

1 MICHAEL AND * BEFORE THE
2 CAROLINE BOOSALIS, PETITIONERS * PLANNING BOARD OF
3 ZONING BOARD CASE ZB-1117M * HOWARD COUNTY, MARYLAND

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5 MOTION: *To recommend of approval of the petition requesting to rezone 1.04 acres from the*
6 *RR-DEO District to the Business Rural (BR District), with the Preliminary*
7 *Development Plan for a paving contractor business, provided that there is a*
8 *substantial landscape screen along the north side of the site, and that the 15-foot*
9 *dede ded right-of-way along the north side shall remain zoned RR-DEO.*

10 ACTION: *Recommended Approval; Vote 5 to 0.*

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12 On December 7, 2017, the Planning Board of Howard County, Maryland, considered the petition of
13 Michael and Caroline Boosalis for an amendment to the Zoning Map to rezone 1.04 acres from the RR-DEO
14 District to the BR District, with a Preliminary Development Plan for a paving contractor business.

15 The Petitioner was represented by Thomas Meachum. Also present and representing the Petitioner
16 was Joanne Carey-Vert. John McCoy testified in opposition to the petition.

17 The Planning Board considered the petition, the Department of Planning and Zoning (DPZ) Technical
18 Staff Report and Recommendation, and the comments of reviewing agencies. DPZ recommended approval of
19 the petition with conditions, based on findings that the petition is in harmony with the General Plan and that it
20 complies with the BR District criteria. DPZ requested a vegetative buffer adjacent to Parcel 130 to screen the
21 office building and parking areas, and that the portion of the 15' dede ded right-of-way adjacent to Parcel 209
22 remain RR-DEO, since it can only be used for access to Parcel 209 and is not included in the proposed paving
23 business.

24 Mr. Meachum explained that the Petitioners are requesting approval for the BR District because they
25 are unable to continue using their adjoining residential lot for their paving business. He emphasized that there
26 will be no business activity or noise during the day. Further, he stated that paving contractors have later
27 morning start times than typical contractor businesses because they must wait until the asphalt plant opens.
28 Mr. Meachum attested that a landscape buffer could be provided on the adjoining Parcel 130 to the north, and
29 that the owner of that parcel is open to that idea.

30 Mr. McCoy testified in opposition stating that the proposed paving contractor business is not
31 consistent with the BR District Purpose Statement since it is not compatible with the predominantly
32 residential neighborhood. He expressed concerns about the potential negative precedent this would set.

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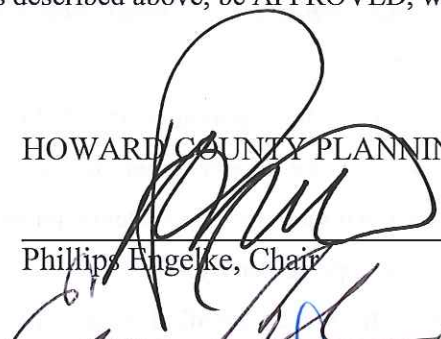
Board Discussion and Recommendation

The Board acknowledged that the paving business has been operating in the neighborhood since 1989, even though it was not done legally. The Board expressed concern that a typical landscape buffer along the north side of the site might be inadequate, and suggested a substantial screen instead.

Ms. Roberts made the motion to recommend approval of the petition, provided there is a substantial landscape screen along the north side of the site and the 15-foot deeded right-of-way along the north side shall remain zoned RR-DEO. Mr. Coleman seconded the motion. The motion passed by a vote of 5 to 0.

For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 4th day of January, 2018, recommends that ZB-1117M, as described above, be APPROVED, with the conditions stated above.

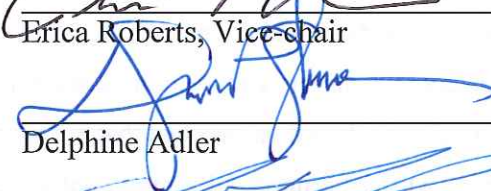
HOWARD COUNTY PLANNING BOARD



Phillips Engelke, Chair



Erica Roberts, Vice-chair



Delphine Adler




Ed Coleman



Kevin McAliley

ATTEST:



Valdis Lazdins, Executive Secretary