



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

May 23, 2019

## TECHNICAL STAFF REPORT

*Planning Board Meeting of June 6, 2019*

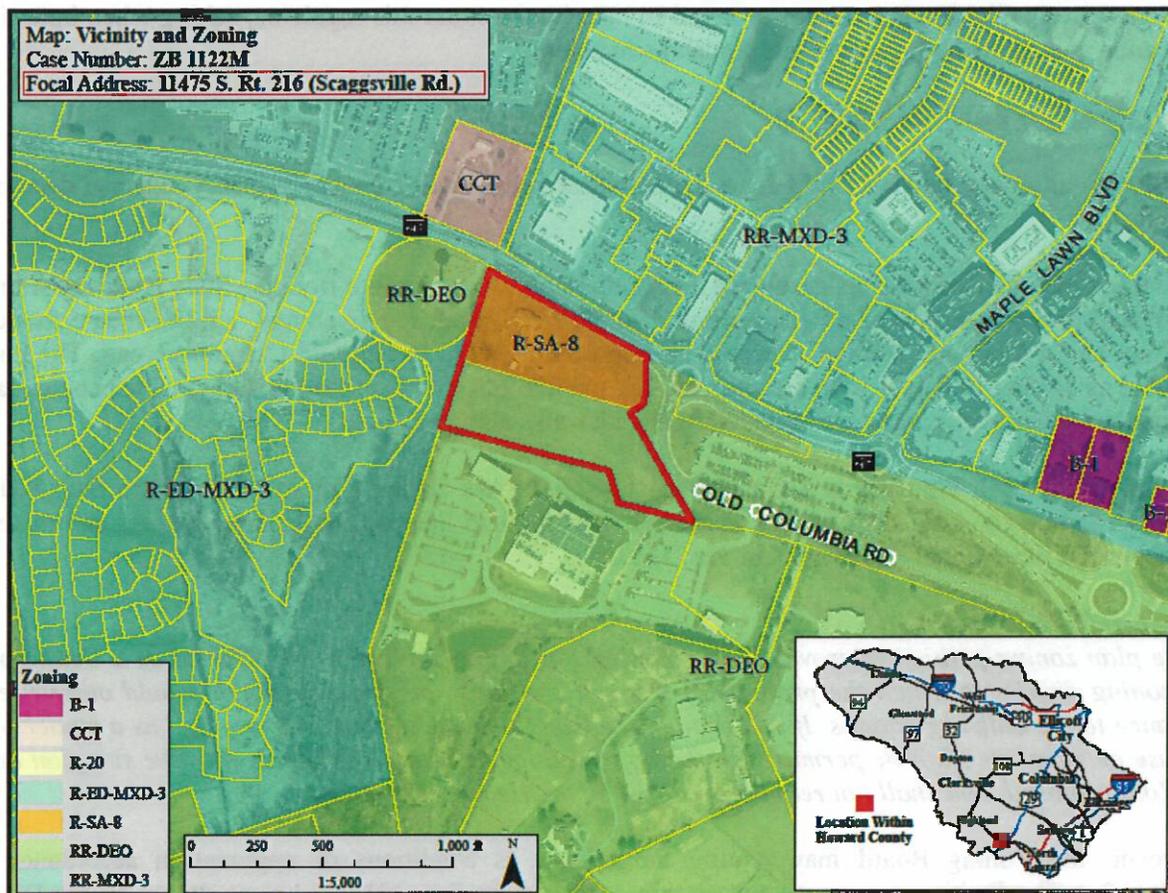
**Case No./Petitioner:** ZB-1122M – Meadowood-Maple Lawn, LLC

**Location:** 11475 MD 216 (Scaggsville Rd); Tax Map 46, Grid 3, Parcel 282. Portion of MD 216 Right-of-way (the "Property")

**Area of Site:** 8.78 acres

**Current Zoning:** RR-DEO and R-SA-8 with site plan documentation

**Proposed Zoning:** R-SA-8 with site plan documentation



## I. DESCRIPTION OF PROPOSAL

The Petitioner requests a Zoning Map Amendment to rezone the Property to RSA-8 with a Documented Site Plan (DSP) for an age-restricted adult housing development consisting of 64 single family attached dwellings. The northern portion of the site was rezoned to R-SA-8 with a DSP in 2017 (ZB-1109M) for 29 single-family attached dwellings. The southern part of the site (identified only as Rt. 216 right-of-way) remained RR-DEO. The Petitioner proposes to combine both properties into a unified development under a single DSP.

The Petitioner asserts that the proposed Zoning Map Amendment is justified based on a mistake in zoning (“Mistake”) made during the 2013 Comprehensive Zoning Plan (the “2013 CZP”).

The Property is within the Planned Service Area (“PSA”), is incorporated into the Metropolitan District, and has public sewer in the vicinity. Similar to ZB1109M, the Petitioner asserts that the RR zoning district is specifically intended for agricultural use and low-density residential development in the Rural West. The Petitioner further states that the General Plan defines the Rural West as being outside of the Priority Funding Area and the PSA. Consequently, any property within the PSA and zoned RR is incorrectly zoned.

Additionally, the location of the RR-zoned Property in the PSA makes it undevelopable, because Howard County Code Section 16.131 requires that all residential properties in locations where public sewer is available must connect to public sewer. According to the Petitioner, “Since the Property cannot be developed with sewer under RR bulk regulations, and cannot be developed with septic under the Howard County Code, the Property cannot be developed at all. The Zoning Authority failed to take into account this regulatory taking when imposing an RR-DEO zone and, as such, this represents a mistake in zoning.”

### Documented Site Plan (Sec. 100.G.2)

A DSP was approved in ZB-1109M for a development consisting of 29 single-family attached dwellings in five buildings.

Since that time, the Petitioner has acquired the southern portion of the site from the State Highway Administration (SHA) and proposes a total of 69 age-restricted single family attached dwellings, a 1,280 square foot community building, and a dog park. Vehicular access is proposed on MD 216 and Old Columbia Road. The buildings are depicted as 34 feet in height with masonry siding, gable roofs, and frontloaded garages. Perpendicular, on-street parking spaces and driveways are provided, with sidewalks along all streets.

Age-restricted Adult Housing is a Conditional Use in RSA-8 zoning district. Pursuant to Sec. 100.0.G.2.g, a Conditional Use can be permitted as a matter of right through the site plan zoning process and therefore is not subject to the Conditional Use criteria in Sec. 131.0.

### *Section 100.0.G.2.g.:*

*A site plan zoning petition approved by the Zoning Board may include a use allowed as a Conditional Use in the zoning district to which the property is rezoned and a use or structure which would otherwise require a variance to the bulk regulations. If this occurs, the Conditional Use shall be permitted as a matter of right and the use or structure shall be permitted in the approved location, in accordance with the site plan approved by the Zoning Board, and shall not require approval by the Hearing Authority.*

However, the Zoning Board may require the criteria as conditions of approval in accordance with Sec. 100.0.G.2.e. The Petitioner requests that certain criteria from Sec. 131.0.N.1.a, as shown on the DSP, be made part of the approval.

## II. ZONING HISTORY

### A. Subject Property

In the 1961 Comprehensive Zoning Plan, the Property was zoned R-40. It was rezoned R (Rural) in the 1977 Comprehensive Zoning Plan, and retained that zoning in the 1985 Comprehensive Zoning Plan. In the 1992 Comprehensive Zoning Plan for Western Howard County, and the subsequent 1993 Comprehensive Zoning Plan, the Property was zoned RR-DEO.

In 2017, the northern portion of the Property was rezoned to R-SA-8 (ZB-1109M), and the southern part of the site, then an SHA right-of-way, remained zoned RR-DEO, which is the current zoning.

### B. Adjacent Properties

All surrounding properties have the same zoning history up to the 1993 Comprehensive Zoning Plan, when the properties across Scaggsville Road were rezoned RR-MXD-3. All other properties were zoned RR-DEO. In 2006 ZB-1039M was approved and incorporated the properties to the north, across Scaggsville Road, into the Maple Lawn Mixed Use Development- previously approved under ZB-995M. No other zoning changes have occurred until the 2013 Comprehensive Zoning Plan when the property to the southwest was rezoned R-ED-MXD-3 and the property to the northwest across Scaggsville Road was rezoned CCT.

## III. BACKGROUND INFORMATION

### A. Site Description

The Property contains a one-story, single-family detached dwelling, constructed in the early 1950s. The Property existed before the widening of Scaggsville Road and the construction of the adjoining roundabout.

From an entrance on Scaggsville Road, a paved driveway extends south to a relatively large paved parking lot. At its south end is a detached accessory building and other small accessory structures located behind the house. The remainder of the site is farmland.

The highest elevation is at the northwest corner of the Property where the land slopes down to the southeast, south, and southwest.

### B. Vicinal Properties

Across MD 216 to the northwest is an assisted-living facility within the CCT zoning district. To the north of the Property is a shopping center in the Maple lawn Mixed Use Development. It consists of a large grocery store, two multi-tenant buildings, and a single-tenant restaurant building. There is an undeveloped pad site, which is labeled as a proposed future bank on the DSP.

Adjoining the east of the Property is undeveloped, excess right-of-way for MD 216. To the east is Old Columbia Road and a State Highway Administration park-and-ride lot. To the south is Parcel 387, which is zoned RR-DEO and contains the Grace Community Church. To the west of the Property is Parcel 389, the site of a Howard County water tower, and Parcel 113, which is zoned R-ED-MXD-3 and is the future site of the Maple Lawn South subdivision. According to Preliminary Sketch Plan SP-15-014, this subdivision has 176 single-family detached dwelling lots, to be subdivided and developed as an R-ED subdivision.

