

1 C. GODFREY GARVEY, * BEFORE THE
2 PETITIONER, * PLANNING BOARD OF
3 ZRA 151 * HOWARD COUNTY, MARYLAND

4 * * * * *

5 MOTION: *To recommend approval of the Zoning Regulation*
6 *Amendment petition request to amend Section 118.0.B. of the Zoning*
7 *Regulations, adding personal service establishments to the list of uses*
8 *permitted as a matter of right.*
9

10 ACTION: *Recommended Approval; Vote 4 to 0.*

11 * * * * *

12 RECOMMENDATION

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14 On April 9, 2015, the Planning Board of Howard County, Maryland, considered the petition of C.
15 Godfrey Garvey, for an amendment to the Zoning Regulations to amend Section 118.0.B. of the Zoning
16 Regulations, adding personal service establishments to the list of uses permitted as a matter of right in the B-1
17 zoning district.

18 The petition, the Department of Planning and Zoning Technical Staff Report and Recommendation,
19 and the comments of reviewing agencies, were presented to the Board for its consideration. The Department
20 of Planning and Zoning recommended approval of the petition based on findings that the proposed
21 amendments met the evaluation criteria of being in harmony with sections 5.1 and 5.2 of the current General
22 Plan for Howard County by encouraging entrepreneurship, affording entrepreneurs the opportunity to grow
23 their businesses, and encouraging the establishment of educational institutions. Additionally, the use that the
24 Petitioner is proposing to add to Section 118.0.B is very similar to uses currently permitted as a matter of
25 right in the B-1 zoning district.

26 A representative for the owner of a local office building testified that the owner has a prospective
27 tenant that would like to lease space in his building for a driving school. The owner's representative testified
28 that a driving school would not require any additional parking.

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30 The Planning Board expressed the following concerns related to this Zoning Regulation Amendment:
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- 32 • A Planning Board member asked whether parking would be adequate for commercial schools
33 in the B-1 zoning district. The Petitioner's representative testified that a driving school

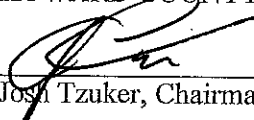
1 would not require any additional parking. A representative from the Department of Planning
2 also agreed that since the proposed commercial school use is very similar to current uses
3 allowed as a matter of right in the B-1 zoning district, the adequacy of parking should not be
4 an issue.


- 5
6 • A Planning Board member asked how children's music lessons taken at a musical instrument
7 rental facility is different than the current proposal, and why that would be allowed in the
8 Chatham Mall Shopping Center, but this would not. A representative from the Department of
9 Planning and Zoning responded that it would depend on the zoning district that the music
10 store is located in, and that the use may be permitted as a matter of right in the Chatham Mall
11 Shopping Center.
- 12
13 • A Planning Board member asked if commercial schools were defined in the Zoning
14 Regulations. A representative from the Department of Planning and Zoning responded that
15 commercial schools were defined in the Zoning Regulations, and read the definition for the
16 Planning Board members.
- 17
18 • A Planning Board member expressed concern about the new uses (like vocational schools)
19 that would be allowed if commercial schools were allowed as a conditional use in the B-1
20 zoning district. A representative from the Department of Planning and Zoning responded that
21 cost is a factor when making these decisions, and a vocational school looking for a large
22 warehouse space will probably not be looking in the B-1 district since rent is more expensive
23 than in the M-1 district where commercial schools are permitted as a matter of right. Because
24 of this, the amendment would probably draw more small schools to the B-1 zoning district.

25
26 Phil Engelke made the motion to amend Section 118.0.B. of the Zoning Regulations, adding personal
27 service establishments to the list of uses permitted as a matter of right in the B-1 zoning district, as designated
28 in the General Plan in accordance with the Department of Planning and Zoning recommendation. The motion
29 passed by a vote of 4 to 0.

30 For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 23 day of
31 April, 2015, recommends that ZRA 151, as described above, be **APPROVED**, as noted.

HOWARD COUNTY PLANNING BOARD


Josh Tzucker, Chairman

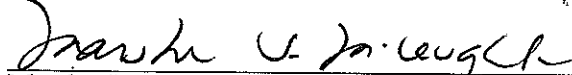

Bill Santos, Vice-Chair


Jacqueline Easton


Phil Engle

Absent
Erica Roberts

ATTEST:


Marsha S. McLaughlin, Executive Secretary