

Sayers, Margery

From: Jung, Deb
Sent: Friday, February 21, 2020 10:52 AM
To: Sayers, Margery
Subject: FW: CB9-2020 (ZRA 188)

Thanks for sharing your perspective and thanks for coming to testify.

Deb Jung
Council Chair, District 4
Howard County Council
3430 Court House Dr., Ellicott City, MD 21043
410-313-2001

Sign-up for my District Update [here](#).

From: Jonathan H. BeVille <jonathan.beville@gmail.com>
Sent: Friday, February 21, 2020 9:50 AM
To: Jung, Deb <djung@howardcountymd.gov>
Subject: CB9-2020 (ZRA 188)

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

Dear Mrs. Jung,

My name is Jonathan Beville and I am writing to you as one of your constituents urging you to vote in favor of CB0-2020 (ZRA 188). As one of the parents who spoke at this weeks public session, I understand that you have heard a great deal of testimony on this topic. Therefore, I will be brief in my summary and justification for which I recommend you support this bill.

- We understand that the ZRA requested will have county wide implication, and is not only for the benefit of GCS. This is why the ZRA only requires that the hearing commission accept the Easement Agreement to enable a standard hearing.
- This is a common sense approach to governance that allows GCS' case and any others in similar situations with conditional use zoning to be heard ON THEIR MERITS.
- With respect to GCS itself, all I can say is that this is indeed a matter of extreme importance to the future of the school. As a the parent of a kindergarten student at GCS, it is therefore also a matter of great importance to me and to my family. If GCS is unable to grow to meet the needs of its students, its enrollment will suffer. When enrollment suffers the school suffers. The negative impacts on the county and community of a school in decline far outweigh other risk factors in place when considering the bill.

I commend GCS on the manner in which they have handled this issue to date, and urge you to vote in favor of CB9-2020 (ZRA 188) when it comes to a vote.

Thank you for your consideration.
Jonathan & Selen Beville
346-715-5757 (mobile)

Sayers, Margery

From: Jung, Deb
Sent: Friday, February 21, 2020 10:48 AM
To: Sayers, Margery
Subject: FW: SUPPORT Glenelg Country School -- CB9-2020 (ZRA 188)

Deb Jung
Council Chair, District 4
Howard County Council
3430 Court House Dr., Ellicott City, MD 21043
410-313-2001

Sign-up for my District Update [here](#).

From: Bob Riedy <rriedy621@me.com>
Sent: Thursday, February 20, 2020 4:17 PM
To: Jung, Deb <djung@howardcountymd.gov>
Subject: SUPPORT Glenelg Country School -- CB9-2020 (ZRA 188)

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

We have been residents of Howard County since 1968. We were both educated in private schools and wanted our daughters to have the same opportunity but had no choice other than to sent them to schools outside of Howard County. However, when it came to our 6 Howard County grandchildren we fully supported their attending Glenelg Country School and have watched it grow and prosper over the years and have willingly supported the school financially.

As the grandchildren grow it's imperative that Glenelg Country School be allowed continual growth also by expanding their facilities to remain competitive with the multitude of private schools outside of Howard County. The updated campus plan will allow it to expand classroom space for STEAM, improve Music facilities and continue to attract young pre school children through its system.

Glenelg Country School is a tremendous asset to Howard County. PLEASE support this fine institution by voting in favor of CB9-2020 (ZRA 188).

Respectively Submitted,

Bob & Kathy Riedy

Robert D. Riedy
5175 Harpers Farm Rd
Columbia, Md 21044
410 730 4350 (home)
410 730 3517 (fax)
410 917 0605 (cell)

38 Willow Oak Ave

Sayers, Margery

From: Jung, Deb
Sent: Friday, February 21, 2020 10:29 AM
To: Sayers, Margery
Subject: FW: Opposition to ZRA Proposed Changes

Deb Jung
Council Chair, District 4
Howard County Council
3430 Court House Dr., Ellicott City, MD 21043
410-313-2001

Sign-up for my District Update [here](#).

From: jwebster781@verizon.net <jwebster781@verizon.net>
Sent: Sunday, February 16, 2020 8:38 PM
To: Jung, Deb <djung@howardcountymd.gov>
Subject: Opposition to ZRA Proposed Changes

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

Dear Deb,

I am a current homeowner in the Glenelg Manor Estates development and have lived here for 30 years. The Glenelg Country School is adjacent to our development and has expanded their capacity and property development over the past several years. Based on the expanded development, our community endures various negative consequences, such as flooded properties in the front section from the new track installed and the failing septic system due to lack of adequate septic drainage capacity relative to the number of students. Had our development which has an easement adjacent to the Glenelg Country School had input to the track field development we might not be enduring the flooding issue that currently exist.

We are very concerned with the ZRA proposed changes that would allow variance approvals without consideration for adjacent easement property owner input. Please do not enact these proposed changes as easement property owners could negatively be impacted by variance changes. County officials should have all facts regarding the impact for proposed variance request not just the property owner.

