

1 **KEVIN AND MARIA GARVEY,** * **BEFORE THE**
2 **PETITIONERS** * **PLANNING BOARD OF**
3 **ZONING BOARD CASE NO.: ZB-1108M** * **HOWARD COUNTY, MARYLAND**

4 * * * * *

5 **MOTION:** *To recommend approval of the petition with the recommendation that the Zoning*
6 *Authority further study the original allocation of the two zoning district areas for*
7 *the property during the 2013 Comprehensive Zoning Plan.*

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

9 * * * * *

10 **RECOMMENDATION**

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12 On June 2, 2016, the Planning Board of Howard County, Maryland, considered the petition of Kevin
13 and Maria Garvey for an amendment to the Zoning Map to rezone 0.7 acre from the POR District to the RR-
14 DEO District.

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16 The Planning Board considered the petition, the Department of Planning and Zoning (DPZ) Technical Staff
17 Report and recommendation, and comments of reviewing agencies. The Petitioner was represented by Sang
18 Oh. Mr. Oh stated that the Technical Staff Report is a proper analysis of the zoning issues, but he noted that
19 the Comprehensive Zoning Plan process is very fast and complicated, so it is difficult to fix problems like this
20 during the process. There was no testimony in opposition to the petition.

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22 DPZ recommended denial of the petition because there is sufficient evidence to show that during the 2013
23 Comprehensive Zoning Plan process, the Zoning Authority intended to establish the POR District as shown
24 on the official Zoning Map. DPZ also stated that the driveway that provides access to the house on the RR-
25 DEO area of the property can continue to be used for that purpose even though it goes through the POR-
26 zoned area. The Planning Board's work session followed the meeting. During the work session, all DPZ
27 testimony was evaluated to develop the Board's recommendation.

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29 **Board Discussion and Recommendation**

30 The Board acknowledged that the request is minor, and while understanding that the driveway can
31 continue to access the house, the Board indicated that the Zoning Authority should reconsider the Zoning
32 Map Line and the allocation of land area in each District in order to allow the lot to be subdivided. Ms. Adler
33 made the motion to recommend approval of the petition with an additional recommendation that the Zoning
34 Authority further study the original allocation of the two zoning district areas for the property during the 2013

1 Comprehensive Zoning Plan. Ms. Roberts seconded the motion. The motion passed by a vote of 3 to 0.

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3 For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 7th day of
4 July, 2016, recommends that ZB-1108M, as described above, be **APPROVED**.

5
6 HOWARD COUNTY PLANNING BOARD

7 ABSENT

8

Bill Santos, Chairman

9 ABSENT

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Phil Engelke, Vice-Chair

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Jacqueline Easley

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Erica Roberts

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Delphine Adler

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20 ATTEST:

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Valdis Lazdins, Executive Secretary
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