**C. Roads**

MD 216 is a Minor Arterial with a 45 mile per hour speed limit. It has two east-bound lanes and two west-bound lanes that merge into one west-bound lane. There is approximately 60 feet of paving within a variable width right-of-way.

The estimated sight distance from the proposed driveway entrance on MD 216 is approximately 765 feet to the roundabout to the southwest and approximately 725 feet to the northwest. The estimated sight distance from the proposed driveway entrance on Old Columbia Road is approximately 250 feet in both directions. However, precise sight distance measurements can only be determined through a detailed sight distance analysis.

According to data from the State Highway Administration, the current traffic volume on MD 216 between US 29 and Lime Kiln Road is 18,415 AADT (Annual Average Daily Traffic).

**D. Water and Sewer Service**

The Property is in the Metropolitan District and the Planned Service Area.

If ZB-1122M is approved, the proposed development will be served by public water and sewer.

**E. General Plan**

The Property is designated as a Growth and Revitalization place type on the *PlanHoward 2030* maps. MD 216 in this location is a Minor Arterial.

**F. Subdivision Review Committee**

As required by Section 100.0.G.2.c. of the Zoning Regulations, this site plan was evaluated by the Subdivision Review Committee ("SRC") on April 2, 2019. The Department of Planning and Zoning Division of Land Development indicates that the development shown on the proposed site plan has the potential to comply with all technical requirements of the reviewing agencies in subsequent subdivision and site development plan stages of review, subject to the attached comments from review agencies.

**IV. EVALUATIONS AND CONCLUSIONS****A. Evaluation of the Petition Concerning the General Plan**

The Petitioner asserts that the request to rezone the Property to R-SA-8 is in harmony with the PlanHoward 2030 General Plan because it would be more consistent with the adjoining Maple Lawn Development and cohesive with the previously-rezoned land on the north half of the property. The R-SA-8 zoning will serve as a transitional zone and is more consistent with properties located within the PSA.

The Property is within a Targeted Growth and Revitalization Area, as designated in the PlanHoward 2030 General Plan. Page 74 of that plan describes such areas as "...areas where current policies, zoning and other regulations, as well as policies suggested in PlanHoward 2030, seek to focus most future County growth."

The following policy in *Chapter 6 Growth* is also related to the request:

Opportunities Implementation Action of Policy 6.5 "*Designate appropriate additional areas within the County's Priority Funding Area for well-designed, compact development in order to accommodate future job and housing growth*".

The Designated Place Types Map shows the Property located within the Priority Funding Area and PSA for water and sewer.

The current RR-DEO zoning does not support the Targeted Growth and Revitalization Area policies and is more consistent with the Rural West designation, which is described as "...area [that] is outside of the Priority Funding Area, [and] is not served by public water and sewer." The Purpose statement for the RR (Rural Residential) District states "The Rural Residential District is established to allow low density residential development within a rural environment. The Rural Residential District is intended for an area of the County which is already largely committed to low density residential subdivisions." The Property is not within a rural environment with low density residential subdivisions.

The proposed R-SA-8 District is consistent with General Plan policies and the development pattern of the area. On the Land Use Map, the areas to the west of the Property are undeveloped, residential land, planned for the Maple Lawn South development and the water tower. Across Scaggsville Road is land designated Commercial. The area to the east is public right-of-way, while the Grace Community Church to the south is Institutional. The proposed R-SA-8 development of the Property would be an appropriate transition between the commercial land to the north and the institutional and residential land to the south and west.

**B. Evaluation of the Petition Concerning the Change Rule**

The Petitioner did not assert the Change Rule so DPZ did not evaluate the petition from that perspective.

**C. Evaluation of the Petition Concerning the Mistake Rule**

To substantiate a mistake in zoning, evidence must show that the Zoning Authority erred when it adopted the comprehensive zoning map.

The Petitioner asserts that the proposed Zoning Map Amendment is justified based on a Mistake made during the 2013 CZP. The basis for this assertion is that the Property is within the PSA and is zoned RR-DEO, which is a Rural West zoning district, intended for properties outside of the Priority Funding Area and PSA.

The Petitioner maintains that the Property is "...undevelopable under existing zoning..." due to its inclusion in the PSA. DPZ concurs with the Petitioner that the RR-DEO zoning of the Property is a mistake made in the 2013 CZP, for the reasons stated by the Petitioner and for additional reasons as expressed below:

On September 13, 2010, the Zoning Board rezoned 221.1 acres of the Doughoregan Manor property from RC-DEO to R-ED (ZB 1087M). The Decision and Order for this case established that the location of a property in a Rural West zoning district and in the PSA may be considered a factor in determining mistake in zoning:

"Petitioners' principal contention as to mistake in comprehensive zoning was based on the County Council's inclusion of the subject property in the PSA by CB 9-2010. The Board concluded that there was substantial evidence from this change in policy by the County Council to remove the subject property from the non-PSA Rural West and put it in the area of the County in which properties must be served with public water and sewer facilities is indisputably an event or fact occurring subsequent to the 2004 Comprehensive Zoning. The Board concludes that this shows that the Council's premise in zoning the property RC-DEO in 2004 has proven to be incorrect over time."

A similar finding was more recently made in the Zoning Map Amendment case ZB-1109M, which is the northern portion of this Property.

**D. Evaluation of Site Plan Documentation Factors in Section 100.G.2.d.**

1. *The compatibility of the proposed development with the existing and potential land uses of the surrounding areas.*

Currently, the Property contains a single-family detached dwelling, which is not in character with the surrounding uses. The proposed Age-Restricted Adult Housing development, as depicted on the DSP, will introduce a moderately higher residential density that would be appropriate in this setting. It will also function as a transition between the commercial uses to the north and the future low density residential neighborhood to the west and southwest. It will also help to screen the adjacent low-density residential neighborhood from Scaggsville Road and the shopping center.

2. *Protection of the environmental integrity of the subject property and adjoining areas in the location and design of site improvements.*

The Property has no environmentally sensitive features. The proposed development provides the required landscape buffers.

3. *The availability of safe road access for the proposed development.*

In ZB-1109M, SHA commented that “*if and when the SHA-owned parcel to the south*” [that is, the parcel subject to this rezoning] “*is purchased by a developer and a plan for development is submitted, we ask that the County require access to both the SHA parcel and the Gates at Maple Lawn be combined and routed to Old Columbia Road. This will require the closure of the Gates at Maple Lawn access point on MD 216.*”

The Petitioner is requesting access to MD 216 and Old Columbia Road. In the attached comments, SHA supports the access point on Old Columbia Road. However, the proposed right in/right out access point on MD 216 would only be permitted if the median is extended along MD 216 to preclude left turns from the westbound direction. The current plan does not comply with SHA’s comments and should be revised to either incorporate SHA’s comments or remove the access point from MD 216 and include a T-turn around, according to the specs indicated in Department of Fire Rescue Services comments.

4. *Compatibility of the proposed development with the policies and objectives of the Howard County General Plan.*

The proposed development is in harmony with the Opportunities Implementation Action of Policy 6.5 to “*Designate appropriate additional areas within the County’s Priority Funding Area for well-designed, compact development in order to accommodate future job and housing growth*”. The proposed lay-out of the site, roads, and open space are well-designed and accommodate housing near jobs.

**E. Appropriateness of Zoning District**

As noted above, the RR District is no longer an appropriate zoning district because it is a Rural West District and the property is located within a Targeted Growth and Revitalization Area, with public water and sewer service in the vicinity. The following is an analysis of alternative zoning districts that may be suitable for the property:

*Residential*

Low density residential zoning districts would not be appropriate, given the context of the surrounding area, with townhomes approved on the northern portion of the site, commercial land use across Scaggsville Road to the north, government uses to the east and west, and the location directly on Scaggsville Road. High density residential districts, such as R-A-15 and R-APT, could create compatibility issues with the future low-density residential neighborhood to the west and southwest.

*Non-residential*

The Property does meet the CCT District’s purpose to serve as “a transition between residential neighborhoods and nonresidential development, or an arterial highway.” However, commercial zoning districts on the south side of Scaggsville Road are not recommended, considering the large number of existing and future commercial uses in Maple Lawn. Similarly, the POR or PEC would not be appropriate, considering the large amount of office space in Maple Lawn.

**V. RECOMMENDATION**

For the reasons noted above, the Department of Planning and Zoning recommends that that the request to rezone the Property from RR-DEO to R-SA-8, with the Age-Restricted Adult Housing development as depicted on the DSP submitted on March 7, 2019, be **APPROVED** subject to the following:

1. The access point on MD 216 be revised to incorporate State Highway Administration comments for a right in/right out access point or remove the proposed MD 216 access point and include a T-turn around that complies with Department of Fire Rescue Services specifications.
2. The criteria from Sec. 131.0.N.1.a as shown on the DSP.

Approved by:



Valdis Lazdins, Director

5-23-17  
Date

**NOTE: The file on this case is available for review at the Public Service Counter by appointment in the Department of Planning and Zoning.**



# Howard County

Department of Planning and Zoning

**Subject:** Planning Board Case No: ZB1122M  
Applicant: Meadowood – Maple Lawn, LLC  
Petition: To change the zoning of the subject property from RR-DEO to R-SA-8.

**To:** Division of Zoning Administration and Enforcement  
Department of Planning and Zoning

**From:** Development Engineering Division  
Department of Planning and Zoning

**Date:** May 21, 2019

The Development Engineering Division has reviewed the above referenced petition and has no objection.