Regards,

Jane Webster
12817 Folly Quarter Rd
Ellicott City, MD 21042
410-917-5823 (cell phone)

Summary of the ZRA changes:

1. *Section 131.0.D– Allowance for Variances*

- 5. THE HEARING AUTHORITY MAY APPROVE VARIANCES TO ANY SETBACKS REQUIRED BY 29 SECTION 131.0.N AND SECTION 131.0.O, IN ACCORDANCE WITH THE VARIANCE PROVISIONS 30 OF SECTION 130.0.B. 31
 - 6. ANY SETBACK REQUIRED BY SECTION 131.0.N OR SECTION 131.0.O, OR BY THE UNDERLYING ZONING DISTRICT, SHALL NOT APPLY IF THE PROPERTY FROM WHICH THE SETBACK IS MEASURED IS (A) OWNED BY THE PETITIONER, OR (B) PROPERTY OVER WHICH THE PETITIONER OR ITS PREDECESSOR WAS GRANTED A RECORDED EASEMENT OR SIMILAR RECORDED INSTRUMENT. THE VALIDITY AND LEGALITY OF THE RECORDED EASEMENT OR SIMILAR RECORDED INSTRUMENT SHALL BE PRESUMED, AND THE RIGHTS AND OBLIGATIONS OF THE PARTIES UNDER THE RECORDED EASEMENT OR SIMILAR RECORDED INSTRUMENT ARE NOT RELEVANT TO THE DETERMINATION TO BE MADE UNDER THIS SECTION 131.0.D.6.
2. Section 131.0.F.2
- WRITTEN AUTHORIZATION FROM THE PROPERTY'S OWNER (IF OTHER THAN THE PETITIONER), WHICH AUTHORIZATION MAY BE IN THE FORM OF A RECORDED EASEMENT OR SIMILAR RECORDED INSTRUMENT. THE VALIDITY AND LEGALITY OF THE RECORDED EASEMENT OR SIMILAR RECORDED INSTRUMENT SHALL BE PRESUMED, AND THE RIGHTS AND OBLIGATIONS OF THE PARTIES UNDER THE RECORDED EASEMENT OR SIMILAR RECORDED INSTRUMENT ARE NOT RELEVANT TO THE DETERMINATION TO BE MADE UNDER THIS SECTION 131.0.F.2.F. 21
3. Section 131.0.N
- 48. Schools, Colleges, Universities—Private (Academic) A Conditional Use may be granted in the RC and RR Districts, on properties that are not 20 ALPP purchased or dedicated easement properties, and in the R-20, R-ED, R-12, R-21 SC, R-SA-8, R-H-ED, R-A-15, R-APT, R-MH, or R-VH Districts for private 22 academic schools, colleges and universities, [[[not including nursery schools]]] 23 WHICH MAY INCLUDE CHILD DAY CARE CENTERS AND NURSERY SCHOOLS AS AN 24 ACCESSORY USE, provided that:

Sayers, Margery

From: Jung, Deb
Sent: Friday, February 21, 2020 10:26 AM
To: Sayers, Margery
Subject: FW: ZRA-188

Deb Jung
Council Chair, District 4
Howard County Council
3430 Court House Dr., Ellicott City, MD 21043
410-313-2001

Sign-up for my District Update [here](#).

From: Ken Gaertner <kgaert@outlook.com>
Sent: Sunday, February 16, 2020 3:14 PM
To: Jung, Deb <djung@howardcountymd.gov>
Subject: ZRA-188

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

I urge you to reject Zoning Regulation Amendment as proposed by Glenelg Country School. I am a resident of Howard County for nearly 30 years and reside next to the Glenelg Country School. I own one of the 22 pipestems that are in the easement agreement mentioned in the petition. Years ago Glenelg Country School violated our property rights by using our land without approval. An easement agreement was negotiated after a 3 or 4 year struggle and only settled when a judge told them to settle or he would settle it. We have rights with easement such as ability to inspect it which the school has made nearly impossible. They regard it as "their land." "It seems like nothing that the school has ever wanted to do has been denied to them, partially because they did not always ask permission before doing it. Nothing was denied until last June when the zoning board denied amendments for setback requirements and the hearing examiner did not approve all of the changes they wanted. These changes they are proposing now would all affect easements all over the county. It assumes that all easements are legal and valid and signatures by owners are not required. Any legal rights of the owners are ignored. Other counties-Anne Arundel, Baltimore, and Carroll Counties require a property owner's signature for an easement holder to process a Conditional Use application.

I am asking you to consider the effect these changes would have on the whole county.

Don't let the Glenelg Country School to use their influence to change county laws to suit the school as they have always tried to do.

Ken Gaertner
12885 Folly Quarter Road
Ellicott City, MD 21042

Sayers, Margery

From: Betty Ruffle <b.ruffle@comcast.net>
Sent: Thursday, February 20, 2020 4:07 PM
To: CouncilMail
Subject: CB 9-2020

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

I was unable to speak at the council meeting on February 18. Please accept my comments in support of CB 9-2020:

"I am Betty Ruffle, homeowner in Ellicott City, parent of a 2014 and 2016 Lifer graduates from Glenelg Country School; Lifer meaning attendance from Pre-K/kindergarten through 12 grade.

My family moved here in May 2001 from Texas. Our research of schools before our move led us to GCS, the most progressive choice in shaping the academic, service, and character development of our children. Please note, GCS graduates go on to schools as prestigious as Harvard, Yale, Princeton.

GCS is very forward thinking with the children as goal. Over six years ago they added the A to STEM to support Art just as important as Science, Technology, Engineering and Math, to get STEAM. They also required cognitive baseline of student athletes, before seasons begin, to ensure healing after concussions. The GCS foresight includes having state of the art facilities for its students. This is evident in the growth from the Manor House Lower School to include Primary, Middle and Upper Schools, gymnasiums, theater, observatory, laboratories, and athletic fields.

The vision now includes the need for a music facility, additional STEAM classrooms, DRAGON Cottage. The end goal is student enrichment and fulfilled potential. GCS strives to keep its graduates competitive on a national level..

