ADMINISTRATIVE APPEAL PETITION
TO THE HOWARD COUNTY HEARING AUTHORITY

A person who wishes to appeal a departmental decision must use this petition form. It is recommended that a person determine whether he/she can be acknowledged as being an aggrieved person\(^1\). The appellant must submit the completed form to the Department of Planning and Zoning within 30 days of issuance of the departmental ruling or action.

1. **APPEAL REQUEST**

   BRIEF DESCRIPTION OF RULING OR ACTION FROM WHICH THIS APPEAL IS TAKEN:

   ________________________________________________________________

   ________________________________________________________________

   ________________________________________________________________

   DATE OF RULING OR ACTION: ______________________________________

   BRIEF DESCRIPTION OF ERROR OF FACT, OR LAW, IF ANY, PRESENTED BY THIS APPEAL:

   ________________________________________________________________

   ________________________________________________________________

   ________________________________________________________________

   MANNER IN WHICH THE APPELLANT IS AGGRIEVED BY THE RULING OR ACTION:

   ________________________________________________________________

   ________________________________________________________________

   ________________________________________________________________

   OTHER FACTORS WHICH THE APPELLANT WISHES THE HEARING AUTHORITY TO CONSIDER:

   ________________________________________________________________

   ________________________________________________________________

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\(^1\) As a brief explanation of this concept: Generally speaking, a person “aggrieved” is one whose personal or property rights are adversely affected by the decision. The decision must not only affect a matter in which the protestant has a specific interest or property right, but his interest therein must be such that he is personally and specifically affected in a way different from that suffered by the public generally. The Department of Planning and Zoning does not advise persons on whether they may or may not qualify as being aggrieved. Persons intending to file an appeal may want to obtain separate legal advice on this issue because it may have an impact on the validity of the appeal.
2. **APPELLANT’S NAME**
   ________________________________________________
   TRADING AS (IF APPLICABLE) __________________________________
   ADDRESS ____________________________________________
   PHONE NO. (H) ______________________________________ (W) _________________________
   EMAIL ____________________________________________

3. **COUNSEL FOR APPELLANT**
   ________________________________________________
   COUNSEL’S ADDRESS ____________________________________________
   COUNSEL’S PHONE NO. _________________________________________
   EMAIL ________________________________________________

4. **RESPONDENT**
   ________________________________________________
   RESPONDENT’S ADDRESS ______________________________________

5. **PROPERTY IDENTIFICATION (IF REAL PROPERTY IS INVOLVED)**
   ADDRESS OF SUBJECT PROPERTY ______________________________________
   TOTAL ACREAGE OF PROPERTY ______________________________________
   PROPERTY LOCATION ____________________________________________
   ELECTION DISTRICT ________ ZONING DISTRICT __________________
   TAX MAP # _________ GRID # _______________ PARCEL/LOT # ________

6. **APPELLANT’S INTEREST IN SUBJECT PROPERTY**
   [ ] OWNER (Including joint ownership) [ ] OTHER (Describe and give name and address of owner)
   ________________________________________________

7. **ADDITIONAL MATERIAL, FEES, POSTING, AND ADVERTISING**
   A) The Appellant must submit **one (1) signed original and nine (9) copies of the signed original**, for a total of **ten (10) copies**, of this petition. If supplementary documents or other materials are included, **ten (10) complete sets** must be submitted.

   B) The appellant is advised to consult the Rules of Procedure of the Board of Appeals. In accordance with Section 2.210(b) of that document, an “on the record” appeal requires that within 30 days of filing an administrative appeal, the appellant file a record transcript of the hearing being appealed. In addition, within 15 days of filing the transcript, the appellant must file a Memorandum addressing the points of law upon which the appeal is based.
C) The undersigned agrees in matters involving land use, except in administrative appeals from the issuance of a notice of violation of County laws or regulations, to properly post the property at least thirty (30) days immediately prior to the hearing and to maintain the posters as required and submit an affidavit of posting at, or before the time of the hearing. If the Appellant is not the owner or does not have a beneficial interest in the subject property, the posting of the property is not required; however, the Appellant must send copies of the petition and notification of the public hearing to the property owner and the adjoining property owners in accordance with Section 2.203(e) of the Rules of Procedure of the Board of Appeals.

