



**PETITION TO AMEND THE
ZONING REGULATIONS OF
HOWARD COUNTY**

DPZ Office Use Only:
Case No. ZRA- 151
Date Filed: 8-18-14

1. Zoning Regulation Amendment Request

I (we), the undersigned, hereby petition the County Council of Howard County to amend the Zoning Regulations of Howard County as follows: I am petitioning Howard County to amend the current zoning regulations to allow for a "Driving" school within the B-1 district. I am the owner of 3290 Pine Orchard Lane, Ellicott City, MD 21042. This is an office building. I have a prospective tenant, Easy Method Driving School, for approximately 1500 sq ft of space within my building. Currently B-1 will allow for a school however not a Driving School. I do not feel a Driving School would adversely affect the neighboring business or the population in general should the amendment be granted.

[You must provide a brief statement here. "See Attached Supplement" or similar statements are not acceptable. You may attach a separate document to respond to Section 1 in greater detail. If so, this document shall be titled "Response to Section 1"]

2. Petitioner's Name C. Godfrey Garvey

Address 3011 Woodberry Lane, Ellicott City, MD 21042

Phone No. (W) 410-203-2300 (H) 410-465-5045

Email Address godfreygarvey@verizon.net

3. Counsel for Petitioner _____

Counsel's Address _____

Counsel's Phone No. _____

Email Address _____

4. Please provide a brief statement concerning the reason(s) the requested amendment(s) to the Zoning Regulations is (are) being proposed _____

I am proposing this amendment because I have a tenant, Easy Method Driving School that wants to open a driving school within my office building.

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HOWARD COUNTY COUNCIL
RECEIVED

5. Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with current General Plan for Howard County _____

The Current zoning plan B-1 allows for a "School". I feel a "Driving School" would be in harmony with the current zoning plan. I do not feel the subject matter of what is being taught in a school should dictate the type of school permitted. District B-2 allows for a "Driving School". District B-2 which currently borders my property allows for a "Driving School". Properties that border mine are in harmony with the current zoning and I do not feel by having my property allowed to have a "Driving" school would deter from this harmony.

[You may attach a separate document to respond to Section 5. If so, this document shall be titled "Response to Section 5"]

6. The Legislative Intent of the Zoning Regulations in Section 100.0.A. expresses that the Zoning Regulations have the purpose of "...preserving and promoting the health, safety and welfare of the community." Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with this purpose and the other issues in Section 100.0.A. _____

My Proposed amendment, to have a "Driving School" within Howard County's B-1 zoning code will maintain the harmony in the area with the regard to preserving and promoting the health, safety and welfare of the community. A driving school strives to create an atmosphere that addresses individual needs and encourages the development of a safe, confident driver. Amending the current zoning regulations to allow for a "Driving School" will not add undue congestion of population. The Students will arrive for class and stay for the duration which is a few hours at a time. I have reviewed all of section 100.0A and do not feel that having the zoning regulations amended to allow for a driving school will adversely affect the area in any way.

[You may attach a separate document to respond to Section 6. If so, this document shall be titled "Response to Section 6."]

7. Unless your response to Section 6 above already addresses this issue, please provide an explanation of the public benefits to be gained by the adoption of the proposed amendment(s) . _____

[You may attach a separate document to respond to Section 7. If so, this document shall be titled "Response to Section 7."]

8. Does the amendment, or do the amendments, have the potential of affecting the development of more

than one property, yes or no? NO

If yes, and the number of properties is less than or equal to 12, explain the impact on all properties affected by providing a detailed analysis of all the properties based upon the nature of the changes proposed in the amendment(s). If the number of properties is greater than 12, explain the impact in general terms.

[You may attach a separate document to respond to Section 8. If so, this document shall be titled "Response to Section 8."]

9. If there are any other factors you desire the Council to consider in its evaluation of this amendment request, please provide them at this time. Please understand that the Council may request a new or updated Technical Staff Report and/or a new Planning Board Recommendation if there is any new evidence submitted at the time of the public hearing that is not provided with this original petition. NO

[You may attach a separate document to respond to Section 9. If so, this document shall be titled "Response to Section 9."]


10. You must provide the full proposed text of the amendment(s) as a separate document entitled

"Petitioner's Proposed Text" that is to be attached to this form. This document must use this standard format for Zoning Regulation Amendment proposals; any new proposed text must be in CAPITAL LETTERS, and any existing text to be deleted must be in [[Double Bold Brackets]]. In addition, you must provide an example of how the text would appear normally if adopted as you propose.