The school construction approval process needs to be streamlined as requested in GCS ZRA#188, Council Bill 9-2020 to ensure timely benefit to the students. If not, what was identified yesterday, is needed now, and won't be available until tomorrow. Please support CB 9-2020."

Sayers, Margery

From: Jung, Deb
Sent: Thursday, February 20, 2020 3:23 PM
To: Sayers, Margery
Subject: FW: CB9-2020
Attachments: Dan Mark - P&Z Dir Memo.pdf; GCS and Easement area Satellite.JPG; Picture of back maintenance area with colors.JPG

Deb Jung
Council Chair, District 4
Howard County Council
3430 Court House Dr., Ellicott City, MD 21043
410-313-2001

Sign-up for my District Update [here](#).

From: Pete&Dot <petedotdc@verizon.net>
Sent: Wednesday, February 19, 2020 1:08 PM
To: Jung, Deb <djung@howardcountymd.gov>
Subject: CB9-2020

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

From: Pete&Dot <petedotdc@verizon.net>
Sent: Wednesday, February 19, 2020 1:06 PM
To: 'ewalsh@howardcountymd.gov' <ewalsh@howardcountymd.gov>
Subject: CB9-2020

Thank you so much for listening to all of the testimony that was given last night. I've added some thoughts from the meeting last night.

1. We are concerned that **the school is planning on a large influx of students from parents who are not happy with the redistricting that went on this fall.** Everywhere I saw signs against the redistricting I saw signs that said, "We heart our school" from Glenelg Country School. This will not help fix the socio-economic issues facing our public schools. With tuition at the high school level at \$31,300.00, and middle school just a couple of thousand dollars less, not many families can afford this. Because of this, we also understand that the school needs to expand their infrastructure. Once again, we repeat, **we are not against the expansion, we just want them to follow the zoning regulations as put forth by DPZ without the newest additions of CB9-2020.**
2. **The school can expand and apply for a conditional use without the easement signatures if they do not include the easement area within their conditional use.** They could easily put forth the current petition with all of the buildings and structures that the parents and teachers want on the main 80 acre parcel (the big green area). They could even add the additions on the Lot 345, the maintenance yard perhaps without the signatures. What they can't do is incorporate the easement area into their conditional use, thus changing the zoning on the properties, without the signatures of the easement holders.

3. It's important to once again to note that the **easement area separates the main campus from a 3.5 acre Maintenance yard**. All of the additions that the parents were asking for are on the main campus. They were not planning to add any structures or uses to the maintenance area that the Glenelg Country School Parents' were asking for approval for last night. They were planning to add 2 maintenance buildings. Once again, we ask, **why is this maintenance area so important to the school that they would force such drastic zoning amendments on Howard County**.
4. We are still very troubled about the ZRA about setbacks. This statement is concerning, "any setbacks required by.....shall not apply". The list of conditional uses is long and the **setbacks are there to protect the residential property owners**. We are very concerned about the unintended consequences. Why is this setback so important to them? We are asking them to abide by their 50 setback (requirement from DPZ) along our residential properties and along Maisel farm road. I understand that they don't want to move the roll off containers and mulch piles, but surely this is not that onerous of a request that you would burden all of Howard County with no required setbacks?
5. We are still confused about the motivation behind the school refusing to ask for the signatures of the easement holders. They were willing to ask Dale Maisel when they included his property in the conditional use. Why didn't they ask for the signatures? Is it because **they didn't want the property owners to know of the request to put a conditional use on their land** thus changing the use of their land from residential? Or were they hoping that this would quickly receive conditional use approval and **no one would recognize that the land was not theirs** until after the conditional use was done? Why didn't they point out to DPZ that the land was not theirs in Fee simple when they received the technical staff report? They must have understood that DPZ did not know who owned the land.
6. Day Care – **Why are they not apologetic that they didn't go through Conditional Use for the daycare?** They unashamedly bragged about their daycare and the need for it in the county. We believe that they should have to go through the conditional use process for a daycare as required by Howard County Zoning regulations. To mention that there are other schools out there that also have daycares that did not get through the approval process is not a good reason for them to change this zoning regulation. We don't let our children get away with, "but Susie does it, why can't I".
7. The petition failed because of the signatures but also **because they refused to present any more testimony about the structures and uses on their campus**. They have added many structures and uses over the last 20 years (last time they went through a conditional use) outside of the conditional use process. The hearing Examiner asked the school to present reasons why they needed each structure and use as all conditional use petitioners are required to do. They declined to do so. At the end of the hearings they rested their case without presenting any evidence that they needed many of these structures and uses. Please see D&O (attached). I believe she would have given them most of what they asked for if they had continued to testify about their need for them. Because they didn't, she only allowed them the wastewater treatment plants.
8. I've attached a 2005 letter to DPZ from Glenelg Manor Estates President Dan Marks asking for help from DPZ with the encroachments and trespasses on the pipestem land. This was before there was an easement. He very clearly spells out **the adverse impacts that the school was having on the land owned by members of Glenelg Manor Estates**. He was pleading with DPZ to help him with this problem since Glenelg Country School would not stop using the land.

9. I've also attached the Decision and Order from the Miller Trust from District 3. Please note that the petitioner was required to get 17 signatures, only 5 less than GCS. **All of these constituents would be effected by these easement ZRAs. I am sure there are more.**

Thanks,
Dottie DeCesare

TO: BOB
The Glenelg Manor Estates Community Association, Inc.

