



HCCA

Howard County Citizens Association

Since 1961...

The Voice Of The People of Howard County

Date: 15 February 2018

Subject: ZB 1114 - Caltabiano Family, LLC

Good evening. My name is Stu Kohn and I am the President of the Howard County Citizens Association, HCCA. I have a letter signed by our Board Members which authorizes me to testify this evening. We are against the approval before you and completely support the Rolling Hills Community.

What is the definition of a “Good Neighbor?” It should be a neighbor who honors a commitment in regards to a signed covenant and deed, dated 1988 and 1989 respectively why has the Petitioner changed his mind and why are we here in the first place? It should be the Planning Board’s role to respect the legal documents that have been in existence for all these years. Please refer to the Pre-submission notes from the Petitioner which was conducted on June 23, 2016. There are 13 documented questions which lists the community’s concerns. The seventh question reads, “Are you aware of covenants that as part of a previously-approved variance require this property to remain zoned R-20?” The response by the Petitioner’s representative, Sang Oh stated, “Yes, but we are hopeful that tonight can begin a discussion about what can be done to this residual parcel that makes more sense from a land use perspective and can be the impetus to make some improvements to the current situation.” Why is the Petitioner not honoring his signature to respect the Rolling Hills community as has been done for the last 30 years?

Once this case receives legal rendering from the Courts and if they rule in the Petitioner’s favor then and only then should the case be before you or the Hearing Examiner. Just simply tell the Petitioner to come back if necessary once the legal portion of the case is settled by all parties.

This case reminds me of what comes first the chicken or the egg? For example, the Settlement of Savage case regarding the proposed land swap was not allowed to be heard even though it was a major consequence of the case. In addition, the proposed Erickson case regarding the Planned Service Area and the criteria were originally to be discussed simultaneously. We are glad to hear from DPZ that the case when heard will be treated separately due to HCCA’s recommendation. The bottom line is the Planning and Zoning Board should not waste their time and effort or that of the citizen’s in deciding cases when there are major conditions that preclude cases to be initially heard.

The eighth question in the Pre-submission notes states, “It would be important to have a barrier and effective landscaping between Arcadia Drive and the property. While it is all green and wooded now, we can see everything in the winter.” The response from the Petitioner was, “We agree and think that the onus is on us to propose the types of improvements that will effectively screen these uses from the residential neighborhood.” Since the Petitioner agrees with this concern allow me to quote a saying from Ben Franklin. He is quoted as saying, “Love thy neighbor -- but don't pull down your hedge.”

Thank you and good evening.

Stu Kohn
HCCA, President