Based on an examination of the petition, we offer the following comments:

1. All improvements must comply with current Howard County design criteria.
2. A sewer capacity report shall be required for this project. This report is required to be submitted prior to a preliminary water and sewer plan.
3. An APFO Traffic Study shall be submitted with the proposed SDP.
4. An Environmental Concept Plan shall be submitted and be approved for the redevelopment of this property to ensure that ESD to the MEP stormwater management requirements are met prior to the submission of a Site Development Plan for this project.
5. A noise study with mitigation shall be submitted with the Site Development Plan for the residential uses proposed along Scaggsville Road (MD Route 216).
6. A Sight Distance Analysis with an 85<sup>th</sup> percentile speed study shall be submitted at the Site Development Plan for the access locations to ensure that adequate sight distances can be provided for the development of the site.
7. Based on SHA comments dated March 14, 2019, revise the plan to show a right in/right out only for the access on MD 216 with the extension of the MD 216 median island beyond the proposed access. Based on this median island extension demonstrate on this plan that construction vehicles can maneuver from MD 216 onto the County owned water tower parcel.
8. If the MD 216 access is not proposed, provide a standard tee turn around on-site at the end of the private road.

If you have any questions concerning this matter please contact me at extension 2350.



Chad Edmondson, P.E., Chief

CE/pmt

cc: James M. Irvin, Director, Department of Public Works  
Thomas E. Butler, Department of Public Works  
Reading File  
File

## Russell, Kristin

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**From:** Scott Newill <SNewill@sha.state.md.us>  
**Sent:** Thursday, March 14, 2019 10:53 AM  
**To:** Sheubrooks, Kent  
**Cc:** Russell, Kristin  
**Subject:** ZB 1122M - Meadowood Maple Lawn LLC

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Kent,

Thank you for the opportunity to review the subject Zoning Board Petition. While MDOT SHA does not object to the proposed zoning change, the currently proposed plan does not adhere to direction provided to a previous proposal for a portion of the site (northern portion) in 2016. The following points are provided to outline the previous direction and failure of this current plan to address that direction.

1. Maple Lawn South recently expanded EB MD 216 to two through lanes from South Maple Lawn Boulevard to east of the water tower entrance drive. The current development proposal plan shows the previous roadway section prior to Maple Lawn South construction.
2. On December 13, 2016, MDOT SHA provided the following to Mr. Bob Lalush in response to request for review of ZB 1109M. *'If and when the SHA-owned parcel to the south is purchased by a developer and a plan for development is submitted, we ask that the County require access to both the SHA parcel and the Gates at Maple Lawn be combined and routed to Old Columbia Road. This will require the closure of the Gates at Maple Lawn access point on MD 216.'* While this statement assumed that the northern property would have been constructed by this time, and although it has not, the MDOT SHA desire to see all access from Old Columbia Road still exists.
3. If right in/right out access to MD 216 is desired, additional roadway improvements including the extension of the existing median west past the proposed MD 216 access to preclude left turns from WB MD 216, must be proposed by the developer. This need for the median was first outlined in a email from myself to Derrick Jones on August 25, 2016 when MDOT SHA was initially requested to provide comment on ZB 1109M.
4. Should the County require a TIS for the development, MDOT SHA requests inclusion in all review efforts.
5. Any work within MDOT SHA r/w will require review and permitting through the Access Management process.

Regards,

Scott

### **D. SCOTT NEWILL**

**Regional Engineer**  
**District 7 Access Management**  
5111 Buckeystown Pike  
Frederick, MD 21704  
**Voice: 301-624-8151**  
**email: [snewill@sha.state.md.us](mailto:snewill@sha.state.md.us)**

## Russell, Kristin

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**From:** O'Connor, Kristin  
**Sent:** Thursday, April 04, 2019 3:24 PM  
**To:** Russell, Kristin  
**Subject:** FW: Gates of Maplelawn

I think this email must be for you....

-----Original Message-----

**From:** Wallace, Gordon  
**Sent:** Thursday, April 04, 2019 3:08 PM  
**To:** O'Connor, Kristin <koconnor@howardcountymd.gov>  
**Subject:** Gates of Maplelawn

Kristin, DFRS would comment that if the access is not allowed or maintained from Rt 216, we will require an adequate T turn around, sized for our ladder truck. If the developer would need specs, they can email me directly.

Thanks, Gordon

Sent from my iPhone



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

**Subject: SRC Agenda**  
**ZB 1122M –Meadowood-Maple Lawn, LLC**

**To:** Department of Fire and Rescue Services  
Environmental Health  
Development Engineering Division  
Division of Comprehensive and Community Planning  
Division of Transportation – Dave Cookson  
State Highway Division

**From:** Kent Sheubrooks, Chief  
Division of Land Development *KS*

**Date:** March 13, 2019

The attached Zoning Board Petition **ZB 1122M** has been scheduled for the **April 4, 2019** SRC meeting. This is a Site Plan Zoning Map Amendment to change the zoning of the subject property from **RR-DEO** to **R-SA-8**. In accordance with Section 127.0.D.4 of the Zoning Regulations, the petition must be reviewed by the SRC to determine if the proposed development has the potential to comply with technical requirements without substantial changes.

A revised plan has been submitted to address the SRC comments.

**Please forward all comments to the Division of Land Development.** If you have any questions, please contact me or Kristin Russell

Attachment

*TSCP has NO Comments - Not in a DAP review area.  
Kristin O.*



# Howard County

## Internal Memorandum

Subject: ZB 1122M- Meadowood Maple Lawn, LLC

Memo To: Kristin Russell

From: Rashidi Jackson

Thru: David Cookson

Date: April 11, 2019

After reviewing Zoning Petition ZB1122M- Meadowood Maple Lawn, the Office of Transportation offers the following comments.

1. The petitioner should provide a shared use pathway connection from the Maple Lawn South Subdivision as shown on (F-16-021, page 12) to the proposed subdivision. The pathway is to be for public community use and be continued through the project to Old Columbia Road. The pathway should be built to AASHTO standards.
2. The petitioner should provide sidewalk along MD 216, and Old Columbia Road. The sidewalk along MD 216 should connect with the existing sidewalk along MD 216 from the Maple Lawn South Subdivision.
3. The petitioner is to provide bike lanes along MD 216 and tie them into the existing bike lanes that was installed as part of the Maple Lawn South Subdivision.



# Howard County

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*Internal Memorandum*

**Subject:** ZB 1122m - Meadowood – Maple Lawn/ Gates at Maple Lawn

**To:** Geoff Goins, Chief  
Division of Public Service and Zoning Administration

**From:** Kent Sheubrooks, Chief KS  
Division of Land Development  
Department of Planning and Zoning

**Date:** April 8, 2019

The Division of Land Development has reviewed the above referenced Zoning Petition “Site Plan” to rezone a parcel owned by the State Highway Administration from RR-DEO Zoning to R-SA-8 Zoning and provides the attached comments for consideration by your Division.

If you have questions regarding the enclosed comments, please contact Derrick Jones or me of this Division.

KS/dj  
attachment: DLD Comments

DEPARTMENT OF PLANNING AND ZONING  
*Division of Land Development*

March 19, 2019

COMMENTS

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RE: **ZB-1122M Meadowood-Maple Lawn/ Gates at Maple Lawn**

*Subdivision*

1. If the proposed lots are to be created in fee-simple, a subdivision plat to create the lots and open space area will be required.

*Environmental Considerations*

2. An environmental assessment/report will be required as part of the Subdivision and Land Development review.

3. This development will be subject to **Forest Conservation** requirements, per Section 16.1200 of the County Code and the Forest Conservation Manual. A forest stand delineation and forest conservation plan will be evaluated as part of the plan review process.

*Public Road Frontage and Access*

4. For **in-fee** single family attached lots, a minimum of 15 feet of public road frontage is required on a public road, per Sect 16.120(c)(4) of the Subdivision and Land Development Regulations. Single-family attached lots may be approved without public road frontage provided they front on a commonly owned area containing parking area or private roads not exceeding 200 feet measured from the edge of the public right-of-way along the centerline of the private road. This requirement doesn't apply to condominium units fronting on a private road.

5. Access to and from this development must be at Old Columbia Road, a public road/minor collector roadway.

6. The width of the proposed private road must meet the minimum road width requirements and drainage, curbing and other infrastructure related requirements.

7. Please be advised that only **credited** open space may satisfy the min. open space requirement for this development. In accordance with Section 16.121(a)(3)(iii) of the Subdivision and Land Development Regulations, parking lot islands, driveway easements (for private roads) serving non-open space uses, overhead utility transmission lines and narrow strips under 35 feet in width may not count towards minimum open space requirements.

8. This project may be subject to compliance with Section 111.0.E. of the Zoning Regulations to provide a 15-foot deep usable outdoor space yard, if the developer proposes in-fee lots and not condominiums.

9. Please be sure to provide adequate spacing within the private roadways and turn-around areas for large private vehicles and emergency vehicles to maneuver in and out of the property.

*Landscaping*

10. The future development of this site must address the landscaping requirements in accordance with Section 16.124 of the Howard County Code, the Landscape Manual and the Zoning Board Decision and Order, if applicable. Both internal landscaping for the single-family attached units and street trees will be required for this project.

*Off-Street Parking*

11. This development must satisfy the minimum number of off-street parking spaces as required under Section 133.0.D.2 of the Zoning Regulations. Parking requirements for age-restricted adult units is 2.3 spaces per unit – verify

12. In accordance with Council Bill No. 76-2018, this project may be subject to providing the infrastructure for and charging stations for electric vehicles in designated parking areas.

*Noise*

13. The proposed development abuts a minor arterial roadway (MD Route 216) and is subject to compliance with noise mitigation, per Section 16.120(b)(5) of the Subdivision and Land Development Regulations.