Monday, March 7, 2005

Mr. George L. Beisser, Chief
Division of Public Service and Zoning Administration
Howard County Department of Planning & Zoning
3430 Courthouse Drive
Ellicott City, Maryland 21043

Subject: Glenelg Country School non-conformance to terms and conditions of variance Decision and Order BA99-051 E&V (and reference SDP-01-69), approved May 16, 2000, and associated effects to the Glenelg Manor Estates Community.

Dear Mr. Beisser,

The Glenelg Country School (GCS) has been significantly expanding its size and scope of operation within the direct sphere of influence to our community steadily for the past 6+ years. In the process of doing so, several new buildings have been constructed and new property uses and permits have been approved by the Howard County government's various departments. Specifically, the subject variance has specific terms and conditions to be adhered to by GCS and fall within the purview, oversight, and control of the Howard County Department of Planning & Zoning.

Several of these conditions are producing negative affects on the property owners within our community (The Glenelg Manor Estates) and to their properties. In addition, we are familiar with at least one other community, directly adjacent to GCS, which is engaged in an ongoing dialogue with your office and the Howard County Dept. of Health to gain corrective actions for a series of GCS non-conformances to the subject variance. As a result, we are aware that the GCS was notified by your office (letter dated December 2, 2004) of a 30-day petition deadline to submit proposed modifications to the subject variance. January 3, 2005 was the expiration date for this invitation. As of February 04, 2005 your Department indicated that no petition or request for extension on this subject had been filed.

Specific non-conformances to the subject variance that we request your office to investigate and work with the GCS and GECS, LLC to rectify are:

- 1) **The toddler playground, fences, constructs, and daily activities** are placed and occur on private homeowners property and obstruct the Parcel 345 (GECS, LLC Owner; Tax Map 28, Grid 4) easement.

Physical encroachments and trespass by GCS from its Parcel 146 (GCS, Inc Owner; Tax Map 22, Grid 23), for which no easement or usage agreement exists, have, and continue to, occur onto adjacent private properties (Tax Map 28, Grid 4, Parcels 341, 342, 346, 347, 348, 349, 350, 351, 354, 355, 356, 357, 358, 359, 360, 362, 363, 364, 365, 366, 367, 380). These activities include the Primary School sewage line connection, vehicular traffic, and staff, parents, personnel, children, and subcontractor traffic.

For these reasons, the primary school activities on Parcel 146 and the buildings constructed on Parcel 345 do not fulfill the intent of the conditions that allowed the granting of the subject variance with regards to *"The majority of the proposed improvements will be constructed toward the central campus area and are set back adequately from lot lines"* and *"...the location, nature and height of structures and, provided that it is in conformance with the Howard County Landscape Manual, the extent of the landscaping on the site are such that the use will not hinder or discourage the development and use of adjacent land and structures..."* (Reference General Criteria for Special Exceptions, page 7, part 3,

The Glenelg Manor Estates Community Association, Inc.

proposed improvements, of the subject variance). In fact, the constructions upon and trespass across the private properties have directly hindered and discouraged the use of adjacent land and structures.

Specifically, the Order (subject variance, page 10, item 1) states: *“The special exception shall apply to the inclusion of Parcel 345 into the special exception site, and the construction of improvements as depicted on the Special Exception Plan dated November 8, 1999, and to no other structures and/or uses.”* The continuing acts of trespass violate the Order. Correcting/terminating these trespass and encroachments to conform to the variance is required.

Interior Lot Line Violations. The Criteria for Variances (page 8 of the subject variance), section 1 states: *“the inclusion of an adjacent property as part of the special exception use area is a unique physical condition that creates practical difficulties and unnecessary hardships in complying strictly with the required use setbacks”*. This clearly identifies that Howard County considered the adjacent property usage a sensitive issue and that GCS was fully apprised of this concern prior to improvements upon either Parcel included in the variance. For this reason, section 2 (page 9 of the subject variance), therefore, clearly delineated that *“The requested variances are from interior lot lines only. All exterior setback requirements would be met. The variances, if granted, will therefore not alter the essential character of the neighborhood in which the lot is located, nor substantially impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare...”*

All of these criteria have been violated by the GCS implementation of constructions on these Parcels since the encroachments and obstructions border exterior lot lines and/or have been built upon private property abutting exterior lot lines. These and the daily GCS operations emanating from Parcel 146 have altered the essential character of the neighborhood, inhibited the usage of sovereign property by its owners, and have impaired the use and development of adjacent property.

- 2) **The use of the frame dwelling on Parcel 345** for business support operations for GCS staff violates the *Specific Criteria for Schools, Colleges, Universities – Private (Academic), part 3 (on page 8 of the subject variance)* *“The Headmaster’s Residence and the frame dwelling on Parcel 345 which would continue to be used for residential purposes are the only proposed residence accommodations for students, staff members, or caretakers of the school.”* The GCS business activities operated from the frame dwelling on Parcel 345 have promoted the multiple daily events of trespass across the adjoining private properties, of personnel, students, staff, caretakers, vehicles and equipment which support the school non-residential operations. Proper residential usage of the frame dwelling as RR-DEO on Parcel 345 would not induce these events from Parcel 146.