After this petition is accepted for scheduling by the Department of Planning and Zoning, you must provide an electronic file of the "Petitioner's Proposed Text" to the Division of Public Service and Zoning Administration. This file must be in Microsoft Word or a Microsoft Word compatible file format, and may be submitted by email or some other media if prior arrangements are made with the Division of Public Service and Zoning Administration.

11. The Petitioner agrees to furnish additional information as may be required by the Department of Planning and Zoning prior to the petition being accepted for scheduling, by the Planning Board prior to its adoption of a Recommendation, and/or by the County Council prior to its ruling on the case.
12. The undersigned hereby affirms that all of the statements and information contained in, or filed with this petition, are true and correct. The undersigned has read the instructions on this form, filing herewith all of the required accompanying information. If the Petitioner is an entity that is not an individual, information must be provided explaining the relationship of the person(s) signing to the entity.

C. Godfrey Garvey
Petitioner's name (Printed or typed)


Petitioner's Signature

8/13/14
Date

Petitioner's name (Printed or typed)

Petitioner's Signature

Date

Petitioner's name (Printed or typed)

Petitioner's Signature

Date

Counsel for Petitioner's Signature

[If additional signatures are necessary, please provide them on a separate document to be attached to this petition form.]

FEE

The Petitioner agrees to pay all fees as follows:

Filing fee\$695.00. If the request is granted, the Petitioner shall pay \$40.00 per 200 words of text or fraction thereof for each separate textually continuous amendment (\$40.00 minimum, \$85.00 maximum)

Each additional hearing night..... \$510.00*

* The County Council may refund or waive all or part of the filing fee where the petitioner demonstrates to the satisfaction of the County Council that the payment of the fee would work an extraordinary hardship on the petitioner. The County Council may refund part of the filing fee for withdrawn petitions. The County Council shall waive all fees for petitions filed in the performance of governmental duties by an official, board or agency of the Howard County Government.

APPLICATIONS: One (1) original plus twenty (24) copies along with attachments.

For DPZ office use only:

Hearing Fee \$ _____

Receipt No. _____

PLEASE CALL 410-313-2395 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION

County Website: www.howardcountymd.gov

Revised: 07/12
T:\Shared\Public Service and Zoning\Applications\County Council\ZRA Application

INSTRUCTIONS TO THE APPLICANT/PARTY OF RECORD

- As required by State Law, applicants are required to complete the AFFIDAVIT AS TO CONTRIBUTION that is attached, and if you have made a contribution as described in the Affidavit, please complete the DISCLOSURE OF CONTRIBUTION that is attached.
- If you are an applicant, Party of Record (i.e., supporter/protestant) or a family member and have made a contribution as described in the Affidavit, you must complete the DISCLOSURE OF CONTRIBUTION that is attached.
- Filed affidavits and disclosures will be available for review by the public in the office of the Administrative assistant to the Zoning Board during normal business hours.
- Additional forms may be obtained from the Administrative Assistant to the Zoning Board at (410-313-2395) or from the Department of Planning and Zoning.
- Completed form may be mailed to the Administrative Assistant to the Zoning Board at 3430 Courthouse Drive, Ellicott City, MD 21043.
- Pursuant to State Law, violations shall be reported to the Howard County Ethics Commission.

PETITIONER: C. Godfrey Garvey

DISCLOSURE OF CONTRIBUTION

**As required by the Annotated Code of Maryland
State Government Article, Sections 15-848-15-850**

This Disclosure shall be filed by an Applicant upon application or by a Party of Record within 2 weeks after entering a proceeding, if the Applicant or Party of Record or a family member, as defined in Section 15-849 of the State Government Article, has made any contribution or contributions having a cumulative value of \$500 or more to the treasurer of a candidate of the treasurer of a political committee during the 48-month period before the application was file or during the pendency of the application.

Any person who knowingly and willfully violates Sections 15-848-15-850 of the State Government Article is subject to a fine of not more than \$5,000. If the person is not an individual, each officer and partner who knowingly authorized or participated in the violation is subject to the same penalty.

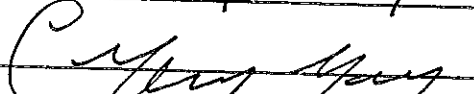
APPLICANT OR
PARTY OF RECORD: C. Godfrey Garvey

RECIPIENTS OF CONTRIBUTIONS:

<u>Name</u>	<u>Date of Contribution</u>	<u>Amount</u>
<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

I understand that any contribution made after the filing of this Disclosure and before final disposition of the application by the County Council shall be disclosed with five (5) business days of the contribution.

Printed Name: C. Godfrey Garvey

Signature: 

Date: 8/13/14

SECTION 118.0: B-1 (Business: Local) District

A. Purpose

The B-1 District is established to provide areas of local business that can directly serve the general public with retail sales and services.

