



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

## TECHNICAL STAFF REPORT

*Planning Board Meeting of January 8, 2026*

**Case No./Petitioner:** ZB-1131M – The Palmetto Group, Inc

**Location:** North side of Dorsey Road  
Approximately 530 feet southeast of the intersection of Dorsey Road and Douglas Legum Drive  
Tax Map 43, Grid 6, Parcels 706 and Parcel 726,  
6871 and 6875 Dorsey Road (the "Property")

**Area of Site:** 0.40-acres

**Current Zoning:** Transit Oriented Development (TOD)

**Proposed Zoning:** Residential: Single (R-12)



### Zoning & Vicinity

### ZB-1131M

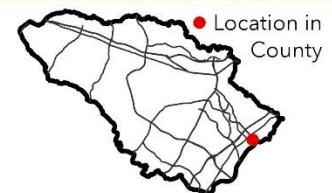


Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

#### Zoning

CE-CLI  
M-2

R-12  
TOD  
Subject Parcels



Case No.: ZB-1131M  
Petitioner: The Palmetto Group, Inc.

I. DESCRIPTION OF PROPOSAL

The Petitioner, The Palmetto Group, Inc., requests a Zoning Map Amendment to rezone the Property from TOD (Transit Oriented Development) to R-12 (Residential: Single).

The Petitioner asserts that the proposed Zoning Map Amendment is justified based on a mistake in Zoning made during the 2013 Comprehensive Zoning Plan (the “2013 CZP”). This assertion is evaluated in the Evaluation and Conclusion section.

II. ZONING HISTORY

A. Subject Property

The Property was zoned “Commercial B” in 1951 and was rezoned to M-2 (Manufacturing: Heavy) in 1954. The Property remained M-2 until 2004 when it was rezoned to TOD. The Property was rezoned to TOD with the 2004 CZP and retained this designation through the 2013 CZP.

B. Adjacent Properties

The surrounding properties north of Dorsey Road followed the same zoning history as the Property. The surrounding properties to the south were zoned “Commercial B” in 1951 and rezoned to R-12 in 1961. These properties retained the R-12 zoning through the 2013 CZP.

III. BACKGROUND INFORMATION

A. Site Description

The Property consists of two different parcels totaling 0.40-acre.

Parcel 706 is currently undeveloped and contains forested land. The rezoning area is approximately 0.199-acres. The Petitioner is the fee-simple owner.

Parcel 726 is currently undeveloped and contains forested land. The rezoning area is approximately 0.208-acres. Mr. Edward Riemer is the fee-simple owner.

B. Vicinal Properties

Direction	Zoning	Land Use
North	TOD	Commercial/Office
South	R-12	Dorsey Road/Residential
East	TOD	Commercial/Office
West	R-12	Dorsey Road/Residential

C. Roads

Dorsey Road has two travel lanes and a variable right-of-way width. The speed limit is 45 miles per hour. Annual Average Daily Traffic data is not available for this portion of Dorsey Road. Dorsey Road is classified as a Major Collector Road.

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Petitioner: The Palmetto Group, Inc.

The nearest intersection is Dorsey Road and Douglas Legum Drive. Douglas Legum Drive is a local public road.

**D. Water and Sewer Service**

The Property is within the Metropolitan District and Planned Service Area for water/sewer.

**E. General Plan**

The Property is designated as a Transit Activity Center in the Future Land Use Map adopted in the General Plan, *HoCo By Design*. Transit Activity Centers are identified as a Character Area to create opportunities for compact, mixed-use development that maximizes residential, commercial, and open spaces within walking distance of premium public transit.

The Property is also subject to the Route 1 Manual, adopted in 2009, and the *Route 1 Plan: A Plan for Washington Boulevard* (“Route 1 Plan”) that was adopted alongside the General Plan.

**F. Agency Comments**

Agency comments are attached.

**IV. EVALUATIONS AND CONCLUSIONS**

**A. Relation to the General Plan and the Zoning Regulations**

**General Plan:**

The Petitioner asserts that the request to rezone the Property to R-12 is in harmony with the General Plan and will not have the potential to adversely affect the surrounding properties. The Petitioner states that the R-12 zoning district would promote homeownership which would be in line with HoCo By Design’s Chapter 6: Dynamic Neighborhoods.