*Moderate Income Housing Units*

14. At least 10% of the proposed townhome units must comply with the Moderate Income Housing Unit program as required by the Department of Housing and Section 111.0.F. of the Zoning Regulations.

*APFO- Housing Unit Allocations*

15. This project will be subject to APFO testing for housing unit allocations during the subdivision or site development plan stage.



PETITION TO AMEND THE ZONING MAP OF HOWARD COUNTY

DPZ Office Use Only: Case No. ZB-112am Date Filed: 12/10/18

1. Zoning Request

I (we), the undersigned, hereby petition the Zoning Board of Howard County to amend the Zoning Map of Howard County as follows: To change the current zoning of the Subject Property from the RR-DEO (Rural Residential: Density Exchange Option) zoning district to the R-SA-8 (Residential: Single Attached) zoning district

2. Petitioner's Name Meadowood-Maple Lawn, LLC

Address 1202 Shady Creek Road, Marriottsville, Maryland 21104

Phone No. (W) (H)

Email Address

3. Owner's Name Maryland State Highway Administration

Address 7201 Corporate Center DR., MS-470, Hanover, MD 21076

Phone No. (W) (H)

4. Counsel for Petitioner Sang W. Oh, Talkin & Oh, LLP

Address 5100 Dorsey Hall Drive, Ellicott City, Maryland 21042

Phone No. (410) 964-0300

Email soh@talkin-oh.com

5. Property Identification

Address of Subject Property 11475 S Route 216, Fulton, Maryland 20759-2205

Location of Subject Property

Election District 5th Tax Map # 46 Block # 0003 Parcel # 282

Total Acreage of Property 5.08

6. Petitioner's Interest in Subject Property Owner

(e.g. owner/joint owner/contract purchaser)

7. Reason for the requested amendment to the Zoning Map The Property is within the Planned Service Area ("PSA") and Metropolitan District, making it undevelopable in RR-DEO due to the prohibition on septic within the PSA. This rezoning application is submitted to bring the Property's zoning in accordance with its inclusion in the PSA.

8. Statement as to the present use or uses of the subject property The Property is presently vacant.



9. Statement as to whether or not there is an allegation of mistake in the current zoning, and, if so, the nature of the mistake and the facts to support the allegation See the attached Narrative Supplement
10. Statement as to whether or not there is an allegation of a substantial change in the character of the neighborhood subsequent to the most recent comprehensive rezoning. If change(s) is alleged, the nature of the change(s) and the facts to support the allegation and a statement as to why the petitioner concludes that the reclassification sought is the proper one There is no allegation of substantial change in the character of the neighborhood.
11. Statement as to whether or not the petitioner can use the subject property in its present zoning classification and, if not, the reasons why No, the subject Property cannot be used for single-family detached homes in accordance with the cluster subdivision regulations of RR-DEO because it is within the PSA for water and sewer and these facilities are available. See the response to Question 9 in the attached Supplement for Petition to Amend Zoning Map of Howard County.
12. Statement as to whether or not such amendment will be in harmony with the General Plan for Howard County and whether such amendment will adversely affect the surrounding and vicinal properties The amendment will be in harmony with the General Plan and will not adversely affect surrounding and vicinal properties. See the answer to Question 14 in the attached Narrative Supplement.
13. State whether or not the subject property is currently served by public water, sewerage, and public roads The subject Property is within the PSA, fronts on public water, and has access to public sewerage. The Property is served by MD Route 216, a public road.
14. Any other factors which the petitioner desires the Board to consider including copies of any written reports intended to be introduced at the hearing and a written summary of verbal evidence of any expert which will be proffered at the hearing See the attached Narrative Supplement.

15. **DRAWINGS (PLEASE TAKE NOTE)**

Original Petition plus **24 copies** (if on a county road), with equal amount of required drawings, folded to approximately 8 ½" x 14" (**27 copies if a state road is involved**). Plats of the subject property, plus other such scale drawings as may be required by the Department of Planning and Zoning, must show the following:

- a. Courses and distances of the boundary lines of the subject property and the acreage
  - b. North arrow
  - c. Existing zoning of subject property and adjoining properties
  - d. Location, boundary lines, and area of any proposed reclassification of zoning
  - e. Existing structures, uses, natural features and landscaping on the subject and adjacent properties which may be relevant to the petition
  - f. Location of subject property in relation, by approximate dimension, to the nearest intersection of two public roads
  - g. Ownership of affected roads
  - h. Election district in which subject property is located
  - i. Tax map/zoning map number on which subject property is shown
  - j. Name of local community or neighborhood in which subject property is located or is near
  - k. Name and mailing address of property owner
  - l. Name and mailing address of the petitioner
  - m. Name and mailing address of petitioner's attorney, if any
  - n. Any other information as may be necessary for full and proper consideration of the petition
16. If the petition includes site plan documentation, the petition shall include all information as required by Section 100.G.2. of the Zoning Regulations.
17. The Petitioner agrees to furnish such additional plats, plans or other data as may be required by the Zoning Board and/or the Department of Planning and Zoning.
18. The Petitioner further agrees to install and maintain Zoning Hearing Poster(s) as required in the Affidavit of Posting provided by the Department of Planning and Zoning. The Poster(s) must be posted for at least 30 days immediately prior to the Zoning Board hearing and remain posted until 15 days after the final hearing.
19. The Petitioner agrees to insert and pay for the newspaper advertising costs as required by the Zoning Board Rules of Procedure. Said advertisement shall be in a format deemed adequate by the Chairperson of the Zoning Board and must be published once in at least two newspapers of general circulation in Howard County at least 30 days prior to the Zoning Board hearing. The Petitioner also agrees to submit certification of the text and publication dates of the approved advertisement prior to the Zoning Board hearing to the Administrative Assistant to the Zoning Board.
20. The Petitioner certifies that no petition for the same or substantially the same proposal as herein contained for the subject property has been denied in whole or in part by the Zoning Board or has been withdrawn after the taking of evidence at a public hearing of the Zoning Board within twenty-four (24) months of the Zoning Board hearing unless so stated herein.

21. 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.

Sang W. Oh      W. Oh      12-7-18      [Signature]      Meadowood-Maple Lawn, LLC      12/7/18  
Sang W. Oh      Date      Meadowood-Maple Lawn, LLC      Date

22. **FEES**

The Petitioner agrees to pay all fees as follows:

- a. Filing fee including first hearing .....\$695.00\*
- Each additional hearing night.....\$510.00\*
- b. Public Notice Poster(s):.....\$25.00

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

\*\*\*\*\*

**For DPZ office use only:**

Hearing Fee \$ \_\_\_\_\_  
Poster Fee \$ \_\_\_\_\_  
Total \$ \_\_\_\_\_

Receipt No. \_\_\_\_\_

**PLEASE CALL 410-313-2350 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION**

**County Website: [www.howardcountymd.gov](http://www.howardcountymd.gov)**

## **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.



ZONING MATTER: Meadowood-Maple Lawn, LLC

**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: Meadowood - Maple Lawn, LLC

RECIPIENTS OF CONTRIBUTIONS:

<u>Name</u>	<u>Date of Contribution</u>	<u>Amount</u>
<u>N/A</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: Thomas B. McKee Managing  
Signature: [Handwritten Signature]  
Date: 12/7/18



## Pre-submission Community Meeting Procedures

### Sec. 16.205. Procedure.

- (a) Any person owning an interest in the property affected may petition the Zoning Board for approval of a development plan, and a person owning an interest in the property affected, the Director of the Department of Planning and Zoning or members of the Zoning Board may petition the Zoning Board for piecemeal map amendment. The form and number of copies of the petition shall be as prescribed by law or by the Zoning Board's rules of procedure.
- (b) Prior to the initial submittal of a petition, the petitioner shall hold a pre-submission community meeting that provides information to the community regarding the petition and allows community residents to ask questions and discuss any issues. The meeting must be held in accordance with the following procedures:
  - (1) At least three weeks in advance, the petitioner shall send written notice regarding the date, time and location of the meeting to:
    - a. All adjoining<sup>1</sup> property owners as identified in the records of the Maryland Department of Assessments and Taxation, via mail;
    - b. The Department of Planning and Zoning, which will place this meeting notice on the department's web site;
    - c. The County Council; and
    - d. Any community association that represents the area of the subject property or any adjacent properties.

The property involved shall be posted with the time, date and place of the initial meeting. The sign shall include the address of Department of Planning and Zoning's website. The property shall be posted for at least three weeks immediately before the hearing. The poster shall be double-sided. At least 48 inches by 48 inches in size and the typeface shall be at least two inches in height. The Department of Planning and Zoning shall determine the number of posters required and their location and the petitioner shall bear the expense of posting. The posters shall be erected perpendicular to the road which serves as the mailing address of the subject property. The Department of Planning and Zoning shall supply the posters. The petitioner shall properly erect and maintain the posters.

- (2) The meeting shall be:
  - a. Held at a location within the community, preferably in a public or institutional building located within approximately three miles of the subject property; and
  - b. Scheduled to start between 6 p.m. and 8 p.m. on a weekday evening, or to be held between 9 a.m. and 5 p.m. on a Saturday, excluding county holidays and other holidays determined in subsection (d) of this section.
- (3) A certification of notice and posting and a summary of the issues expressed by residents at the pre-submission community meeting shall be written and transmitted by the petitioner to the Department of Planning and Zoning when the initial petition is filed for county review.
- (4) If the petitioner does not submit the petition within 1 year of the pre-submission community meeting, another pre-submission community meeting and notification in accordance with subsection (b) of this section shall be required.

