case: BA-02-010C

Proposal: Conditional use for a Charitable or Philanthropic Institution and assembly building

Action: Approved, August 29, 2002

Case: WP-03-146

Proposal: Request to waive the site development plan process in Section 16.155.a.1 of the Subdivision and Land Development Regulations for a memorial garden and pathway.

Action: Approved, July 3, 2003

Case: BA-16-023C

Proposal: To expand the existing conditional use with additions to the education building and administrative support spaces, and the installation of an accessible pathway.

Action: Approved, October 16, 2016

9. Conditional Use Proposal. The Howard County Conservancy proposes to expand their existing charitable and philanthropic institution conditional use to construct multiple outdoor educational play areas that will comprise of different interactive structures and areas for the public to utilize. The proposed interactive structures include surface level walking tunnels, climbing equipment, seating areas and a water/mud play

area. These outdoor spaces will be connected by approximately 790 linear feet of ADA-compliant pathway.

### **BURDEN OF PROOF**

The Court of Appeals of Maryland has frequently expressed the applicable standards for judicial review of the grant or denial of a Conditional Use. The Conditional Use is a part of the comprehensive zoning plan sharing the presumption that, as such, it is in the interest of the general welfare, and therefore, valid. The Conditional Use is a valid zoning mechanism that delegates to an administrative body a limited authority to allow enumerated uses which the legislature has determined to be permissible absent any fact or circumstance negating this presumption. The legislative body has statutorily determined that a Conditional Use is compatible in a particular zoning district absent specific facts adduced to the contrary at a particular location. The duties given the hearing body are to judge whether the neighboring properties in the general neighborhood would be adversely affected and whether the use in the particular case is in harmony with the general purpose and intent of the Zoning Plan.

The Applicant has the burden of adducing testimony which will show that his use meets the prescribed standards and requirements, he does not have the burden of establishing affirmatively that his proposed use would be a benefit to the community. These prescribed standards and requirements are conditions precedent to the approval of a conditional use. If he shows to the satisfaction of the zoning body that the conditions precedent have been met and that the proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest

to a greater extent than if the proposed use were located elsewhere, he has met his burden.

The extent of any harm or disturbance to the neighboring area and uses is, of course, material. If the evidence makes the question of harm or disturbance or the question of the disruption of the harmony of the comprehensive plan of zoning fairly debatable, the matter is one for the zoning body to decide. But if there is no probative evidence of harm or disturbance in light of the nature of the zone involved or of factors causing disharmony to the operation of the comprehensive plan, a denial of an application for a Conditional Use is arbitrary, capricious, and illegal. Turner v. Hammond, 270 Md. 41, 54-55, 310 A.2d 543, 550-51 (1973); Rockville Fuel & Feed Co. v. Board of Appeals of Gaithersburg, 257 Md. 183, 187-88, 262 A.2d 499, 502 (1970); Montgomery County v. Merlands Club, Inc., 202 Md. 279, 287, 96 A.2d 261, 264 (1953); Anderson v. Sawyer, 23 Md. App. 612, 617, 329 A.2d 716, 720 (1974).

These standards dictate that if a requested Conditional Use is properly determined to have an adverse effect upon neighboring properties in the general area, it must be denied. Schultz v. Pritts, 291 Md. 1, 432 A.2d 1319, 1325 (1981). See also Mossberg v. Montgomery County, 107 Md. App. 1, 666 A.2d 1253 (1995).

The appropriate standard to be used in determining whether a requested Conditional Use would have an adverse effect and, therefore, should be denied is whether there are facts and circumstances that show that the particular use proposed and the particular location proposed would have any adverse effects above and beyond those inherently associated with such a Conditional Use irrespective of its location within the

zone. Turner v. Hammond, 270 Md. 41, 54-55, 310 A.2d 543, 550-51 (1973); Deen v. Baltimore Gas & Electric Co., 240 Md. 317, 330-31; 214 A.2d 146, 153 (1965); Anderson v. Sawyer, 23 Md. App. 612, 617-18, 329 A.2d 716, 720, 724 (1974). Schultz v. Pritts, 291 Md. 1, 432 A.2d 1319, 1331 (1981). See also Mossberg v. Montgomery County, 107 Md. App. 1, 666 A2d 1253 (1995).