**HoCo By Design Policy DN-3** states that the County should “*Promote homeownership*”.

The parcels are located in proximity to an area targeted for future mixed-use redevelopment, also known as an activity center, in the General Plan. Transit activity centers are described as “land creating opportunities for compact, mixed-use development that maximizes residential, commercial, and open spaces within walking distance of premium public transit.” In terms of residential uses, HoCo By Design states that homes in Transit Activity Centers “may offer a variety of housing types – including, but not limited to, missing middle home choices” and that “the design, scale and character, and intensity of development further away from the transit station should be compatible with, and transition to, adjacent land uses.”

The General Plan’s Dynamic Neighborhoods chapter is supportive of diverse housing types, particularly within identified activity centers.

**HoCo By Design Policy DN-4** states that “*Future activity centers – as identified on the Future Land Use Map (FLUM) – should include a unique mix of densities, uses, and building forms that provide diverse, accessible, and affordable housing options.*”

Amending the Zoning Map to reclassify the parcels from the TOD zoning district to the R-12 zoning district to develop each property with a single family detached home is not inconsistent with the

Case No.: ZB-1131M

Petitioner: The Palmetto Group, Inc.

policies in the General Plan, HoCo By Design.

Zoning Regulations:

The R-12 district permits numerous residential dwelling types including one single-family detached dwelling unit per lot, one zero lot line dwelling per lot, and one single-family semi-detached dwelling unit. The Petitioner is proposing to develop the lots with single-family detached dwelling units.

The requested R-12 district requires a 30-foot structure and use setback from an arterial or collector public street right-of-way, in which Dorsey Road is designated as a Major Collector road, a 7.5-foot setback from a side lot line and a 30-foot setback from a rear lot line.

The only residential uses the TOD district permits are single-family attached and apartment dwellings on development projects encompassing at least 3 gross acres of TOD-zoned land.

If the Property is rezoned to R-12, the adjoining TOD zoned properties will require a 30-foot setback from the R-12 zoned properties. Adjoining TOD developed parcels currently meet this setback requirement.

**B. Evaluation of the Petition Concerning the Change Rule, Delineation of Neighborhood, and Description of Land Use and Zoning in the Neighborhood**

To substantiate a change in character of the neighborhood, the petitioner must establish the “neighborhood” boundary and specify the changes that occurred after the comprehensive zoning that altered the character of the “neighborhood”.

No statement was provided in the petition as to whether there is an allegation of substantial change in the character of the neighborhood since the 2013 CZP. Furthermore, the Petitioner did not provide any neighborhood boundaries, so the Petition was not evaluated in regard to the Change Rule.

**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 purpose of the TOD zoning district is to provide for the development and redevelopment of key parcels of land within 3,500 feet of a MARC Station. The Petitioner asserts that at the time of adoption, the map presented to the County Council mistakenly depicted the area containing the subject properties as a single larger parcel consisting of approximately 1.11 acres. The Petitioner explains that the area was comprised of four separate and smaller parcels under different ownership. The Petitioner states that during the 2013 CZP, the County Council reasonably believed that the much larger parcel depicted on the zoning map without any internal lot lines was capable of being reasonably developed under the TOD regulations.

The Petitioner asserts that due to the smaller size and irregular shape of the subject properties, they are not in fact capable of being developed for reasonable uses under the TOD regulations. The Petitioner believes that had the County Council been aware of the extremely small size and irregular shape of Parcel 703 and 726, the County would have elected to place both parcels in the R-12

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Petitioner: The Palmetto Group, Inc.

district, consistent with the zoning of the properties that are adjacent on the south side of Dorsey Road, and also consistent with the other nearby R-12 zoned properties north east of the Parcels. Thus, the County Council failed to take these existing facts into account during the 2013 CZP representing a mistake in the underlying zone.

The Petitioner also asserts that during the 2013 CZP, the County Council assumed that there was a market for TOD development where the Property is located, or that such a market would develop in the reasonable future. The Petitioner asserts this assumption has proven to be a mistake because, with the passage of time, the market for TOD zoned properties failed to materialize. The Property was rezoned to TOD during the 2004 CZP. The Petitioner asserts that both properties have been marketed for sale, and despite the numerous efforts to sell the Property neither parcel has received a purchase offer. Therefore, the Petitioner asserts, that the County Council's assumption that a market for development of these TOD zoned parcels within a reasonable time has proven to be a mistake.

The Petitioner asserts rezoning the Property to R-12 is appropriate to correct the Council's mistake. Rezoning the Property to R-12 will allow the underutilized properties to be developed with single-family detached dwelling units.

