

Introduced October 5, 2020
Public hearing October 19, 2020
Council action November 2, 2020
Executive action November 4, 2020
Effective date January 5, 2021

County Council of Howard County, Maryland

2020 Legislative Session

Legislative day # 14

BILL NO. 58 – 2020 (ZRA – 190)

Introduced by: The Chair
at the request of John P. McDaniel

AN ACT amending the Howard County Zoning Regulations to allow the merger of adjoining preservation parcels under specific conditions; and generally relating to preservation parcels.

Introduced and read first time October 5, 2020. Ordered posted and hearing scheduled.

By order

Diane Schwartz Jones
Diane Schwartz Jones, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on October 19, 2020.

By order

Diane Schwartz Jones
Diane Schwartz Jones, Administrator

This Bill was read the third time on November 2 2020 and Passed Passed with amendments _____, Failed _____.

By order

Diane Schwartz Jones
Diane Schwartz Jones, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 3rd day of November, 2020 at 1:20 a.m./p.m.

By order

Diane Schwartz Jones
Diane Schwartz Jones, Administrator

Approved/Vetoed by the County Executive November 4, 2020

Calvin Ball
Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be it enacted by the County Council of Howard County, Maryland, that the Howard**
2 **County Zoning Regulations are hereby amended as follows:**

3
4 *By Amending:*

5
6 *Section 104.0: "RC (Rural Conservation) District"*
7 *Subsection G. "Cluster Subdivision Requirements"*
8 *Number 1. "Subdivision and Density Requirements"*
9 *Number 4. "Requirements for Preservation Parcel Easements"*

10
11 *Section 105.0: "RR (Rural Residential) District"*
12 *Subsection G. "Cluster Subdivision Requirements"*
13 *Number 1. "Subdivision and Density Requirements"*
14 *Number 4. "Requirements for Preservation Parcel Easements"*

15
16 *Section 106.0: "106.0 DEO (Density Exchange Option) Overlay District"*
17 *Subsection B. "Criteria"*
18 *Subsection F. "Requirements for Use of the Density Exchange Option or Cluster Exchange*
19 *Option"*

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23 **Howard County Zoning Regulations**

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25 SECTION 104.0 RC (Rural Conservation) District

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27 G. Cluster Subdivision Requirements

28 1. Subdivision and Density Requirements

29 a. A cluster subdivision consists of cluster lots which are located on a portion or
30 portions of the parcel being subdivided, and a preserved area, which is the entire
31 residual area of the parcel being subdivided.

32 b. The preserved area should be retained as a single preservation parcel
33 whenever possible. It may be divided into more than one preservation parcel
34 only at the time that the preserved area is originally recorded and only in
35 accordance with the purposes of the RC District. [[with the following

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exceptions:]]

[[(1)]] C. Subdivision of a preservation parcel after recordation of the preservation parcel easement may [[only]] be permitted if the subdivision is necessary to establish a boundary line respecting agricultural, historical, or environmental features or patterns of use; AND INVOLVES:

[[(2) Involves either:]]

[[(a)]] (1) The transfer of land between adjoining parcels that are both entirely protected by an agricultural, environmental, or historic preservation easement held by Howard County or a State agency; or

[[(b)]] (2) The exchange of equivalent acreage between adjoining parcels, one of which is a preservation parcel, created in accordance with Section 104.0, 105.0 or 106.0 of these Regulations, wherein the resulting configuration will better facilitate the purpose of the preservation parcel and better ensure its protection; [[and;]] or

(3) TWO OR MORE ADJOINING PRESERVATION PARCELS THAT MAY BE COMBINED TO CREATE A PRESERVATION PARCEL, WHEREIN THE RESULTING CONFIGURATION WILL BETTER FACILITATE THE PURPOSE OF THE PRESERVATION PARCEL, PROVIDED THAT:

(A) AT THE TIME OF THE COMBINATION, IF A DEVELOPMENT RIGHT OR AN EXISTING PRINCIPAL DWELLING UNIT EXISTS, A LOT MAY BE CREATED TO ACCOMMODATE THE EXISTING HOUSE OR A PROPOSED HOUSE ON A PRESERVATION PARCEL.

1. FOR PARCELS WITH AN AGRICULTURAL PRESERVATION EASEMENT, THE MINIMUM LOT SIZE SHALL BE 3 ACRES; OR

2. FOR PARCELS WITH OTHER DEDICATED EASEMENTS, THE MINIMUM LOT SIZE SHALL COMPLY WITH THE CLUSTER LOT SIZE REQUIREMENTS.

(4) Such [[transfer]] RECONFIGURATIONS may not:

- 1 (a) Result in a net increase in the number of farm tenant house rights
- 2 for the parcel being enlarged; or
- 3 (b) Undermine the original agricultural, environmental or historic
- 4 preservation purpose for creating the preservation parcel; or
- 5 (c) Reduce the preservation parcel to less than 20 acres, [[and]]
- 6 UNLESS OTHERWISE PERMITTED IN SECTION 104.0.G.1.c; OR
- 7 (D) ACHIEVE ANY ADDITIONAL RESIDENTIAL DEVELOPMENT RIGHTS.

