

Horse Farm, LLC & Deep Run
Property Management, LLC,
Petitioner
ZRA 103

* PLANNING BOARD OF
* HOWARD COUNTY, MARYLAND

* * * * *

MOTION: To recommend approval of the proposal to amend Section 127.1 (PSC: Planned Senior Community District) of the Zoning Regulations to make it an overlay district allowing use of the underlying zoning district; and Section 103.A.112 (Definitions) to include the PSC District among the list of enumerated overlay districts.

ACTION: *Recommended approval of Petition; Vote 3 to 0.*

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RECOMMENDATION

On October 16, 2008, the Planning Board of Howard County, Maryland, considered the petition of Horse Farm, LLC & Deep Run Property Management, LLC to amend Section 127.1 of the Zoning Regulations to make it an overlay district allowing use of the underlying zoning district; and Section 103.A.112 (Definitions) to include the PSC District among the list of enumerated overlay districts.

The petition, the Department of Planning and Zoning Technical Staff Report and Recommendation were presented to the Board for its consideration. The Department of Planning and Zoning recommended that the Petitioner's request be approved.

The Petitioner was represented by William Erskine, Esq. No one appeared in opposition to the petition. No one testified in opposition to the petition.

Mr. Erskine explained that the need for the amendment is mandated by unknown factors which are unique to the PSC. He said that with typical zoning, a developer knows what the bulk regulations are prior to undertaking the development, but with PSC, the developer must accept the conditions imposed by the Planning Board and Zoning Board without prior knowledge of conditions. Mr. Erskine said the amendment would allow the right to default to the underlying zoning for a specified time period.

Motion:

Gary Rosenbaum made a motion to accept the recommendation of the DPZ Technical Staff Report. Paul Yelder seconded the motion.

Discussion:

Mr. Grabowski said the Technical Staff Report explains the proposal. He said Mr. Erskine's explanation of the approval process in relation to changing market conditions which may occur during the process provided a good explanation of the need for the amendment. He said that given a process that can take two or more years and the unknown factor of the bulk regulations, the property owner would have a chance to respond to market conditions.

Horse Farm, LLC & Deep Run Property Management, LLC, Petitioner

Vote:

The motion for approval of the petition in accordance with the recommendation of the DPZ Technical Staff Report passed by a vote of 4-0-1.

For the foregoing reasons, the Planning Board of Howard County, Maryland, on this ____ day of October, 2008, recommends that the Petitioner's request to amend section 127.1 (PSC: Planned Senior Community District) of the Zoning Regulations to make it an overlay district allowing use of the underlying zoning district; and Section 103.A.112 (Definitions) to include the PSC District among the list of enumerated overlay districts, be APPROVED in accordance with the recommendation of the Technical Staff Report.

HOWARD COUNTY PLANNING BOARD


David Grabowski, Chairperson

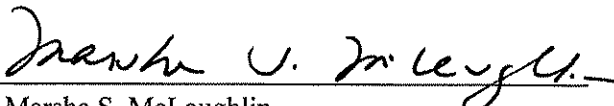

Gary Rosenbaum, Vice Chair

ABSENT
Tammy CitaraManis

ABSENT
Linda Dombrowski


Paul Yelder

ATTEST:


Marsha S. McLaughlin
Executive Secretary