### **IMPORTANT:**

**It is also advised that notice be sent to any community association registered with the County to be notified about projects in certain geographic area; and the County Council.**

Please use the following web address to access the community notification list [http://data.howardcountymd.gov/HOA\\_Register/GCommunityView\\_new.asp](http://data.howardcountymd.gov/HOA_Register/GCommunityView_new.asp). You will be prompted to enter the three-digit sign code assigned to your development. Once your sign code has been entered, you will be provided with a list of community contacts that have requested information about your development.

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<sup>1</sup> Adjoining property is land which is touching or would be touching in the absence of an intervening utility or road right-of-way, other than a principal arterial highway.

**Owner Authorization**

On this 10<sup>th</sup> day of December, 2018, the State of Maryland, State Highway Administration, as sole owner of the property located at 11475 Route 216, Fulton, Maryland 20759 (Tax Map 46, Block 03, Parcel 282) (the "Property"), hereby authorize Meadowood-Maple Lawn, LLC to submit a petition to rezone the Property to the R-SA-8 zoning district and, additionally, petition for a conditional use for Age-Restricted Adult Housing on the Property.

**WITNESS:**

STATE OF MARYLAND  
STATE HIGHWAY ADMINISTRATION



Glen C. Carter  
Team Leader, Real Estate  
Services  
*Office of Real Estate and  
Economic Development*



O 410.865.1270  
F 410.865.1385

7201 Corporate Center Drive  
Hanover, Maryland 21076  
mdot.maryland.gov

✉ gcarter@mdot.state.md.us

SUPPLEMENT FOR PETITION TO AMEND ZONING MAP OF HOWARD COUNTY

9. *Statement as to whether or not there is an allegation of mistake in the current zoning, and, if so, the nature of the mistake and the facts to support the allegation*

The Property is within the planned service area for water and sewer (“PSA”) and has been incorporated into the Metropolitan District. The Property, however, is zoned Rural Residential. The RR and RC zones have been specifically designed for agricultural preservation and low density development in the western part of the County (“Rural West”). See PlanHoward 2030 (“General Plan”) at 33-34. The General Plan defines the Rural West as being “outside of the Priority Funding Area” and “not served by public water and sewer.” General Plan at 74.<sup>1</sup> As such, properties within the PSA and Metropolitan District are not appropriately zoned Rural Residential.

As described in the General Plan, the PSA has been expanded to include Maple Lawn so as to foreclose septic use for future development in this area. See General Plan at 70. The General Plan further states that Maple Lawn and other areas were included in the PSA “because of their location at the interface of the rural residential zone and the planned service area,” and that these properties “should be designed and zoned to establish a transition that is compatible with and enhances surrounding communities.” *Id.*

The Property’s inclusion in the PSA makes it undevelopable under existing zoning. Under RR zoning, the Property must utilize shared septic or individual septic. See Zoning Regulations Section 105.0.E. There is no bulk regulation guiding the use of sewer. The Howard County Code, however, requires that all residential properties where public sewer is available must be connected to public sewer. See Howard County Code Section 16.131. Sewer is readily available to the Property and because of its inclusion into the Metropolitan District, the Property must be sewer. Since the Property cannot be developed with sewer under RR bulk regulations, and cannot be developed with septic under the Howard County Code, the Property cannot be developed at all. The Zoning Authority failed to take into account this regulatory taking when imposing an RR-DEO zone and, as such, this represents a mistake in zoning.

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<sup>1</sup> The General Plan further identified septic systems as a source of nitrogen pollution and prioritized the reduction of septic proliferation through Growth Tiers. General Plan at 18 & 71; see also Sustainable Growth and Agricultural Preservation Act of 2012 (SB 236).

The Zoning Authority's failure to rezone the Property can be attributed – at least partially – to the fact that a proposal for redevelopment of the Property from its current use to another use was not presented to the Zoning Authority during the last comprehensive rezoning process. Had the Zoning Authority known at the time of the last comprehensive zoning that the owners of the Property desired a rezoning to a PSA zoning district and had plans to redevelop the Property to a use that was more harmonious and compatible with surrounding properties, the Zoning Authority would have most certainly entertained a request for rezoning.

The instant redevelopment proposal for the Property constitutes either (i) an event which, at the time of the last comprehensive rezoning, was reasonably foreseeable of fruition in the future; or (ii) an event occurring subsequent to the time of the last comprehensive zoning, which shows that the Zoning Authority's assumptions and premises at the time of the last comprehensive zoning (i.e. that there would not be a redevelopment proposal for the Property that would render the RR-DEO zoning unworkable) has proven to be invalid by the passage of time.

Additional factors may be set forth at the hearing on this matter.

12. *Statement as to whether or not such amendment will be in harmony with the General Plan for Howard County and whether such amendment will adversely affect the surrounding and vicinal properties*

The proposed rezoning of the Property from RR-DEO to R-SA-8 will be in harmony with the General Plan and will not adversely affect surrounding and vicinal properties.

As indicated in the General Plan, the proposed R-SA-8 zoning is consistent with properties in the PSA. The existing RR-DEO zoning is not. The requested R-SA-8 zoning will permit development connected to public water and sewer, which is harmonious with the General Plan.

Additionally, the R-SA-8 zoning will be in harmony and consistent with the RR-MXD-3 Maple Lawn development on the north side of MD Route 216. The General Plan explicitly contemplates that Maple Lawn properties are to provide "transitional" zoning that is compatible with surrounding properties. R-SA-8 meets this objective perfectly, particularly in light of the commercial uses to the north and Grace Community Church and single-family detached neighborhoods to the south and west. An R-SA-8 zoning of the Property will provide coherence and continuity

in land use leading into the Rural Residential communities south and west of the Property.

Additional factors may be set forth at the hearing on this matter.

14. *Any other factors which the petitioner desires the Board to consider including copies of any written reports intended to be introduced at the hearing and a written summary of verbal evidence of any expert which will be proffered at the hearing*

Previously, in ZB Case No. 1109M, the 3.7 acre northern portion of the Property was rezoned from RR-DEO to R-SA-8 with site plan documentation for 29 single family attached units. As shown on the accompanying Plan, the Petitioner proposes to develop the entire Property, including the proposed 5.08 acre portion of the Property with a conditional use approval for age-restricted adult housing with a total of 64 units. The allowable density for the Property is 105 units. 64 units, including 10 MIHU units, are being proposed.

Additional factors may be set forth at the hearing on this matter.

**MEADOWOOD MAPLE LAWN, LLC**  
1202 Shady Creek Road  
Marriottsville, MD 21104

**Notice of Pre-Submission Community Meeting**

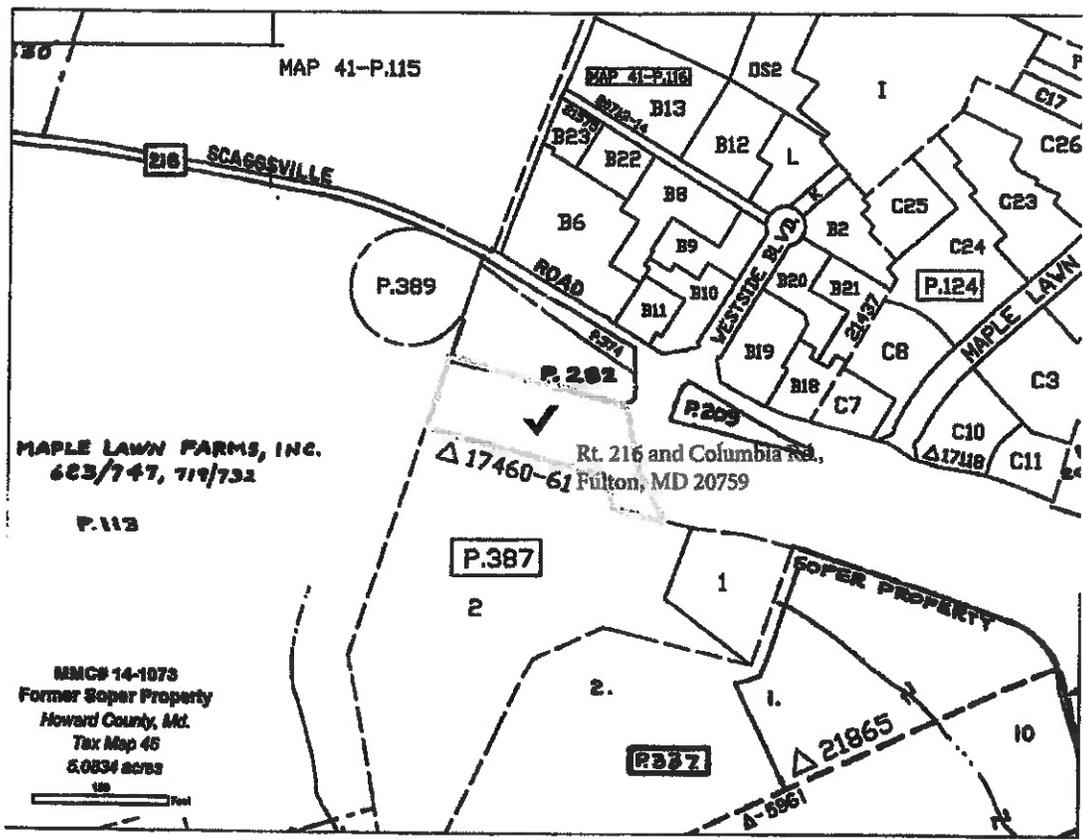
This is notice that Meadowood Maple Lawn, LLC, Petitioner, intends to submit a Petition to Amend the Zoning Map of Howard County to change the zoning of the subject property from the RR-DEO (Rural Residential: Density Exchange Option) zoning district to the R-SA-8 (Residential: Single Attached) zoning district. The property consists of approximately 5.61 acres, more or less, and is located on the south of Maryland Route 216, west of Columbia Road, Fulton, Maryland 20759 (Tax Map 46, Grid 3, Parcel Unlabeled) (see enclosed site location map). The type of initial plan submission to DPZ is for a rezoning.