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9 [[(4) Such transfer requires consent of all easement holders. All deed(s) of
10 easement shall be amended to reflect the land transfer.]]

11 (5) SUCH LAND RECONFIGURATIONS REQUIRE CONSENT OF ALL EASEMENT
12 HOLDERS. ALL DEED(S) OF EASEMENT SHALL BE AMENDED TO
13 REFLECT THE LAND RECONFIGURATION AND ALL OF THE PROPERTY
14 SHALL REMAIN SUBJECT TO THE PROVISIONS OF THE EASEMENT TO
15 WHICH IT WAS SUBJECT PRIOR TO THE RECONFIGURATION.

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17 4. Requirements for Preservation Parcel Easements

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19 a. The easement agreement for each preservation parcel shall be approved by the
20 County and executed by the property owner prior to recordation. The easement shall run
21 with the land, shall be in full force and effect in perpetuity, and shall describe and
22 identify the following:

- 23 (1) The location and size of the preservation parcel.
- 24 (2) Existing improvements on the preservation parcel.
- 25 (3) A prohibition on future residential, commercial or industrial
- 26 development of the preservation parcel, other than the uses listed in
- 27 Section 106.1. The easement must specify the primary purpose of the
- 28 preservation parcel and prohibit the use of the preservation parcel for
- 29 incompatible uses.
- 30 (4) A prohibition on future subdivision of the preservation parcel, EXCEPT
- 31 AS PERMITTED IN SECTION 104.0.G.1.c.

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(5) Provisions for maintenance of the preservation parcel.

(6) Responsibility for enforcement of the easement.

(7) Provisions for succession in the event that one of the parties to an easement agreement ceases to exist.

SECTION 105.0 RR (Rural Residential) District

G. Cluster Subdivision Requirements

I. Subdivision and Density Requirements

a. A cluster subdivision consists of cluster lots which are located on a portion or portions of the parcel being subdivided, and a preserved area, which is the entire residual area of the parcel being subdivided.

b. The preserved area should be retained as a single preservation parcel whenever possible. It may be divided into more than one preservation parcel only at the time that the preserved area is originally recorded and only in accordance with the purposes of the RC District [[with the following exceptions:]]

[[1)] C. Subdivision of a preservation parcel after recordation of the preservation parcel easement may [[only]] be permitted if the subdivision is necessary to establish a boundary line respecting agricultural, historical, or environmental features or patterns of use; AND INVOLVES:

[[2) Involves either:]]

[[a)] (1) The transfer of land between adjoining parcels that are both entirely protected by an agricultural, environmental, or historic preservation easement held by Howard County or a State agency; or

[[b)] (2) The exchange of equivalent acreage between adjoining parcels, one of which is a preservation parcel, created in accordance with Section 104.0, 105.0 or 106.0 of these Regulations, wherein the

1 resulting configuration will better facilitate the purpose of the
2 preservation parcel and better ensure its protection; [[and;]] or

3 (3) TWO OR MORE ADJOINING PRESERVATION PARCELS THAT MAY
4 BE COMBINED TO CREATE A PRESERVATION PARCEL, WHEREIN
5 THE RESULTING CONFIGURATION WILL BETTER FACILITATE THE
6 PURPOSE OF THE PRESERVATION PARCEL, PROVIDED THAT:

7 (A) AT THE TIME OF THE COMBINATION, IF A DEVELOPMENT
8 RIGHT OR AN EXISTING PRINCIPAL DWELLING UNIT EXISTS, A
9 LOT MAY BE CREATED TO ACCOMMODATE THE EXISTING
10 HOUSE OR A PROPOSED HOUSE ON A PRESERVATION PARCEL.

11 1. FOR PARCELS WITH AN AGRICULTURAL
12 PRESERVATION EASEMENT, THE MINIMUM LOT SIZE
13 SHALL BE 3 ACRES; OR

14 2. FOR PARCELS WITH OTHER DEDICATED EASEMENTS,
15 THE MINIMUM LOT SIZE SHALL COMPLY WITH THE
16 CLUSTER LOT SIZE REQUIREMENTS.

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18 (4) Such [[transfer]] RECONFIGURATIONS may not:

19 (a) Result in a net increase in the number of farm tenant house
20 rights for the parcel being enlarged; or

21 (b) Undermine the original agricultural, environmental or
22 historic preservation purpose for creating the preservation
23 parcel; or

24 (c) Reduce the preservation parcel to less than 20 acres, [[and]]
25 UNLESS OTHERWISE PERMITTED IN SECTION 104.0.G.1.C; OR

26 (D) ACHIEVE ANY ADDITIONAL RESIDENTIAL DEVELOPMENT
27 RIGHTS.
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29 [[(4) Such transfer requires consent of all easement holders. All deed(s) of
30 easement shall be amended to reflect the land transfer.]]

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(5) SUCH LAND RECONFIGURATIONS REQUIRE CONSENT OF ALL EASEMENT HOLDERS. ALL DEED(S) OF EASEMENT SHALL BE AMENDED TO REFLECT THE LAND RECONFIGURATION AND ALL OF THE PROPERTY SHALL REMAIN SUBJECT TO THE PROVISIONS OF THE EASEMENT TO WHICH IT WAS SUBJECT PRIOR TO THE RECONFIGURATION.

