



**PETITION TO AMEND THE  
ZONING REGULATIONS OF  
HOWARD COUNTY**

DPZ Office Use Only:  
Case No. ZRA-181  
Date Filed: 5-31-17

**1. Zoning Regulation Amendment Request**

I (we), the undersigned, hereby petition the County Council of Howard County to amend the Zoning Regulations of Howard County as follows: \_\_\_\_\_ To amend Section 131.0 Conditional Use Regulations of the Zoning Regulations to allow Country Inn Conditional Uses in the R-VH, under certain circumstances.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[You must provide a brief statement here. "See Attached Supplement" or similar statements are not acceptable. You may attach a separate document to respond to Section 1 in greater detail. If so, this document shall be titled "Response to Section 1"]

**2. Petitioner's Name** Jon Weinstein, Councilperson

Address 3430 Courthouse Drive, Ellicott City, MD 21043

Phone No. (W) 410-313-2001 (H) \_\_\_\_\_

Email Address JWeinstein@howardcountymd.gov

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**3. Counsel for Petitioner** Paul Johnson, Esq.

Counsel's Address 3450 Courthouse Drive, Ellicott City, MD 21043

Counsel's Phone No. 410-313-2101

Email Address PJohnson@howardcountymd.gov

**4.** Please provide a brief statement concerning the reason(s) the requested amendment(s) to the Zoning Regulations is (are) being proposed \_\_\_\_\_ The proposed changes to the Zoning Regulations would expand the economic viability of the County's historic districts by increasing land use opportunities in the R-VH district by allowing compatible uses such as Country Inns as a Conditional Use.

5. Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with current General Plan for Howard County POLICY 4.10 – “Expand on existing programs to enhance historic preservation and create an historic preservation plan.” has an Implementing Action b. “Programs and Laws. Strengthen historic preservation programs and laws both to prevent demolition and incentivize restoration and adaptive reuse.” Allowing Country Inns as a Conditional Use in the R-VH district could potentially create reuse opportunities for historic structures.

[You may attach a separate document to respond to Section 5. If so, this document shall be titled “Response to Section 5”]

6. The Legislative Intent of the Zoning Regulations in Section 100.0.A. expresses that the Zoning Regulations have the purpose of “...preserving and promoting the health, safety and welfare of the community.” Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with this purpose and the other issues in Section 100.0.A. Section 100.0.A.7 states that one intent of the Zoning Regulations is “To ensure that all development and land uses protect or enhance the natural, environmental, historic, architectural and other landscape resources of the County, especially highly fragile and environmentally important features such as floodplains, wetlands or steep slopes.” Also, the General Plan, in Chapter 10, calls for the Zoning Regulations to be updated and reviewed. Specifically, the Plan states, “Topics for review include redevelopment flexibility and amenity requirements; parking; pedestrian, bicycle and transit improvements; compatibility of infill development; green building; historic preservation;...”

[You may attach a separate document to respond to Section 6. If so, this document shall be titled “Response to Section 6.”]

7. Unless your response to Section 6 above already addresses this issue, please provide an explanation of the public benefits to be gained by the adoption of the proposed amendment(s). This proposed amendment would encourage a greater level of historic preservation by increasing the use options for historic structures. Historic preservation is a rather costly endeavor. However, if property owners are given greater economic options for their properties, it is likely that more historic properties will be preserved.

[You may attach a separate document to respond to Section 7. If so, this document shall be titled “Response to Section 7.”]

8. Does the amendment, or do the amendments, have the potential of affecting the development of more than one property, yes or no? \_\_\_\_\_ Yes. \_\_\_\_\_

If yes, and the number of properties is less than or equal to 12, explain the impact on all properties affected by providing a detailed analysis of all the properties based upon the nature of the changes proposed in the amendment(s). If the number of properties is greater than 12, explain the impact in general terms.

\_\_\_\_\_ According to the Department of Planning and Zoning there are approximately 30-40 historic buildings that are located in the R-VH zoning district.

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[You may attach a separate document to respond to Section 8. If so, this document shall be titled "Response to Section 8."]

9. If there are any other factors you desire the Council to consider in its evaluation of this amendment request, please provide them at this time. Please understand that the Council may request a new or updated Technical Staff Report and/or a new Planning Board Recommendation if there is any new evidence submitted at the time of the public hearing that is not provided with this original petition. \_\_\_\_\_ No. \_\_\_\_\_

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[You may attach a separate document to respond to Section 9. If so, this document shall be titled "Response to Section 9."]