You are invited to attend a pre-submission community meeting to meet with the Petitioner, who will provide information concerning the Petition, and to ask questions, make comments and discuss this project.

The presubmission community meeting will be held on Monday, December 3, 2018 at 6:00 p.m. at Emmanuel United Methodist Church, 10755 Scaggsville Road, Laurel, Maryland 20723.

General information regarding the pre-submission community meeting can be found on the Department of Planning and Zoning's webpage at:  
[http://data.howardcountymd.gov/Search\\_Plans/Search\\_Plans\\_Web.aspx](http://data.howardcountymd.gov/Search_Plans/Search_Plans_Web.aspx)

If you are unable to attend the meeting, you may contact Sang Oh at (410) 964-0300 to receive meeting minutes and follow-up correspondence.



*JBM*

List of Adjoining and Confronting Property Owners/Thom McKee-Rt. 216 Rezoning

Subject Property: Located south of MD 216, west of Old Columbia Road  
Fulton, Maryland 20759  
Tax Map 46, Block 3, Unlabeled Parcel

Adjoiners:

Parcel 282: Meadowood Maple Lawn, LLC  
11475 S Route 216  
Fulton, Maryland 20759

Mailing address: 1202 Shady Creek Road  
Marriottsville, Maryland 21104

Parcel 209: State of Maryland SHA  
11445 W Route 216  
Fulton, Maryland 21203

Mailing address: P.O. Box 717  
Baltimore, Maryland 21203

Parcel 387: Grace Community Church of Howard County  
8200 Old Columbia Road  
Laurel, Maryland 20723

Mailing address: 9180 Rumsey Road  
#D1  
Columbia, Maryland 21045

Parcel 113: Maple Lawn Farms, Inc.  
Scaggsville Road  
Fulton, Maryland 20759

Mailing address: P.O. Box 562  
Fulton, Maryland 20759

School Principals

Fulton Elementary School  
11600 Scaggsville Road  
Fulton, Maryland 20759  
Attention: Sharon Lewandowski, Principal

Lime Kiln Middle School  
11650 Scaggsville Road  
Fulton, Maryland 20759  
Attention: Lucy Lublin, Principal

Reservoir High School  
11550 Scaggsville Road  
Fulton, Maryland 20759  
Attention: Nelda Sims, Principal

PTA Presidents

Fulton Elementary School  
11600 Scaggsville Road  
Fulton, Maryland 20759  
Attention: PTA PRESIDENT

Lime Kiln Middle School  
11650 Scaggsville Road  
Fulton, Maryland 20759  
Attention: PTA PRESIDENT

Reservoir High School  
11550 Scaggsville Road  
Fulton, Maryland 20759  
Attention: PTA PRESIDENT

MEADOWOOD MAPLE-LAWN, LLC  
1202 Shady Creek Road  
Marriottsville, MD 21104

South of Maryland Route 216, West of Columbia Road.  
Fulton, MD 20759  
Tax Map 46, Grid 3, Parcel Unlabeled  
5.0384 acres +/-

Presubmission Community Meeting  
held on Monday, December 3, 2018 at 6:00 p.m. at  
Emmanuel United Methodist Church  
10755 Scaggsville Road  
Laurel, MD 20723

## MEETING MINUTES

In attendance for Petitioner: Sang Oh, Talkin & Oh, LLP  
Michael Clay, GLW  
Thomas B. McKee, Meadowood Maple-Lawn, LLC

Three members of the public attended the presubmission meeting: Mr. Stu Kohn, Mr. Vincenzo Leone and Mr. James Smithson, the latter two gentlemen representing Grace Community Church.

The following three issues/questions were raised by the citizens in attendance and discussed:

1. The impact of the proposed project have on visibility of the Grace sign from Rt. 216. Michael Clay explained the sign would still be visible to westbound traffic entering the westernmost traffic circle, and though visibility to eastbound traffic would be diminished, eastbound visibility was already diminished by the 3.7 already rezoned R-SA-8. Mr. Clay also showed a section drawing showing the landscape screening to be provided along the property line, as well as the fact the proposed project would back up against the rear service areas of the church.
2. The advisability of maintaining two means of ingress/egress from the proposed project, as traffic from the church on Sundays and Wednesdays will make it difficult to egress onto Old Columbia Road. Michael Clay stated the plan as proposed would maintain a right-in/right-out onto Rt. 216 which should allow ingress and egress to the project to be maintained even in periods of peak church traffic.
3. General discussion of the proposed layout and the development.

No further issues were raised.

MEADOWOOD MAPLE LAWN, LLC  
 1202 Shady Creek Road  
 Marriottsville, MD 21104

South of Maryland Route 216, West of Columbia Road,  
 Fulton, Maryland 20759  
 Tax Map 46, Grid 3, Parcel Unlabeled  
 5.61 acres +/-

Presubmission Community Meeting  
 held on Monday, December 3, 2018 at 6:00 p.m. at  
 Emmanuel United Methodist Church  
 10755 Scaggsville Road  
 Laurel, Maryland 20723

SIGN IN SHEET

NAME	ADDRESS	EMAIL
Stu Kohn	8709 Yellow Birch Ct <sup>LAUREL</sup> MD 20723	StuKohn@verizon.net
VINCENZO LEONE		VINCENZO.LEONE@gcconline.it
JAMES SMITHSON	13726 Clarksville Pike	JAMES.SMITHSON@928 <sup>ORIS</sup> <sub>ORIS</sub>

**AFFIDAVIT OF POSTING  
Pre-submission Meeting**

**Case: Meadowood Maple Lawn, LLC**

STATE OF MARYLAND)

COUNTY OF HOWARD )

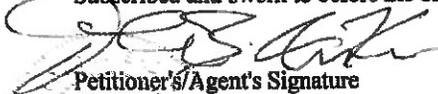
I, THOMAS B. MCKEE HEREBY CERTIFY that to the

best of my information, knowledge and belief the property which is the subject of the above-captioned petition has been posted in accordance with the following requirements of the Department of Planning and Zoning:

1. The poster(s) shall be erected and shall remain on the subject property for three weeks prior to the pre-submission meeting.
2. The poster(s) shall be erected using 2 wooden stakes, one on each side of the poster.
3. The poster(s) shall be placed at the location indicated by the Department of Planning and Zoning.

I further certify that the poster(s) has been posted at least 21 days immediately prior to the pre-submission meeting scheduled for December 3, 2018 giving notification of the place, date and time of the meeting.

Subscribed and sworn to before me on this 9th day of November, 2018.

  
Petitioner's/Agent's Signature

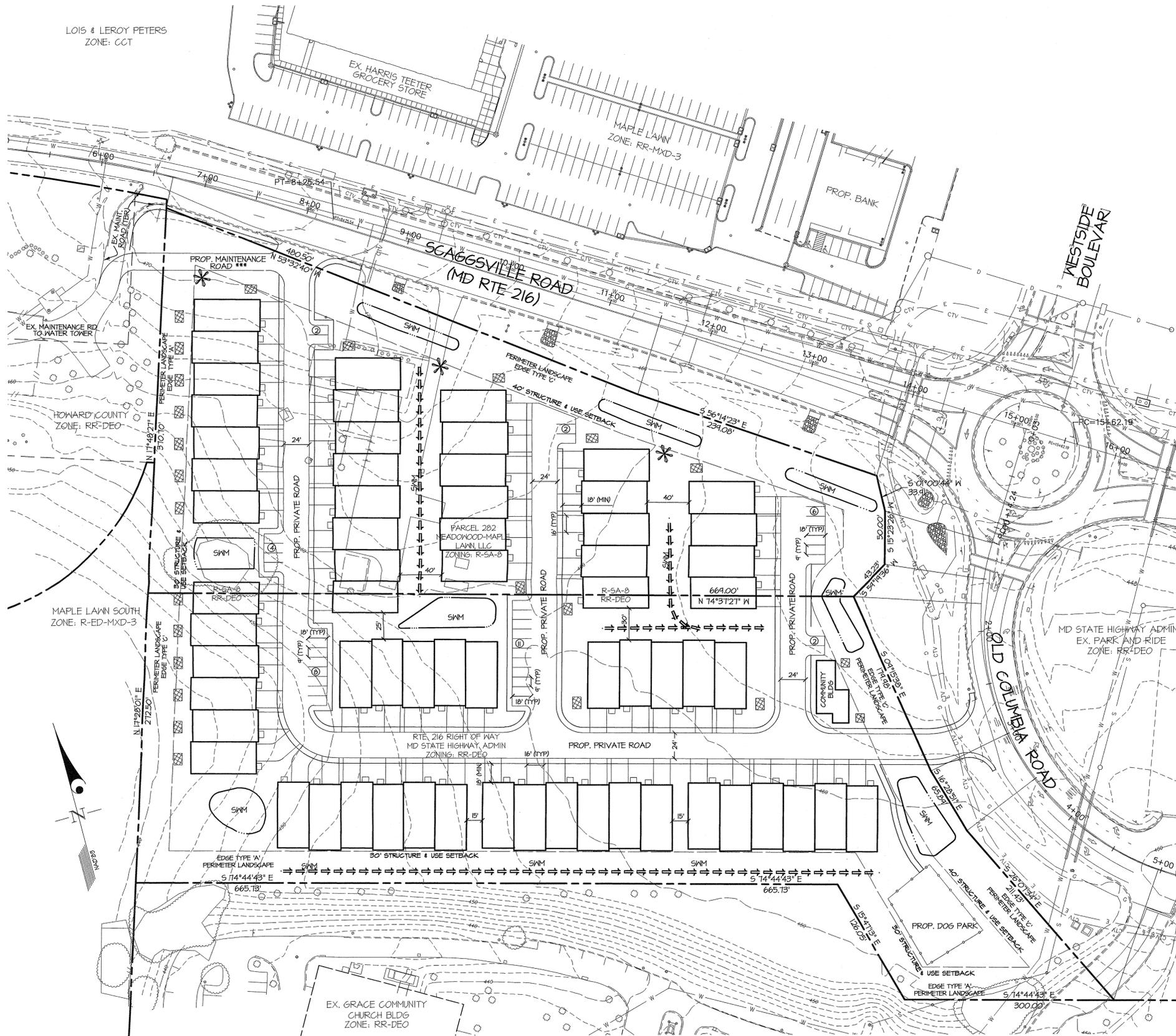
  
Notary Public: Ginger Smith

My Commission expires: 03/18/19



**Note: It is the responsibility of the Petitioner to ensure that all of the Posting requirements have been met. Failure to meet any of these requirements may result in the postponing and rescheduling a meeting in order to ensure the proper posting of the property. It is also the petitioner's responsibility to remove the poster 2 weeks after the meeting.**