Specifically, the Order (subject variance, page 10, item 1) *“The special exception shall apply to the inclusion of Parcel 345 into the special exception site, and the construction of improvements as depicted on the Special Exception Plan dated November 8, 1999, and to no other structures and/or uses.”* In addition, item 5 states *“The Petitioner shall comply with all applicable Federal, State, and County laws and regulations.”* The Rural Residential-Density Exchange Option (RR-DEO) County zoning district regulation has not been and is not being honored due to the usage of the frame dwelling for business purposes. In addition, the daily use of dumpsters for school solid waste staging/removal is not a use included in the variance petition and is not contained on the Special Exception Plan dated November 8, 1999 referenced in the Order. Therefore, these activities do not conform to at least two conditions of the order. Correcting both the usage of the frame dwelling to the current RR-DEO allowance and ceasing the use of Parcel 345 as a solid waste staging and removal area, to conform to the variance is required.

- 3) **Concealment and Landscape Buffering.** The Order (subject variance, page 10, item 2) states *“Existing vegetation shall be augmented to create a Type C Landscape Buffer along the lot lines of Parcel 345 that do not adjoin Parcel 146.”* The augmentation has not occurred and, as a result, an

The Glenelg Manor Estates Community Association, Inc.

unsightly condition has resulted viewable by all properties and their community residents adjacent to Parcel 345. The effect of this devalues these adjacent properties/communities and does not support the beautification and preservation of the character of the Glenelg Manor House State Historic Register property (an element of the essential character of our neighborhood) directly adjacent to Parcel 345.

Conclusions:

These conditions have placed the 22 private parcels in a posture where sale/transfer by the owners is directly inhibited. The required legal disclosure of these existing encroachments/obstructions by existing homeowners in a contract of sale creates a condition that deters prospective homebuyers and agents from entering into a purchase contract, resulting in a declining effect on the potential sale price. This, in turn, propagates into a negative sale effect for all of the properties in the communities adjacent to the school.

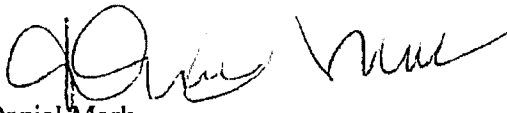
The conditions described exist due to GCS' indeterminate development methodology, its non-conformance to variance requirements, and encroachment onto the private lands of adjacent homeowners. These conditions decrease the value of adjacent properties and show disregard of the rights of adjoining property owners, which creates "...other adverse effects upon vicinal properties beyond those inherently associated with a private school located in an RR-DEO zone." (Reference General Criteria for Special Exceptions, page 6, part 2, property usage, of the subject variance).

We request the following from your office:

- 1) Written response is requested, within 15 calendar days of the date of this letter, as to your intended plan to address the items listed
- 2) Please verify (due to the expiration of the deadline from the December 2, 2004 letter) that GECS, LLC, and GCS, Inc. petitions for modifications to the subject variance will not be entertained by the Department of Planning and Zoning
- 3) That enforcement action will be taken with GCS, Inc. and GECS, LLC. to correct all of the items of obstruction and the non-conformances to the variance

If there is anything we can do to assist in understanding these issues further please contact me. We thank your office for its efforts to have GCS, Inc. and GECS, LLC rectify these items to work towards the restoration of the rural residential good neighbor relationship of the school and the community.

Sincerely,



Daniel Mark
President, Glenelg Manor Estates Community Association

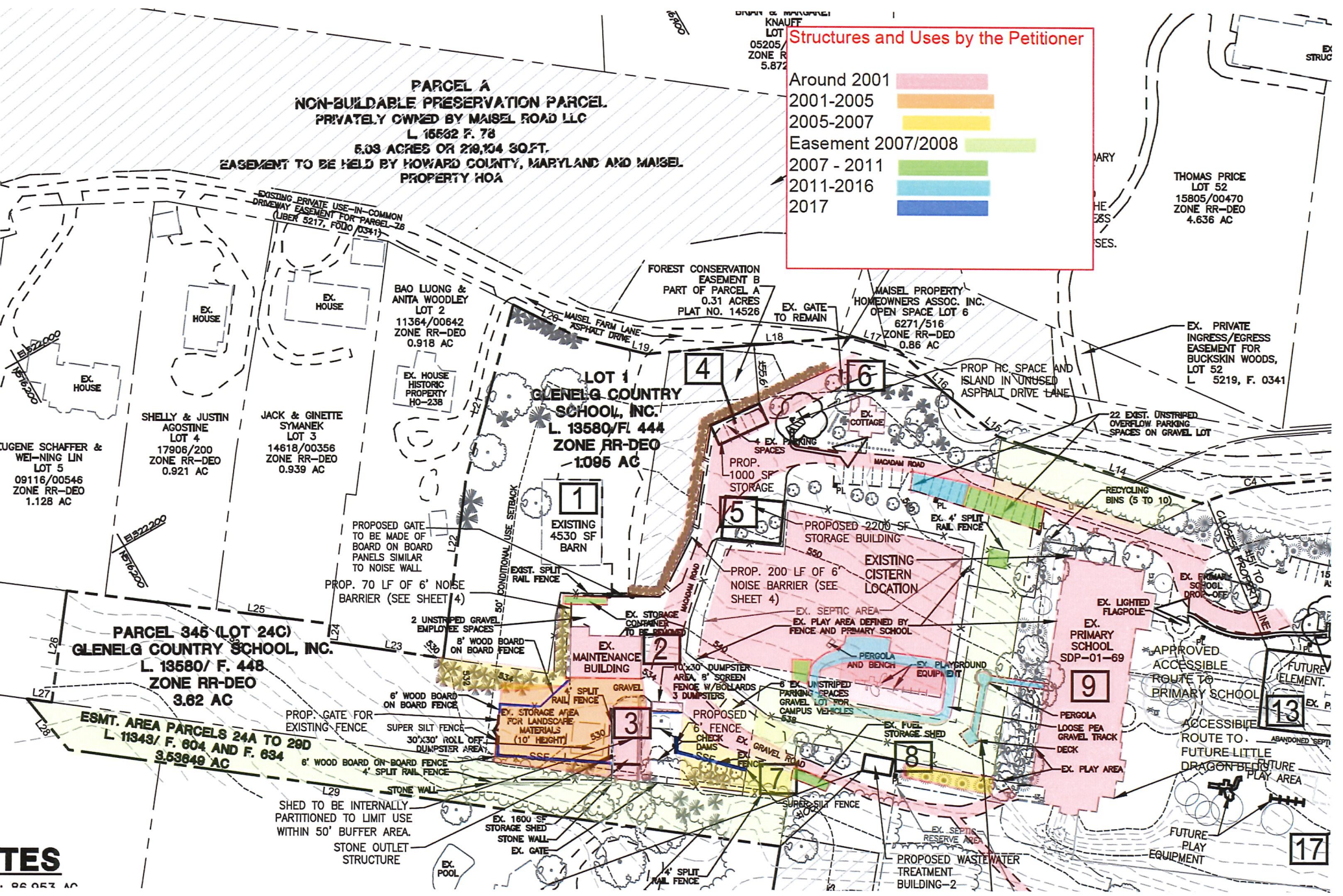
Cc: Robert Weber/Director, HoCo Bureau of Environmental Health, Councilman Charles Feaga, GCS Board of Trustees, GECS/LLC, James Demma/Miles & Stockbridge, James L. Mayer, John A. Boris/HoCo Director of Well & Septic, Barry Glotfelty/MDE Wastewater Permits Program