**D. Appropriateness of Zoning District and Staff Findings**

*TOD (Transit Oriented Development)*

The purpose of the TOD District is to provide opportunities for the “*development and redevelopment of key parcels of land within 3,500 feet of a MARC Station.*” Developments within the TOD district are encouraged to be multi-use centers combining office and high-density residential development to provide safe and convenient pedestrian access by commuters using public transit. The requirements of the TOD District, in conjunction with the Route 1 Manual and the vehicular and pedestrian improvements that connect internally and with surrounding developments, should “*result in development that makes the use of the commuting potential of the MARC system, creates attractive employment or multi-use centers, and provides for safe and convenient pedestrian travel.*”

The TOD zoning district was established during the 2004 CZP, along with the CAC and CE-CLI zoning districts, to use in conjunction with the Route 1 Manual to emphasize multistory mixed-use development along the corridor and improve the appearance of the Route 1 streetscape, enhance traffic safety, and better accommodate public transit and pedestrian travel. Therefore, it is an appropriate zoning district for the Property.

*R-12 (Residential: Single)*

The R-12 district was established “*to provide single-family detached and semi-detached residential uses.*” and provides a choice of housing types typically on lots less than a half-acre. The proposed rezoning and development of single-family detached dwellings is in line with the purpose of this zoning district. However, these properties would function as a small, isolated pocket of low-density residential zoning within a largely TOD-zoned corridor. Given that context, it would be better that any rezoning along this row of properties be considered as part of a broader, more comprehensive evaluation of the corridor, to avoid fragmented zoning patterns and to maintain clear expectations for future redevelopment.

Case No.: ZB-1131M

Petitioner: The Palmetto Group, Inc.

DocuSigned by:

Lynda Eisenberg  
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12/5/2025

Approved by:

Lynda Eisenberg, AICP, Director

Date



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

## Agency Comment Form

### Zoning Map Amendment / Development plan

Date: October 3, 2025  
Proposed Use: Single-Family Detached Dwelling  
Zoning: TOD  
File No.: ZB-1131M  
Petitioner: The Palmetto group, Inc.  
Property Address: 6871 Dorsey Road/6875 Dorsey Road  
Map No: 43  
Parcel: 706 and 726

ZONING MAP AMENDMENT AND DEVELOPMENT PLAN CRITERIA BY AGENCY											
CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	OOT	FD	HCP
Compatibility of the proposed amendment with the policies and objectives of the HC General Plan.				x							
Certification that the development shown on the proposed plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x	x	x
CEF - Do the enhancements exceed minimum standards required by County Regulations?	x	x	x	x	x	x	x	x	x		
Design Advisory Panel review	x										

Comments Due: October 20, 2025

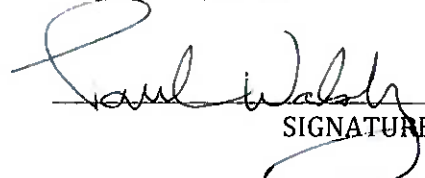
COMMENTS: \_\_\_\_\_  
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\_\_\_\_\_

We have no comments.

Howard Co. Rec. & Parks

Paul Walsky

October 16, 2025

  
SIGNATURE





Agency Comment Form

Zoning Map Amendment / Development plan

Date: October 13, 2025  
Proposed Use: Single-Family Detached Dwelling  
Zoning: TOD  
File No.: ZB-1131M  
Petitioner: The Palmetto group, Inc.  
Property Address: 6871 Dorsey Road/6875 Dorsey Road  
Map No: 43  
Parcel: 706 and 726

ZONING MAP AMENDMENT AND DEVELOPMENT PLAN CRITERIA BY AGENCY											
CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	OOT	FD	HCPS
Compatibility of the proposed amendment with the policies and objectives of the HC General Plan.				x							
Certification that the development shown on the proposed plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x	x	x
CEF - Do the enhancements exceed minimum standards required by County Regulations?	x	x	x	x	x	x	x	x	x		
Design Advisory Panel review	x										

Comments Due: October 20, 2025

COMMENTS:

1. The applicant will be required to obtain approval of Site Development Plans from the Department of Planning and Zoning prior to the issuance of building permits for the proposed change in use and associated single family homes. Planning Board approval of the Site Development may be required. Clarification on the petition is needed before this Division can determine if the development has the potential to comply with the technical requirements in subsequent plan stages. The independent lots do not currently meet the lot size requirements at this time. The following items will be required to be addressed as part of the Site Development Plan review.
  - a. Perimeter Landscaping will need to be provided with the future Site Development Plans. Street tree plantings will need to be provided along the Dorsey Road Frontage and Type B Landscape edge will need to be provided along the shared boundaries with the neighboring commercial properties.
  - b. Forest Conservation will need to be addressed for the respective properties with the submission of the Site Development Plans. The requirements will be established at the SDP plan stage and subject to the proposed designs.
  - c. Final Grading and Stormwater management will need to be addressed for the respective properties.