LOIS & LEROY PETERS  
ZONE: CCT



**GENERAL NOTES**

- PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SCAGGSVILLE ROAD AND OLD COLUMBIA ROAD.
- AFFECTED ROADS & OWNERSHIP  
SCAGGSVILLE ROAD (MD RTE 216) - MD STATE HIGHWAY ADMIN.  
OLD COLUMBIA ROAD - MD STATE HIGHWAY ADMIN.
- 5th ELECTION DISTRICT
- TAX MAP 46/03, PARCEL 282
- LOCAL COMMUNITY: MAPLE LAWN
- PUBLIC SEWER IS NOT AVAILABLE ON OR ADJACENT TO THE PROPERTY. PROPOSED SEWER WILL BE PRIVATE AND WILL BE REQUIRED TO CONNECT TO PUBLIC SEWER (CONTRACT # 24-4181-D) ON THE WEST SIDE OF THE PARK AND RIDE PARKING LOT. PROPOSED WATER WILL CONNECT TO EXISTING WATER MAIN (CONTRACT # 44-3505) WITHIN MD RTE 216. PROPOSED STORM DRAIN AND STORMWATER MANAGEMENT WILL BE PRIVATE.
- PROPOSED LANDSCAPING, BUFFERING AND SCREENING IS NOTED AS LANDSCAPE EDGE TYPES PER THE HOWARD COUNTY LANDSCAPE MANUAL. ACTUAL TREE LOCATIONS, TYPES AND QUANTITIES WILL BE SHOWN ON THE SITE PLAN. THERE IS NO EXISTING LANDSCAPING TO BE RETAINED.
- THERE ARE NO HISTORIC RESOURCES OR NATURAL FEATURES ON THE SITE.
- PROPOSED EXTERIOR BUILDING MATERIALS:  
SIDING - BRICK OR STONE AND CEMENTITIOUS SIDING.  
MAIN ROOF - ARCHITECTURAL STYLE ASPHALT SHINGLE.  
PORCH/BAY/ACCENT ROOFS - STANDING SEAM AND OR ASPHALT SHINGLE.  
WINDOWS - VINYL, WHITE OR COLORED PER ARCHITECTURAL DETAIL TO MATCH.  
EXTERIOR COLORS -  
EXTERIOR RAILINGS - POWDER COATED ALUMINUM.
- APPROVAL IS REQUESTED TO INCREASE THE MAXIMUM PERMITTED BUILDING LENGTH FROM 120 FEET TO 240 FEET PURSUANT TO ZONING REGULATIONS SECTION 100.06.2g

**PROPERTY OWNER:**

MEADOWOOD - MAPLE LAWN, LLC  
1202 SHADY CREEK ROAD  
HARRIOTTSVILLE, MD 21104

**PETITIONER:**

MEADOWOOD - MAPLE LAWN, LLC  
1202 SHADY CREEK ROAD  
HARRIOTTSVILLE, MD 21104

**PETITIONER'S ATTORNEY:**

SANG OH  
TALKIN & OH, LLP  
5100 DORSEY HALL DRIVE  
ELLCOTT CITY, MD 21042

**STORMWATER MANAGEMENT REQUIREMENT**

DEVELOPMENT AREA :	7.7 Ac.
% IMPERVIOUS:	65%
TARGET P <sub>6</sub> :	2.2"
REQUIRED ESDV:	
A x Rv x P <sub>6</sub> /12 =	39,050 cf
(7.7*43560*65%*2.2)/12 =	

**STORMWATER MANAGEMENT PROVIDED BY DEVICE**

POROUS PAVEMENT (A-1):	391 CU-FT
DRY WELLS (B) (M-5):	4128 CU-FT
MICRO-BIORETENTION (B) (M-6):	15,900 CU-FT
BIO-SWALES (A) (M-8):	10,680 CU-FT
TOTAL:	39,099 CU-FT

**SITE ANALYSIS**

SITE AREA ..... 8.78 AC.  
ZONING: (12 DU/ACRE) ..... R-SA-B  
(WITH CONDITIONAL USE-AGE-RESTRICTED ADULT HOUSING)

**PARCEL 282**  
OWNER: MEADOWOOD - MAPLE LAWN, LLC  
EXISTING ZONING: R-SA-B  
PROPOSED USE: AGE-RESTRICTED ADULT HOUSING  
**RTE 216 RIGHT OF WAY**  
OWNER: MD STATE HIGHWAY ADMIN.  
EXISTING ZONING: RR-DEO  
PROPOSED USE: AGE RESTRICTED ADULT HOUSING

NO. OF UNITS ALLOWED\* ..... 105 UNITS  
(8.78 AC X 12 UNITS/ACRE)  
NO. OF UNITS SHOWN ..... 64 UNITS  
(7.3 UNITS/ACRE)  
NO. OF MIHUS REQUIRED (15%) ..... 10 UNITS

PARKING REQUIRED (2.5 SPACES/UNIT) ..... 160 SPACES  
PARKING SHOWN:  
GARAGE ..... 128 SPACES  
DRIVEWAY ..... 128 SPACES  
GUEST ..... 33 SPACES  
COMMUNITY BUILDING ..... 2 SPACES  
TOTAL ..... 291 SPACES

COMMUNITY BUILDING SF REQUIRED ..... 1280 SF  
(20 SF X 64 UNITS)  
COMMUNITY BUILDING SF SHOWN ..... 1280 SF  
OPEN SPACE REQUIRED ..... 2.20 ACRES  
(25% X 8.78 AC)  
OPEN SPACE SHOWN ..... 3.1+ ACRES  
RECREATIONAL OPEN SPACE REQUIRED ..... N/A\*\*

**BUILDING RESTRICTION ANALYSIS**

MIN. SETBACK OF STRUCTURE AND USE:  
FROM PUBLIC ROW ..... 40 FEET  
FROM NON-RESIDENTIAL USES  
OR OPEN SPACE ..... 30 FEET  
FROM INTERIOR ROADWAY & DRIVEWAY  
FOR UNITS WITH GARAGES ..... 20 FEET

MIN. DISTANCES BETWEEN SINGLE-FAMILY ATTACHED BUILDINGS:  
FACE TO FACE ..... 30 FEET  
FACE TO SIDE / REAR TO SIDE ..... 20 FEET  
SIDE TO SIDE ..... 15 FEET  
REAR TO REAR ..... 40 FEET  
REAR TO FACE ..... 100 FEET  
MAXIMUM BUILDING HEIGHT ..... 34 FEET

AT LEAST 10% OF THE DWELLINGS WILL BE MODERATE INCOME HOUSING UNITS.

\* POTENTIAL NOISE MITIGATION HALL OR FENCE. FINAL LOCATION AND SCOPE TO BE DETERMINED BY A NOISE MITIGATION STUDY.

\*\* MAXIMUM DENSITY ALLOWED IN THE R-SA-B ZONE WITH A CONDITIONAL USE OF AGE-RESTRICTED ADULT HOUSING IS 12 UNITS/ACRE WITH A MINIMUM OF 20 UNITS.

\*\*\* CONDITIONAL USE FOR AGE-RESTRICTED ADULT HOUSING IN THE R-SA-B ZONE HAS NO REQUIREMENT FOR RECREATIONAL OPEN SPACE. RELOCATION OF EXISTING MAINTENANCE ROAD TO WATER TOWER IS SUBJECT TO CONCURRENCE OF DPM. IF PERMITTED, DPM WOULD GAIN FULL MOVEMENT ONTO RTE 216 WITH SUBSTANTIALLY BETTER SIGHT DISTANCE.