PARCEL A
NON-BUILDABLE PRESERVATION PARCEL.
 PRIVATELY OWNED BY MAISEL ROAD LLC
 L. 16662 F. 78
 5.03 ACRES OR 219,104 SQ.FT.
 EASEMENT TO BE HELD BY HOWARD COUNTY, MARYLAND AND MAISEL
 PROPERTY HOA

Structures and Uses by the Petitioner

- Around 2001
- 2001-2005
- 2005-2007
- Easement 2007/2008
- 2007 - 2011
- 2011-2016
- 2017



THOMAS PRICE
 LOT 52
 15805/00470
 ZONE RR-DEO
 4.636 AC

PARCEL 346 (LOT 24C)
GLENELG COUNTRY SCHOOL, INC.
 L. 13580/ F. 448
 ZONE RR-DEO
 3.62 AC

ESMT. AREA PARCELS 24A TO 29D
 L. 11343/ F. 604 AND F. 634
 3.53649 AC

TES
 . 06.053 AC

Sayers, Margery

From: Jung, Deb
Sent: Thursday, February 20, 2020 3:16 PM
To: Sayers, Margery
Subject: FW: Support for CB9-2020 (ZRA 188)

Deb Jung
Council Chair, District 4
Howard County Council
3430 Court House Dr., Ellicott City, MD 21043
410-313-2001

Sign-up for my District Update [here](#).

From: Owen Charlebois <owen5117@yahoo.com>
Sent: Thursday, February 20, 2020 10:49 AM
To: Jung, Deb <djung@howardcountymd.gov>
Subject: Support for CB9-2020 (ZRA 188)

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

Dear Council Representative Jung:

I am 19 year resident of Howard County, living on the Hobbits Glen Golf Course at 5117 Watchwood Path.

I am writing to express my strong support for Glenelg Country School and for its proposed zoning regulation amendments CB9-2020 (ZRA 188).

By way of background, my son graduated from GCS in 2018. He is what is called a GCS "Lifer" - he started at GCS in kindergarten in 2001 and spent his entire elementary, middle and high school years at GCS.

Not only has GCS been a critical part of my son's education and personal development, it has also been a place where our family has connected with the broader community, making friends and supporting various school activities.

GCS is a critical resource to Howard County residents and I urge you to support the GCS proposed amendments CB9-2020 (ZRA 188).

Thank you for your consideration.

Owen Charlebois
5117 Watchwood Path
Columbia, MD 21044

(Tel: 4-10-992-0157)

Sayers, Margery

From: Jung, Deb
Sent: Thursday, February 20, 2020 3:11 PM
To: Sayers, Margery
Subject: FW: CB9-2020

Deb Jung
Council Chair, District 4
Howard County Council
3430 Court House Dr., Ellicott City, MD 21043
410-313-2001

Sign-up for my District Update [here](#).

From: Tina Fisher <tina@nashcarpetone.com>
Sent: Thursday, February 20, 2020 12:54 PM
To: Jung, Deb <djung@howardcountymd.gov>
Cc: Darren Fisher <dtcfisher@gmail.com>
Subject: CB9-2020

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

Dear Council Women Jung -

My family is writing to you in support of CB9-2020 (ZRA 188). Our family has been a part of the Glenelg Country School community for the past 10 years with two boys attending the school. One is now an alumni and one is a current student. We have been extremely grateful to have this school available to our children, right in our local community, as our kids have required some special needs. Our boys have thrived as a result of the experiences in which GCS has provided both academically, socially and spiritually.

We feel CB9-2020 (ZRA 188) should be approved so GCS can continue to provide an outstanding education with a campus that is up to date and able to continue its natural growth in order to survive. GCS has always been a partner to the surrounding neighborhood and makes every effort to make improvements with the least amount of impact to the neighborhood. The school has come to the point of needing this approval from the council so they can continue to provide the beautiful campus and top notch education to community children.