10. You must provide the full proposed text of the amendment(s) as a separate document entitled "Petitioner's Proposed Text" that is to be attached to this form. This document must use this standard format for Zoning Regulation Amendment proposals; any new proposed text must be in CAPITAL LETTERS, and any existing text to be deleted must be in **[[ Double Bold Brackets ]]**. In addition, you must provide an example of how the text would appear normally if adopted as you propose.

**After this petition is accepted for scheduling by the Department of Planning and Zoning, you must provide an electronic file of the "Petitioner's Proposed Text" to the Division of Public Service and Zoning Administration. This file must be in Microsoft Word or a Microsoft Word compatible file format, and may be submitted by email or some other media if prior arrangements are made with the Division of Public Service and Zoning Administration.**

11. The Petitioner agrees to furnish additional information as may be required by the Department of Planning and Zoning prior to the petition being accepted for scheduling, by the Planning Board prior to its adoption of a Recommendation, and/or by the County Council prior to its ruling on the case.
12. 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. If the Petitioner is an entity that is not an individual, information must be provided explaining the relationship of the person(s) signing to the entity.

<i>Jon Wanslow</i>		<i>5/30/17</i>
Petitioner's name (Printed or typed)	Petitioner's Signature	Date

Petitioner's name (Printed or typed)	Petitioner's Signature	Date

Petitioner's name (Printed or typed)	Petitioner's Signature	Date

<i>Paul T. Johnson</i>		<i>5/31/17</i>
Counsel for Petitioner's Signature		

[If additional signatures are necessary, please provide them on a separate document to be attached to this petition form.]

**FEE**

The Petitioner agrees to pay all fees as follows:

Filing fee .....\$695.00. If the request is granted, the Petitioner shall pay \$40.00 per 200 words of text or fraction thereof for each separate textually continuous amendment (\$40.00 minimum, \$85.00 maximum)

Each additional hearing night..... \$510.00\*

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

**APPLICATIONS: One (1) original plus twenty (24) copies along with attachments.**

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**For DPZ office use only:**

Hearing Fee \$ \_\_\_\_\_

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

**PLEASE CALL 410-313-2395 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION**

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

## ATTACHMENT A

### 17. Country Inn

A Conditional Use may be granted in the RC and RR Districts, on properties that are not ALPP purchased or dedicated easement properties, and in the R-ED, R-20, R-12, [[and]] R-SC, **AND R-VH** Districts for the conversion of an historic structure to a country inn, provided that:

- a. The building is a historic structure as defined in these Regulations;
- b. Principal and accessory uses shall be identified on the site plan submitted with the application. Accessory uses, not including outdoor recreational areas for use by guests of the inn, shall be limited to an area no greater than 25% of the total floor area of all buildings;
- c. The minimum lot size shall be 5 acres in the RC and RR districts, [[and]] 3 acres in the R-ED, R-20, R-12, and R-SC Districts, **AND AT LEAST 1 ACRE IN THE R-VH DISTRICT.** If a public restaurant is part of the country inn, the minimum lot size shall be 10 acres in the RC and RR Districts, and 5 acres in the R-ED, R-20, R-12 and R-SC Districts. **REGARDLESS OF THE LOT SIZE, A COUNTRY INN IN THE R-VH DISTRICT SHALL NOT INCLUDE A PUBLIC RESTAURANT. THE HEARING AUTHORITY MAY REDUCE THE 1 ACRE MINIMUM LOT SIZE REQUIREMENT FOR STRUCTURES IN THE R-VH TO ¾ OF AN ACRE IF THE HEARING AUTHORITY FINDS THAT THE REDUCED SIZE OF THE LOT WILL BE COMPATIBLE IN SCALE AND CHARACTER WITH RESIDENTIAL DEVELOPMENT OF NEIGHBORING PROPERTIES.**
- d. Extension or enlargement of the principal historical structure and all accessory structures may not exceed 50% of the gross floor area of each individual building above that which existed on February 8, 1982, when the category for country inns was added to these Regulations.
- e. Exterior alterations to the historic structure shall be architecturally compatible with the historic structure as determined by the Historic District Commission, prior to the approval of the Conditional Use.
- f. Outdoor uses, including loading and refuse storage areas and outdoor reception or restaurant areas, will be located and designed to shield residential property from noise or nuisance and screened from adjacent residential properties.
- g. For properties not served by public water and/or sewer, the petitioner shall demonstrate that the well and/or septic facilities will be sufficient to serve the facility.
- h. Proposals for a use with a public restaurant shall include a traffic study.
- i. An existing Country Inn use approved prior to October 6, 2013, Shall be considered conforming under the conditions of the original approval. Enlargements and/or extensions to this previously approved Country Inn shall not be subject to Section C above.