**LEGEND**

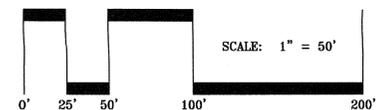
- - - - - EXISTING CONTOURS
- - - - - EXISTING TREE LINE
- ▭ EXISTING STRUCTURE
- ▭ PROPOSED STRUCTURE
- PROPERTY LINE
- PROPOSED MICRO-BIORETENTION
- ▬ PROPOSED BIO-SWALE
- ⊠ PROPOSED DRY WELL



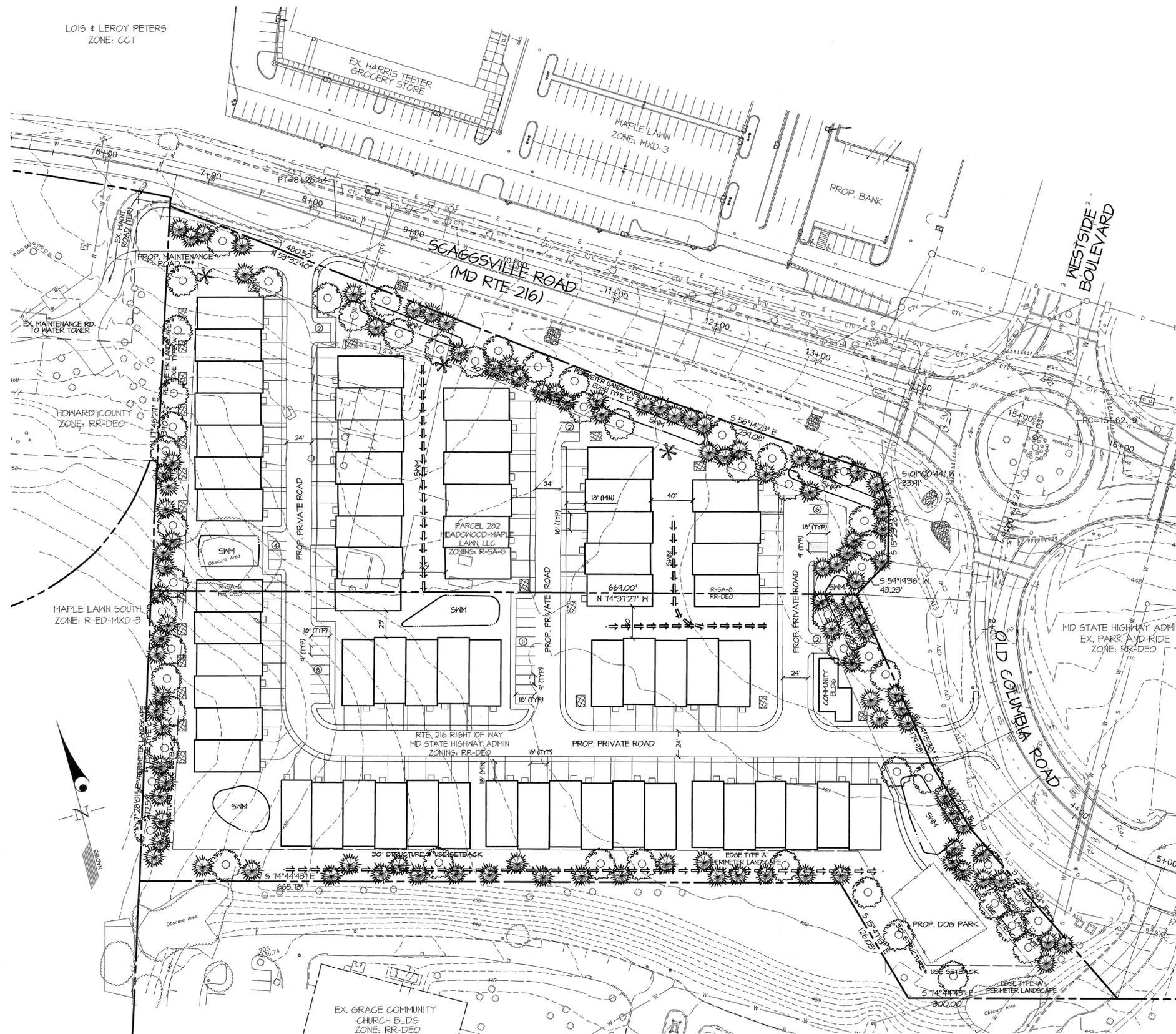
**SITE PLAN FOR REZONING  
GATES AT MAPLE LAWN  
HOWARD COUNTY, MARYLAND**

DECEMBER, 2018

**GLW**  
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LOIS & LEROY PETERS  
ZONE: CCT



- LEGEND**
- EXISTING CONTOURS
  - EXISTING TREE LINE
  - EXISTING STRUCTURE
  - PROPOSED STRUCTURE
  - PROPERTY LINE
  - PROPOSED MICRO-BIORETENTION
  - PROPOSED BIO-SWALE
  - PROPOSED DRY WELL
  - PROP. TREES
  - EX. TREE

**LANDSCAPE CALCULATIONS**

PERIMETER LANDSCAPE EDGE  
SCAGGSVILLE ROAD (NORTH) - 120 LF  
LANDSCAPE EDGE TYPE 'C', HEAVY BUFFER.  
REQUIRED: 1 SHADE TREE/40 LF & 1 EVERGREEN TREE/20 LF  
SHOWN: 10 SHADE TREES, 36 EVERGREEN TREES

OLD COLUMBIA ROAD (EAST) - 584 LF  
LANDSCAPE EDGE TYPE 'C', HEAVY BUFFER.  
REQUIRED: 1 SHADE TREE/40 LF & 1 EVERGREEN TREE/20 LF  
SHOWN: 15 SHADE TREES, 30 EVERGREEN TREES

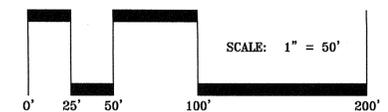
GRACE COMMUNITY CHURCH PROPERTY (SOUTH) - 981 LF  
LANDSCAPE EDGE TYPE 'A', LIGHT BUFFER.  
REQUIRED: 1 SHADE TREE/60 LF  
SHOWN: 17 SHADE TREES

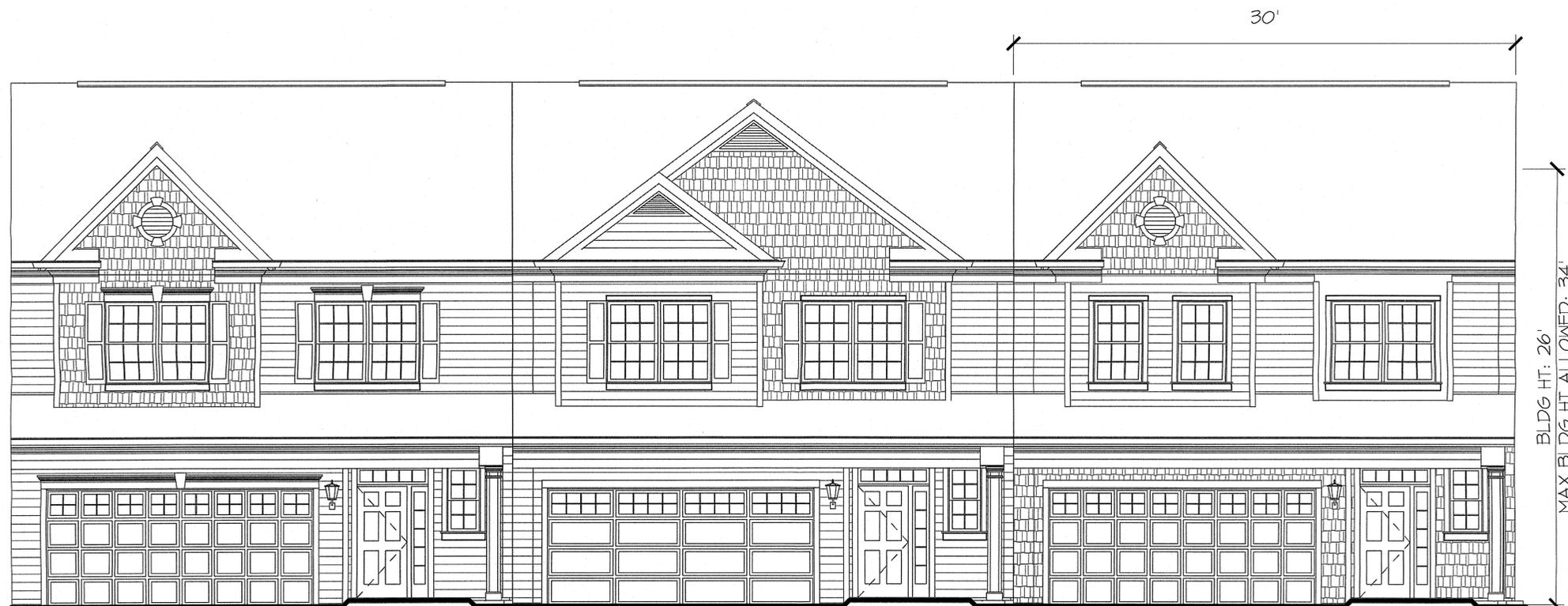
MAPLE LAWN SOUTH PROPERTY (WEST) - 315 LF  
LANDSCAPE EDGE TYPE 'C', HEAVY BUFFER.  
REQUIRED: 1 SHADE TREE/40 LF & 1 EVERGREEN TREE/20 LF  
SHOWN: 10 SHADE TREES, 20 EVERGREEN TREES

WATER TOWER PROPERTY (WEST) - 231 LF  
LANDSCAPE EDGE TYPE 'A', LIGHT BUFFER.  
REQUIRED: 1 SHADE TREE/60 LF  
SHOWN: 4 SHADE TREES

\* Substitutions for Landscape Edge type 'A' are per the Howard County Landscape Manual: 2 evergreen trees = 1 shade tree.

**LANDSCAPE PLAN**  
**GATES AT MAPLE LAWN**  
HOWARD COUNTY, MARYLAND  
DECEMBER, 2018





SCALE 1"=4'

ARCHITECTURAL EXHIBIT  
 GATES OF MAPLE LAWN  
 HOWARD COUNTY, MARYLAND



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 PLOTTED: 2/22/2019 9:56 AM, LAST SAVED: 2/22/2019 9:56 AM, PLOTTED BY: Lee Eubank