## CONCLUSIONS OF LAW

### 1. General Criteria for Conditional Uses (Section 131.0.B)

HCZR Sections 131.0.B.1-3 require the Hearing Authority to evaluate whether the proposed Conditional Use will be in harmony with the landscape uses and policies indicated in the Howard County General Plan for district in which it is located through the application of three standards: harmony with the General Plan, overall intensity and scale of use, and atypical adverse impacts.

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

**Section 131.0.B.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.**

The proposed use is in harmony with the following policies:

- Policy EH-11 which states, "Encourage individual environmental stewardship in daily activities on private and public property."
  - Implementing Action #3 – "Continue existing and expand current outreach programs to promote and assist private property owners with the implementation of stewardship practices."

**Section 131.0.B.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 limit of disturbance of the proposed enlargements and alterations is approximately 19,000 square feet or 0.52% of the 83.67-acre site, as shown on the conditional use plan. The 83.7-acre property meets all Conditional Use criteria, and the proposed structures and areas are compliant with bulk regulations. The Functional Road Classification Map of HoCo By Design depicts Old Frederick Road as a Minor Arterial Road, which is appropriate for the type and number of vehicles associated with charitable or philanthropic institutional uses.

The nature and intensity of the proposed use, the size of the Property in relation to the use, and the location of the site with respect to the streets that provide access, are such that the overall intensity and scale of the use are appropriate.

**B. Adverse Impacts (Section 131.0.B.3)**

Unlike HCZR Section 131.0.B.1, which concerns the proposed use's harmony or compatibility with the General Plan, or Section 131.0.B.2, which concerns the on-site effects of the proposed use, compatibility of the proposed use with the neighborhood is measured under Section 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) environmentally sensitive areas; and (f) impact on the character and significant 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 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 an RC-DEO and RR-DEO 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*, 107 Md. App. 1, 666 A.2d 1253 (1995).

For the reasons stated below, Petitioner has met its burden of presenting sufficient evidence under HCZR Section 131.0.B.3 to establish the proposed use will not have adverse effects on vicinal properties beyond those ordinarily associated with a Charitable or Philanthropic Institution: Office and Educational Programs, in the RC-DEO and RR-DEO Zoning Districts.

**Section 131.0.B.3.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 Petitioner is proposing outdoor play and educational areas with associated pathways within an approximate 19,000 square foot limit of disturbance. The Petitioner is not proposing any additions or modifications to the existing structures or parking areas. The proposed use will not generate any additional noise, dust, fumes, odors, intensity of lighting, vibrations, hazards, or other similar physical conditions different from the originally approved conditional use. Therefore, the impact of adverse effects will not be greater at the proposed site than it would generally be elsewhere in the RC and RR zoning districts.

**Section 131.0.B.3.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 existing structures meet all bulk regulations of the RR and RC zoning districts and no additions or modifications to the existing structures are proposed. The proposed outdoor areas are surrounded by open space and vegetation and will not be visible from any residential properties in the vicinity. No additional landscaping, fencing or other screening is being proposed. Therefore, 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 RR and RC zoning districts.

**Section 131.0.B.3.c. The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be approximately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.**

The Zoning Regulations do not specify the parking requirements for outdoor play areas. The amount of required parking was approved during the original petition, BA-02-010C, via a parking needs analysis during the Site Development Plan review process. Based upon the original Conditional Use approval 98 spaces were proposed; however, during the parking study 56 parking spaces were provided in a parking lot with an additional 200 spaces provided within a grass overflow area. The Petitioner has indicated that 256 parking spaces are provided, which is still in line with the original approval in 2002 and expansion in 2016. The location of the driveway will not change and will not be shared by other uses.

**Section 131.0.B.3.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.**

The existing ingress/egress entrance to Old Frederick Road was approved during the original construction of the Conditional use in 2002; no changes are being proposed to this area. The Property does not share a driveway with other residential properties.

**Section 131.0.B.3.e The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.**

The Property is encumbered by stream and wetland buffer areas. However, the proposed outdoor play areas will not have an impact on these environmentally sensitive areas. Therefore, the proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere in the RR and RC zoning districts.