Thank you for your time and consideration of this approval and are hopeful you vote in favor of CB9-2020 (ZRA 188).

Sincerely,

--

Tina Fisher

Nash Carpet One
5712 Wicomico Avenue
Rockville, MD 20852
301-881-0004 x102

Sayers, Margery

From: Jung, Deb
Sent: Thursday, February 20, 2020 3:10 PM
To: Sayers, Margery
Subject: FW: Concerned Resident in Support of CB9-2020 (ZRA 188)

Deb Jung
Council Chair, District 4
Howard County Council
3430 Court House Dr., Ellicott City, MD 21043
410-313-2001

Sign-up for my District Update [here](#).

From: Navin Ghaffarian <navinghaffarian@gmail.com>
Sent: Thursday, February 20, 2020 1:41 PM
To: Jung, Deb <djung@howardcountymd.gov>
Subject: Concerned Resident in Support of CB9-2020 (ZRA 188)

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

Good Afternoon Mrs. Jung,

My name is Navin Ghaffarian and I am writing on behalf of myself, my wife (Kristen Ghaffarian), and my children in support of CB9-2020 (ZRA 188). I attended the related Howard County council meeting on the evening of Tuesday, Feb 18th. I was encouraged and impressed by the governance of our country and the overall hospitality afforded to all the speakers. I felt extremely proud to be both a Howard County resident and a Glenelg County School alumni and parent. It also impressed upon me how important and how hard the Howard County council works to represent the interests of all its residents, so for that let me express my sincere gratitude for your service.

I have lived in Howard County all my life, living in Scaggsville (Laruel) and then Ellicott City. I attended Hammond Elementary, Hammond Middle and Atholton High School. My junior year of high school, I started to attend Glenelg County School (GCS). It is there that I met the love of my life, my wife, and would form a deep fondness and love for GCS. My wife and my brother-in-law started at GCS in Kindergarten and would graduate from its Upper School as GCS "lififers". My father-in-law also serves on GCS' board of trustees (John Feezer III), he spoke at the council meeting regarding the matter of the easements.

After college and getting married, my wife and I moved back to Howard County and now reside in Maple Lawn. We have 4 children - Zain (10), Ezra (7), Remy (3), Isla (1), two of which are now attending Glenelg Country School in 1st and 4th grade. I can tell you they love their school and consider it their second home, very much like their parents did when we went there. I make no exaggeration, when I say it is a special place and a remarkable asset to Howard County.

The council meeting was very enlightening and educational for me and I can appreciate the perspectives of both the proponents and opponents of the proposed bill. I will not pretend to know all the ins and outs of Howard County's zoning laws, so I will just speak based on my experience and understanding of the matter. I worked with NASA Goddard Space Flight Center for 10 years as a government contractor. I can appreciate the challenges we face as a country and a

planet going forward. Continued innovation in science, research, and development will be more important now than it ever has been in recent memory. Equipping our youth and infusing them with a love of learning is crucial to ensure we can meet these challenges. At GCS it is no different. More to the point, a strong STEAM education has become foundational to any school curriculum and for GCS to compete and attract students/parents, we must also invest in STEAM as HCPSS and other area private schools have. Unfortunately, because GCS is prevented from even proposing the possibility of a build out, I know first hand they have had to continually repurpose space (including valuable classroom space) to meet the needs of a growing STEAM program. Additionally, I hope to send my younger two children to GCS, but the primary school is at capacity. And even though we plan to send our children to GCS regardless, I want them to enjoy the same quality of education and facilities that my wife, my brother-in-law, and my two older boys were able to experience. Any school, whether public or private needs to have the ability to evolve to meet the ever changing needs of its students and the nature of the world we live in. Even if this proposed bill is not the answer to the issues raised by the school and its neighbors. I hope you will help guide both parties to a reasonable compromise, where we can move forward amicably and still allow each other to thrive.

We feel so fortunate and grateful that we are able to send our children to same school, where we are proud to be alumni. We work very hard to be able to provide that same experience and education that we cherished so much. I hope you will consider this bill and its intended purpose, to allow GCS to continue to compete, develop, and thrive as it has in the past.

All the best and thanks again for serving our community!

Navin Ghaffarian and Kristen Ghaffarian, GCS Class of 2002
7744 Elmwood Rd.
Fulton, MD 20759
navinghaffarian@gmail.com

Sayers, Margery

From: Jung, Deb
Sent: Thursday, February 20, 2020 3:07 PM
To: Sayers, Margery
Subject: FW: Support of bill CB9-2020

Deb Jung
Council Chair, District 4
Howard County Council
3430 Court House Dr., Ellicott City, MD 21043
410-313-2001

Sign-up for my District Update [here](#).

From: Megan Bruno <meganbru@gmail.com>
Sent: Thursday, February 20, 2020 3:04 PM
To: Jung, Deb <djung@howardcountymd.gov>
Subject: Support of bill CB9-2020

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

Dear Ms. Jung,

I am live at 12310 Carol Drive in Fulton, MD and I am writing to strongly encourage your support of CB9-2020. I am a Glenelg Country School parent and trustee and a lifelong Howard County resident. I testified at the hearing on February 18th and appreciated your impartial leadership over the very passionate proceedings and your thoughtful questions regarding the facts of this issue.

While it was painful and disheartening to hear our school community which I cherish so greatly to be portrayed by a few neighbors as a big, bad, "machine" when this could not be further from the truth, I believe the true facts of the issue came to light. Many claims were patently untrue; GCS has worked through all legal and required channels and still landed in this position. We would simply like to be granted the opportunity to present a plan that we have the right too. The neighbors and government will have their opportunity to comment on future plans but to not even let us get to that point is simply unfair. We are a COUNTRY school on the most beautiful of campuses. This is never something we would be willing to sacrifice to excessive development.

