

1 **CALTABIANO FAMILY, LLC,** \* **BEFORE THE**  
2 **PETITIONER** \* **PLANNING BOARD OF**  
3 **CASE NO.: ZB-1114M** \* **HOWARD COUNTY, MARYLAND**

4 \* \* \* \* \*

5 **MOTION:** *To recommend approval of the petition to rezone 0.316-acre from the R-20 District*  
6 *to the B-1 District with an additional recommendation that the Site Development*  
7 *Plan address both properties owned by the Petitioner.*

8 **ACTION:** *Recommended approval; Vote 3-0.*

9 \* \* \* \* \*

10 **RECOMMENDATION**

11 On February 15, 2018, the Planning Board of Howard County, Maryland, considered the petition of  
12 Caltabiano Family, LLC for a Zoning Map Amendment to rezone a 0.316-acre parcel from the R-20 District  
13 to the B-1 District pursuant to Section 100.0.G.2 site plan documentation for a 2,000-square foot addition to  
14 the Chatham Plaza retail center, a new entrance driveway, parking spaces, and retaining walls.

15 The Planning Board considered the petition, the Department of Planning and Zoning Technical Staff  
16 Report and Recommendation, and the comments of reviewing agencies. DPZ recommended approval of the  
17 petition, citing that the current zoning of the property qualifies as a Mistake in zoning and the rezoning  
18 complies with applicable General Plan policies.

19 The Petitioner was represented by Sang Oh. Mr. Oh explained that the rezoning proposal includes a  
20 site plan to ensure implementation of the development as shown. He referenced a private party agreement  
21 between the Petitioner and the neighboring homeowners association and clarified that any pending legal  
22 matters are not issues for the Planning Board to consider.

23 **Testimony**

24 Lonnie Swiger, Don Abicht, Bob Doyle, Cathy Mailander, Mary Sue Paulis, Stu Kohn, Charles Burch  
25 and Tao Ding all spoke in opposition to the petition. They requested that the Planning Board postpone the  
26 case until the legal matters related to the agreement are resolved. Also, they stated that erosion and runoff is a  
27 problem in the area and developing the property may exacerbate it. Additionally, a speaker suggested that  
28 only the northern half of the property be rezoned to B-1 and the southern half remain as landscaped open  
29 space.

30  
31 **Board Discussion and Recommendation**

32 In work session, the Planning Board stated that the legal matter related to the agreement is not a  
33 Planning Board issue. The Board also stated that the proposed development of the property may improve the

1 current environmental impacts in the neighborhood. The Board found that the current R-20 zoning of the  
2 property is not appropriate and that it should be used for commercial uses. Mr. Coleman made the motion to  
3 recommend approval of the petition according to the Department of Planning and Zoning recommendation,  
4 with an additional recommendation that the Site Development Plan for the proposed development should  
5 address both properties owned by the Petitioner. Mr. McAliley seconded the motion. The motion passed by a  
6 vote of 3 to 0.

7 For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 15th day of  
8 March 2018, recommends that Zoning Board Case No. ZB-11114M, as described above, be APPROVED.

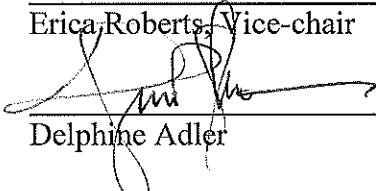
10 HOWARD COUNTY PLANNING BOARD

11 ABSENT

12 \_\_\_\_\_  
Phillips Engelke, Chair

13 ABSENT

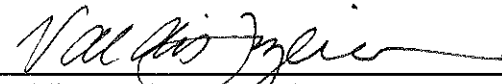
14 \_\_\_\_\_  
Erica Roberts, Vice-chair

15   
16 \_\_\_\_\_  
Delphine Adler

17 \_\_\_\_\_  
18 Ed Coleman

19 \_\_\_\_\_  
20 Kevin McAliley

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23  
24 ATTEST:

25   
26 \_\_\_\_\_  
Valdis Lazdins, Executive Secretary