- d. Final placement of the proposed houses, utilities, hardscape, and construction details will need to be provided with the SDP.
- 2. An Environmental Concept Plan will need to be submitted to quantify the onsite environmental elements and provide the conceptual stormwater management.
  - a. Onsite forest resources will need to be quantified and listed on the plans.
  - b. Hydric soils and wetlands occur on the adjacent property and may have impact to the proposed properties.
- 3. The proposed lots will face difficulty in addressing the CEF enhancements on site due to the proposed single family detached housing use and limited lot size. The current petition does not address how these elements will be provided with the proposed development.
- 4. The proposed project area falls within the Design Advisory Panels (DAP) review area. The DAP review process is required for plans in the Route 1 Corridor. A submission to the DAP for review and completion of the DAP process will be required prior to submission of the site development plan.
  - a. The Route 40 Design Manual establishes design goals and requirements that will be evaluated by the DAP for projects that fall within the planned areas. This project does not fall within the TOD overlay district. The Route 1 Design Manual has guidelines for site design, streetscape design, and architectural design that must be considered/addressed as the project moves through the site design and planning process.

Nicholas Haines

SIGNATURE



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3430 Court House Drive

■ Ellicott City, Maryland 21043

■ 410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

## Agency Comment Form

### Zoning Map Amendment

Date: October 20, 2025

Proposed Use: Single-Family Detached Dwelling

Zoning: TOD

File No.: ZB-1131M

Petitioner: The Palmetto group, Inc.

Property Address: 6871 Dorsey Road/6875 Dorsey Road

Map No: 43

Parcel: 706 and 726

Comments Due: October 20, 2025

#### **DCCP COMMENTS:**

##### **Request:**

The Department of Planning and Zoning, Comprehensive and Community Planning Division (DCCP) reviewed the proposed ZB-1131M for consistency with HoCo By Design, the County's General Plan. The proposed ZB-1131M would amend the Zoning Map to reclassify the parcels from the TOD (Transit Oriented Development) Zoning District to the R-12 (Residential: Single) Zoning District to develop each parcel with a single family detached home.

##### **General Plan Evaluation**

The parcels are located in proximity to an area targeted for future mixed-use redevelopment, also known as an activity center, in the General Plan. Transit activity centers are described in Technical Appendix B of HoCo By Design on page TAB-39 as "land creating opportunities for compact, mixed-use development that maximizes residential, commercial, and open spaces within walking distance of premium public transit." In terms of residential uses, HoCo By Design states that homes in Transit Activity Centers "may offer a variety of housing types—including, but not limited to, missing middle home choices" and that "the design, scale, character, and intensity of development further away from the transit station should be compatible with, and transition to, adjacent land uses."

The General Plan's Dynamic Neighborhoods chapter is supportive of diverse housing types, particularly **in identified activity centers**.

- General Plan Policy DN-4 states that "Future activity centers—as identified on the Future Land Use Map (FLUM)—should include a unique mix of densities, uses, and building forms that provide diverse, accessible, and affordable housing options."

## **Conclusion**

Overall, DCCP finds that amending the Zoning Map to reclassify the parcels from the TOD (Transit Oriented Development) Zoning District to the R-12 (Residential: Single) Zoning District to develop each property with a single family detached home is not inconsistent with the policies in the General Plan, HoCo By Design.

SIGNATURE: Kate Bolinger



Agency Comment Form

Zoning Map Amendment / Development plan

Date: October 3, 2025  
Proposed Use: Single-Family Detached Dwelling  
Zoning: TOD  
File No.: ZB-1131M  
Petitioner: The Palmetto group, Inc.  
Property Address: 6871 Dorsey Road/6875 Dorsey Road  
Map No: 43  
Parcel: 706 and 726

ZONING MAP AMENDMENT AND DEVELOPMENT PLAN CRITERIA BY AGENCY											
CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	OOT	FD	HCPS
Compatibility of the proposed amendment with the policies and objectives of the HC General Plan.				x							
Certification that the development shown on the proposed plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x	x	x
CEF - Do the enhancements exceed minimum standards required by County Regulations?	x	x	x	x	x	x	x	x	x		
Design Advisory Panel review	x										

Comments Due: October 20, 2025

COMMENTS: The Development Engineering Division takes NO EXCEPTION to the request for a zoning map amendment from TOD District to R-12 District based on the justification presented in the application.