D) The undersigned also agrees in matters involving land use, except in administrative appeals from the issuance of a notice of violation of County laws or regulations, to insert legal notices, to be published one (1) time in at least two (2) newspapers of general circulation in Howard County, as prepared and approved by the Department of Planning and Zoning, within at least thirty (30) days prior to the hearing, and to pay for such advertising costs; and further agrees to submit (2) approved certificates of the text and publication date(s) of the advertisement at or before the time of the hearing.

E) The undersigned also agrees to furnish such additional plats, reports, plans, or other materials as may be required by the Department of Planning and Zoning and/or the Hearing Authority in connection with the filing of this petition. The undersigned agrees to pay all costs in accordance with the current schedule of fees.

8. SIGNATURES

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.

______________________________________________  ________________________________________________
Signature of Attorney                                Signature of Appellant

For DPZ office use only: (Filing fee is $250.00 plus $25.00 per poster)

Hearing Fee:  $__________                               County Website: howardcountymd.gov
Poster Fee:   $__________
TOTAL:       $__________
Receipt No.  __________
(Make check payable to “Director of Finance”)
Data to Accompany Petition

**Drawings**: Where a parcel of land and/or building(s) as defined in the Zoning Regulations is involved in that which is being appealed, petition forms must be accompanied by **(10) copies of required drawings** showing the following information:

- (a) Courses and distances of outline boundary lines and the size of the property
- (b) North arrow
- (c) Existing zoning of subject property and adjoining property
- (d) Location, extent, boundary lines and area of any current use and proposed change in use
- (e) Any existing or proposed building(s), structures, signs, points of access, natural features, landscaping, parking, and other objects and/or uses on subject property which may be relevant to the petition
- (f) Same as (e) above, if any, of adjoining property which may be required in the proper examination of the petition
- (g) Location of subject property in relation, by approximate dimension, to nearest intersection of two public roads
- (h) Ownership of effected roads
- (i) Election District in which the subject property is located
- (j) Tax Map number on which the subject property is located
- (k) Name and local community in which the subject property is located or name of nearby community
- (l) Name, mailing address, telephone number (and e-mail address, if any) of the appellant
- (m) Name, mailing address, telephone number (and e-mail address, if any) of attorney, if any
- (n) Name and mailing address of property owner
- (o) Any other information as may be necessary for full and proper consideration of the appeal.

**BA Case #**

**PETITIONER:**

**ADDRESS:**

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Affidavit made pursuant to the pertinent provisions of Title 22 of the Howard County Code as amended.

THE UNDERSIGNED DOES HEREBY DECLARE THAT NO OFFICER OR EMPLOYEE OF HOWARD COUNTY, WHETHER ELECTED OR APPOINTED, HAS RECEIVED PRIOR HERETO OR WILL RECEIVE SUBSEQUENT HERETO, ANY MONETARY OR MATERIAL CONSIDERATION, ANY SERVICE OR THING OF VALUE, DIRECTLY OR INDIRECTLY, UPON MORE FAVORABLE TERMS THAN THOSE GRANTED TO THE PUBLIC GENERALLY IN CONNECTION WITH THE SUBMISSION, PROCESSING, ISSUANCE, GRANT OR AWARD OF THE WITHIN APPLICATION OR PETITION IN BA CASE # ____________ FOR A ZONING CHANGE AS REQUESTED.

I, WE, DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THE AFOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY, OUR, KNOWLEDGE, INFORMATION AND BELIEF.

______________________________    ________________________________    __________________
Witness                                      Signature                                      Date

______________________________    ________________________________    __________________
Witness                                      Signature                                      Date

______________________________    ________________________________    __________________
Witness                                      Signature                                      Date

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

County Website: www howardcountymd gov

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