As a constituent of District 4, I urge you to support CB9-2020.

Sincerely,
Megan Bruno

--
Megan Bruno

Comprehensive Pilates Instructor

Sayers, Margery

From: LISA MARKOVITZ <lmarkovitz@comcast.net>
Sent: Thursday, February 20, 2020 12:31 PM
To: CouncilMail
Subject: My CB9 written testimony
Attachments: cb92020.docx

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

Please read, as I have made this more concise and added some clearer points having listened to all the testimony.

Thank you,
Lisa Markovitz

Lisa Markovitz

CB9 – Oppose (strong amendment requests)

Speaking for The People's Voice, Ellicott City 2/19/2020

It seems there is an irony here. On the one hand, is this spot zoning? Is it making a rare situation have unintended consequences on other properties? On the other hand, it seems the Bill is not actually specific enough to avoid unintended consequences. It does not match the easement legality claimed in this particular case. The Bill does not say the easement holder versus property owners, have full authority on any uses over the property in perpetuity. There are a lot of concerns in this Bill and it should not be passed, but if it is please at least amend the easement language to state that it must be an perpetual easement granting any and all uses to the petitioner to suffice as owner permission.

It has come out that owner permission is being withheld here, and the School does not just have an issue of locating legal owners. I do not see how lawsuits could be avoided. Nonetheless, with regard to allowing easements to suffice as evidence of property owner authorization, the DPZ staff report wisely and accurately stated that the County does not involve itself in adjudicating possible disputes. It seems that is exactly what is happening here though, because easements are often held by non-landowners. I have one myself. Many HOA's have them. I would imagine that many developers wouldn't want this change made. I don't have the right, nor should I, to say what can be done on the easement I have next to my property, on land I do not own. How should any ownership issues be allowed to be changed without specific owner agreement?

The easement I refer to above, mine and HOA's, etc., are not what are being referenced in the Bill. Those types are what exist in reality, many different types, with many different possibilities of rights upon them. The Bill does not preclude someone from trying to change the uses allowed on property that does not belong to them, and without the right to do so. The Bill allows anyone to request a conditional use change, and use the mere existence of an easement to indicate owner permission. The Bill needs to state that the easement actually allows such a thing.

Just because it might not make business sense to pursue a use to which one is not entitled, on someone else's land, doesn't mean it won't happen. If you leave the onus on the homeowner to sue developers that is about as unfair a thing in land use, as I can imagine.

If the Hearing Examiner is given the right to grant variances this could cause problems. Would all the same requirements be made, such as traffic studies? Does it make sense to grant this power to a Hearing Examiner yet say it makes no sense to have that same person be able to read an easement and determine if it actually does grant any usage on it? Should the Hearing Examiner be making these decisions or not? Piecemealing out what benefits the petitioner in every case, and not what may not, is no way to code zoning.

The Planning Board heard many concerns that they felt were great enough to unanimously deny this petition on four different points, citing setback and lot disagreements, common ownership rule effects,

procedural issues, rights, etc. Pipestem lots should not be lumped together regarding removing protections from many types of neighborhoods, and so it is good that issue was removed in creating the Bill versus the petition request.

Please review this carefully because how can you allow the Hearing Examiner to only adjudicate the merits of a use regardless of whether or not a property owner has legally agreed to it? Of course this Bill has unintended consequences because it does not match the rarity of the stated request.

The School went through a difficult process because they claim they have full usage rights on the easements, which means they should not have needed more owner permission, and the Hearing Examiner allegedly should have seen that was the case and allowed the uses to be determined. Those are facts in dispute by the pipestem lot owners, but assuming the School is accurate, the Bill doesn't say that.

The Bill says the mere existence of an easement regardless of what rights it has in it is to be equated to owner permission. That doesn't even seem legal. It seems fraught with risk and liability to the County to involve itself in granting permissions to which the petitioner could not be legally entitled. There are exceptions to be allowed to sue a government body, and allowing someone to build on your property without permission making you have to sue them, is surely one of them.

Maybe another study of legislation that would be helpful is to have is for land use changes to note the effects on other properties.

Sayers, Margery

From: Mary Christensen <mechristensen@gmail.com>
Sent: Friday, February 14, 2020 1:16 PM
To: CouncilMail
Subject: Fwd: Schedule a meeting to discuss GCS and CB9

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

I just sent this to Me Yungman, but wanted to extend the invitation to each member of the County Council to come discuss the CB9 issue with Glenelg Country School and why we are opposed to it as the nearest neighbors to the school.

Please let me know when you are available to meet.

Mary Christensen
240-547-4321

----- Forwarded message -----

From: Mary Christensen <mechristensen@gmail.com>
Date: Fri, Feb 14, 2020, 1:12 PM
Subject: Schedule a meeting to discuss GCS and CB9
To: <dyungmann@howardcountymd.gov>

Hello Mr Yungman,

We have been discussing Glenelg Country Scholl trying to get CB9 passed through the county council. I would like to officially invite you to come to our home and talk about this issue and share our perspectives on this. My husband and I, and our four kids, would love to meet you. We'd like to give you the chance to come walk our property, and see our home in relation to the school and the pipe stems and help illustrate to you why this issue is of such concern to me and my family.

Please let me know when you are available to meet with us. My phone number is 240-547-4321.

I look forward to hearing from you.

Mary Christensen