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SIGNATURE



Agency Comment Form

Zoning Map Amendment / Development plan

Date: October 21, 2025  
Proposed Use: Single-Family Detached Dwelling  
Zoning: TOD  
File No.: ZB-1131M  
Petitioner: The Palmetto group, Inc.  
Property Address: 6871 Dorsey Road/6875 Dorsey Road  
Map No: 43  
Parcel: 706 and 726

ZONING MAP AMENDMENT AND DEVELOPMENT PLAN CRITERIA BY AGENCY											
CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	OOT	FD	HCPS
Compatibility of the proposed amendment with the policies and objectives of the HC General Plan.				x							
Certification that the development shown on the proposed plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x	x	x
CEF - Do the enhancements exceed minimum standards required by County Regulations?	x	x	x	x	x	x	x	x	x		
Design Advisory Panel review	x										

Comments Due: October 20, 2025

COMMENTS: The Office of Transportation has reviewed the applicant's petition and the applicant does not present information on the design, and has no exceptions to the proposal. However, if approved, Office of Transportation will be requesting that the applicant ensure, through the site development plan process, that applicant would need to comply with the frontage requirements and connections to existing, programmed, and planned transportation infrastructure are enabled and/or recognized.

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SIGNATURE



Agency Comment Form


Zoning Map Amendment / Development plan

Date: October 3, 2025  
Proposed Use: Single-Family Detached Dwelling  
Zoning: TOD  
File No.: ZB-1131M  
Petitioner: The Palmetto group, Inc.  
Property Address: 6871 Dorsey Road/6875 Dorsey Road  
Map No: 43  
Parcel: 706 and 726

ZONING MAP AMENDMENT AND DEVELOPMENT PLAN CRITERIA BY AGENCY											
CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	OOT	FD	HCPS
Compatibility of the proposed amendment with the policies and objectives of the HC General Plan.				x							
Certification that the development shown on the proposed plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x	x	x
CEF - Do the enhancements exceed minimum standards required by County Regulations?	x	x	x	x	x	x	x	x	x		
Design Advisory Panel review	x										

Comments Due: October 20, 2025

COMMENTS: SHA has no objection to this request.

  
SIGNATURE



Agency Comment Form

Zoning Map Amendment / Development plan

Date: October 3, 2025  
Proposed Use: Single-Family Detached Dwelling  
Zoning: TOD  
File No.: ZB-1131M  
Petitioner: The Palmetto group, Inc.  
Property Address: 6871 Dorsey Road/6875 Dorsey Road  
Map No: 43  
Parcel: 706 and 726

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CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	OOT	FD	HCPS
Compatibility of the proposed amendment with the policies and objectives of the HC General Plan.				x							
Certification that the development shown on the proposed plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x	x	x
CEF - Do the enhancements exceed minimum standards required by County Regulations?	x	x	x	x	x	x	x	x	x		
Design Advisory Panel review	x										

Comments Due: October 20, 2025

COMMENTS: The Department of Fire and Rescue Services has no comment on, nor objection to, this request.

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Robert Ferguson  
Battalion Chief  
Office of the Fire Marshal





Agency Comment Form

Zoning Map Amendment / Development plan

Date: October 3, 2025  
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Zoning: TOD  
File No.: ZB-1131M  
Petitioner: The Palmetto group, Inc.  
Property Address: 6871 Dorsey Road/6875 Dorsey Road  
Map No: 43  
Parcel: 706 and 726

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CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	OOT	FD	HCPS
Compatibility of the proposed amendment with the policies and objectives of the HC General Plan.				x							
Certification that the development shown on the proposed plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x	x	x
CEF - Do the enhancements exceed minimum standards required by County Regulations?	x	x	x	x	x	x	x	x	x		
Design Advisory Panel review	x										

Comments Due: October 20, 2025

COMMENTS: Health has no comments or objections to the Zoning Map Amendment for these subject properties.

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