**Section 131.0.B.3.f. The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.**

There is a historic site located on the Property, Mt. Pleasant (HO-406); at their closest point, the proposed improvements are 225 feet from the historic structure. The closest historic site, The Carl R. Myers House (HO-190), is located over 1,000 feet to the northwest of the Property and is screened by distance/topography, and vegetation. Therefore, the proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere in the RR and RC zoning districts.

**2. Specific Criteria for of Section 131.0.N.12 (Specific Criteria for Charitable or Philanthropic Institutions: Offices and Educational Programs):**

**A Conditional Use may be granted in the RC and RR Districts, on properties that are not ALPP purchased or dedicated easement properties, and in the R-ED, R-20 and R-12 Districts for a charitable or philanthropic institution, provided that:**

- a. The minimum lot size in the R-ED, R-20 and R-12 Districts shall be one acre. The minimum lot size in the RC and RR Districts shall be three acres.**

The overall size of the parcels is 83.7 acres.

- b. The facility shall be limited to office functions and areas for meetings and educational programs related to the organizations primary purpose. The Hearing Authority must specify the allowed capacity and frequency of educational programs.**

The Petitioner is proposing to add outdoor play and educational areas that are related to the organization's primary purpose. The originally approved Conditional Use, which included educational and meeting spaces, will not change.

- c. Outdoor uses are limited to necessary parking and access, with the exception of nonprofit organizations whose primary purpose is**

**environmental conservation, in which case the use may include outdoor areas used to demonstrate principals and methods of environmental conservation.**

The previously approved parking areas and access to the Property will not be changed or impacted. The Petitioner has indicated that the proposed outdoor play spaces will help facilitate the connection to nature and will help visitors have a better appreciation of the natural environment and the importance of conservation.

**d. All parking areas and outdoor activity areas shall be screened from surrounding properties and roads by landscaping or other appropriate means and located and designed to shield residential property from noise or nuisance.**

The existing parking areas will not be impacted by the proposed expansion. The proposed outdoor areas will be screened from surrounding properties with existing landscaping/vegetation, distance and topography.

**e. The design of new structures or additions to existing structures shall be compatible in scale and character with residential development in the vicinity, as demonstrated by architectural elevations or renderings submitted with the petition.**

The proposed outdoor structures will include ground level walk-through tunnels, climbing equipment, pathways and seating areas. These structures are designed to fit into the existing environment of the Property and have a

common character with the overall use of the Property. No new building structures or additions to building structures are proposed.

- f. Buildings, parking areas and outdoor activity areas shall be at least 50 feet from adjoining residentially zoned properties other than public road right-of-ways.**

The existing structures on the Property will not be modified. The proposed structures and walkways will be over 50 feet from adjoining residentially zoned properties and public road right-of-ways.

- g. At least 20% of the area within the building envelope shall not be used for buildings, parking areas or driveways. The building envelope is formed by the required structure and use setbacks of the Zoning Regulations for the zoning district and the Subdivision and Land Development Regulations.**

The Conditional Use plans indicate that the proposed expansion will utilize approximately 19,000 square feet or 0.5% of the 83-acre Property. The total area utilized within the building envelope containing the proposed and existing conditional uses is less than 20%.

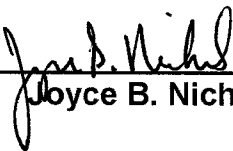
**ORDER**

Based upon the foregoing, it is this 25th day of March, 2026, by the Howard County Board of Appeals Hearing Examiner, **ORDERED**:

That the Petition of The Howard County Conservancy, Inc., for a Conditional Use for Charitable or Philanthropic Institution: Office and Educational Programs, in RR (Residential Residential) and RC (Rural Conservation) DEO (Density Exchange Option) Zoning Districts, Tax Map 10, Grid 24, Parcels 315 and 331, Lots 1 and 2, Council District 5, identified as 10520-10524 Old Frederick Road, Woodbine, Maryland, be and is hereby **GRANTED**.

**HOWARD COUNTY BOARD OF APPEALS**

**HEARING EXAMINER**

  
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Joyce B. Nichols

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.