



DPZ Office Use only:

Case No _____

Date Filed _____

Nonconforming Use Confirmation Petition

Non-Conforming Use Request

Describe the magnitude and the extent of the nonconforming use:

Give the date that the subject use became nonconforming to the use provisions of the Zoning Regulations:

Petitioner Information

Petitioner's Name:

Trading As (if applicable)

Address:

Phone No. (W)

(H)

Email Address:

Council for Petitioner:

Counsel's Address:

Council Phone No.:

Email Address:

Property Identification

Address of Subject Property:

Total Acreage of Property:

Election District:

Zoning District:

Tax Map #

Grid

Parcel/Lot No:

Subdivision Name: (if applicable)

Petitioner's Interest in Subject Property:

Owner (including joint ownership)

Other (describe and give name and address of owner and attach owner's authorization)

Conformation of Nonconforming Use

- (a) Describe the documentation included with this petition demonstrating the continuous and uninterrupted use of the site from the specified date:
- (b) Provide the dates of any period of interrupted use which has occurred since the establishment of the nonconforming use:
- (c) Describe the documentation included with this petition substantiating the existence of the subject use on the date that the use became nonconforming:
- (d) Does the nonconforming use involve a structure? No Yes (If yes, describe)
- (e) Any other factors which the Petitioner desires to have considered?

PLEASE READ CAREFULLY DATA TO ACCOMPANY PETITION

Nonconforming use plan: No application for a nonconforming use shall be considered complete unless accompanied by a nonconforming use plan. The submitted plans shall be folded to approximately 8 ½ x 14 inches. The plan must be drawn to scale and must include the items listed below.

- (a) Courses and distances of property lines
- (b) Size of property
- (c) North Arrow
- (d) Scale of plan
- (e) Zoning of subject property and adjoining property
- (f) Location, address, parcel or lot number of subject property
- (g) Boundary of area and structures considered to be nonconforming
- (h) Existing and proposed uses, structures, natural features, landscaping, number of parking spaces, driveways, and points of access on the subject property
- (i) Location of well and private sewerage easement, if applicable
- (j) Floor area and height of structures and other numerical values necessary for examination of the petition
- (k) Any other information as may be necessary for full and proper consideration of the petition

Additional Material

- (a) The **original and nine (9) copies of the petition**, plan and supplemental pages must be submitted.
- (b) Documentation substantiating the existence of the use on the date it became nonconforming and clearly demonstrating the continued and uninterrupted use or operation thereof from the specified date to the time of filing the application.
- (c) The Department of Planning and Zoning may require additional plats, plans, reports or other material in connection with the filing of this petition.

Fees, Posting, and Advertising:

- (a) The undersigned also agrees to pay all costs in accordance with the current schedule of fees.
- (b) The undersigned also agrees to properly post the property at least fifteen (15) days immediately prior to the hearing and to maintain the property posters as required until 15 days immediately after the hearing and submit an affidavit of posting at, or before the time of the hearing.

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 Petitioner	Date
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Signature of Attorney	Date
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For DPZ office use only:

Filing fees are \$250.00 plus \$25.00 per poster

Hearing fee:\$ _____
 Poster fee: \$ _____
 Total: \$ _____
 Receipt No. _____

Make checks payable to the “Director of Finance” County Website: www.howardcountymd.gov

NOTE: No appointment is needed to submit this application and payment of fees is not due until a hearing date is set and you are notified.

HOW A REQUEST FOR A NONCONFORMING USE IS EVALUATED

Confirmation of Nonconforming Uses

1. The factual existence of a nonconforming use may be confirmed by the Director of Planning and Zoning, or the Director's Designee, upon review of a petition filed by the property owner. The petition shall contain the following:
 - a. A statement and plans or other illustrations fully describing the magnitude and extent of the nonconforming use.
 - b. A statement identifying the date the use became nonconforming to the use provisions of the Zoning Regulations.
 - c. Documentation substantiating the existence of the use on the date it became nonconforming and clearly demonstrating the continued and uninterrupted use or operation thereof from the specified date to the time of filing the application. The burden shall be on the property owner to establish the existence of the nonconforming use.

To be approved, a Nonconforming Use request must comply with all of the criteria noted above.

To learn more about the official procedures that are followed in the processing, hearing and decision-making of a Nonconforming Use request, you may obtain a copy of the Rules of Procedure for Nonconforming Uses from the Department of Planning and Zoning or download the document from <https://www.howardcountymd.gov/planning-zoning/zoning-administration>.