B. Uses Permitted as a Matter of Right

1. Adult book or video stores, subject to the requirements of Section 128.0.H
2. Ambulatory health care facilities.
3. Animal hospitals, completely enclosed.
4. Antique shops, art galleries, craft shops.
5. Bakeries, provided all goods baked on the premises shall be sold at retail from the premises.
6. Banks, savings and loan associations, investment companies, credit unions, brokers, and similar financial institutions.
7. Bicycle repair shops.
8. Blueprinting, printing, duplicating or engraving services limited to 2,000 square feet of net floor area.
9. Carnivals and fairs sponsored by and operated on a nonprofit basis for the benefit of charitable, social, civic or educational organizations, subject to the requirements of Section 128.0.D.
10. Carpet and floor covering stores.
11. Catering establishments and banquet facilities.
12. Child day care centers and nursery schools.
13. Clothing and apparel stores with goods for sale or rent.
14. Commercial communication antennas.
15. Commercial communication towers with a height of less than 200 feet measured from ground level, subject to the requirements of Section 128.0.E.2. and 128.0.E.3.
16. Conservation areas, including wildlife and forest preserves, environmental management areas, reforestation areas, and similar uses.
17. Convenience stores.
18. Convents and monasteries used for residential purposes.
19. Day treatment or care facilities.
20. Drug and cosmetic stores.
21. Farmers markets and farm produce stands.
22. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.
23. Food stores.
24. Funeral homes and mortuaries.
25. Furniture, appliance and business machine repair, furniture upholstery, and similar services.
26. Government structures, facilities and uses, including public schools and colleges.
27. Hardware stores.
28. Home improvement stores including, but not limited to, the following: electrical supplies, glass, garden supplies, hardware, plumbing supplies, wallpaper, and building materials and supplies related to home improvements, provided such building materials and supplies are enclosed in a building.
29. Laundry and/or dry cleaning establishments, except that pickup and delivery services shall not be provided.
30. Lawn and garden sheds and equipment sales, maintenance and repair.
31. Liquor stores.

32. Mobile home and modular home sales and rentals, but not including occupancy, provided that any such use is located on a lot which adjoins a lot zoned R-MH pursuant to Section 113.1 of these Regulations.
33. Motor vehicle parts or tire stores, without installation facilities.
34. Museums and libraries.
35. Nonprofit clubs, lodges, community halls.
36. Nursing homes and residential care facilities, in the Non-Planned Service Area for Water and Sewerage.
37. Offices, professional and business.
38. One square foot of residential space is permitted for each square foot of commercial space and must be located within the same structure.
39. Personal service establishments.
40. Pet grooming establishments and daycare, completely enclosed.
41. Religious facilities, structures and land used primarily for religious activities.
42. Repair of electronic equipment, radios, televisions, computers, clocks, watches, jewelry, and similar items.
43. Restaurants, carryout, including incidental delivery service.
44. Restaurants, standard, and beverage establishments, including those serving beer, wine and liquor.
45. Retail greenhouses, garden centers and nurseries, including incidental sale of firewood.
46. Seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.
47. Schools, private academic, including colleges and universities.
48. Service agencies.
49. Specialty stores.
50. Swimming pools, commercial or community.
51. Underground pipelines; electric transmission and distribution lines; telephone, telegraph and CATV lines; mobile transformer units; telephone equipment boxes; and other similar public utility uses not requiring a Conditional Use.
52. Volunteer fire departments.

C. Accessory Uses

1. Any use normally and customarily incidental to any use permitted as a matter of right in this district.
2. Communication towers and antennas which are accessory to a principal use on the lot and which exclusively serve that use. Towers are subject to the requirements of Sections 128.0.E.2 and 128.0.E.3.
3. Retail sale of propane on the site of a principal retail business.
4. Snowball stands, subject to the requirements of Section 128.0.D.
5. Private parks, athletic fields, exercise facilities, tennis courts, basketball courts, and similar private, noncommercial recreation facilities.
6. Small Wind Energy System, building mounted, subject to the requirements of Section 128.0.L.
7. Accessory Solar Collectors.

"Petitioner's Proposed Text"

Section 118.0: B-1 (Business: Local) District

B. Uses Permitted as a Matter of Right

47. Schools, private academic, including colleges and universities

Example of How Text Would Appear Normally If Adopted As Proposed:

Section 118.0: B-1 (Business: Local) District

B. Uses Permitted as a Matter of Right

47. Schools, private academic, including colleges and universities and
DRIVING SCHOOLS.