4. Requirements for Preservation Parcel Easements

a. The easement agreement for each preservation parcel shall be approved by the County and executed by the property owner prior to recordation. The easement shall run with the land, shall be in full force and effect in perpetuity, and shall describe and identify the following:

- (1) The location and size of the preservation parcel.
- (2) Existing improvements on the preservation parcel.
- (3) A prohibition on future residential, commercial or industrial development of the preservation parcel, other than the uses listed in Section 106.1. The easement must specify the primary purpose of the preservation parcel and prohibit the use of the preservation parcel for incompatible uses.
- (4) A prohibition on future subdivision of the preservation parcel, EXCEPT AS PERMITTED IN SECTION 105.0.G.1.c.
- (5) Provisions for maintenance of the preservation parcel.
- (6) Responsibility for enforcement of the easement.
- (7) Provisions for succession in the event that one of the parties to an easement agreement ceases to exist.

1 B. Criteria

2 Residential density may be exchanged between properties which are eligible to be sending and receiving
3 parcels based on the criteria given below.

4 1. Sending Parcels

5 Properties within the DEO Overlay District which meet the following criteria are eligible to be
6 sending parcels:

7 a. The underlying zoning shall be RC;

8 b. The minimum preservation parcel easement area shall be 20 acres for all sending
9 parcels, EXCEPT AS PERMITTED IN SECTION 106.0.F.10.

10 c. The sending area shall not be subject to a forest conservation easement, Agricultural Land
11 Preservation Easement, gasline easement or other recorded easement that reduces or
12 removes its development rights. If a portion of a parcel is encumbered with such an
13 easement, the encumbered area shall be subtracted from the acreage of the sending parcel
14 for density calculations. After the encumbered acreage is deducted, the sending parcel must
15 still fulfill the size criteria specified in paragraph 1.b of this subsection. When calculating
16 density sending rights, floodplain easements and driveway/access easements do not need to
17 be deducted.

18 d. A property consisting of one or more contiguous parcels or lots may be eligible to be a
19 sending parcel if the parcels, when combined meet the size criteria specified in paragraph
20 1.b. All parcels that do not meet the size criteria specified in paragraph 1.b of this subsection
21 must be combined at the time that the preservation easement agreement for the sending
22 parcel is recorded.

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24 F. Requirements for Use of the Density Exchange Option or Cluster Exchange Option

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26 10. SUBDIVISION OF PRESERVATION PARCEL AFTER RECORDATION

27 A RECORDED PRESERVATION PARCEL BE MAY SUBDIVIDED IN ACCORDANCE WITH SECTIONS
28 104.0.G.1.c AND 105.0.G.1.c.

1 **Section 2. Be it further enacted** by the County Council of Howard County, Maryland, that
2 Sections 104.0 and 105.0 be renumbered accordingly,

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4 **Section 3. Be it further enacted** by the County Council of Howard County, Maryland, that this
5 Act shall become effective 61 days after its enactment.

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BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on November 4, 2020.

Diane Schwartz Jones
Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on _____, 2020.

Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on _____, 2020.

Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on _____, 2020.

Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on _____, 2020.

Diane Schwartz Jones, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on _____, 2020.

Diane Schwartz Jones, Administrator to the County Council

Office of the County Auditor
Auditor's Analysis

Council Bill No. 58-2020

Introduced: October 5, 2020

Auditor: Owen Clark

Fiscal Impact:

We anticipate an indirect fiscal impact from this legislation in the form of increased County transfer and recordation taxes from the sale of reconfigured preservation parcels, sized as small as 3 acres, with residential dwellings or development rights attached to them.

We verified with the Department of Planning and Zoning (DPZ) that the resulting 3-acre parcel would allow for one dwelling unit and could be sold. We believe the resulting smaller residential preservation parcels may be more easily sold as residential dwellings or developable land than the larger preservation parcels (which will have existed before this legislation).

Purpose:

The purpose of this legislation is to amend the Howard County Zoning Regulations to allow adjoining preservation parcels that were created through the cluster subdivision or density exchange option regulations to be combined, assuming the reconfiguration better facilitates the purpose of the preservation parcel.

The main items addressed include:

- The ability to combine adjoining preservation parcels without the restriction that the reconfigured parcels each remain at least 20 acres in size.
- Prohibiting reconfigurations that create additional or new residential development rights.
- Requiring affected deeds of easement to be amended to reflect the land reconfiguration and all property to remain subject to pre-existing easement provisions.

Other Comments:

The Department of Planning and Zoning issued a Technical Staff Report for Zoning Regulations Amendment (ZRA) 190 on May 21, 2020, indicating their general approval of this legislation's text. The report indicated that:

- It is in harmony with the General Plan, since it enhances flexibility for the agricultural community by relaxing restrictions on farm expansions on preservation parcels.
- It requires text amendments to ensure it applies to preservation parcels both created through the subdivision process and those created through the density sending option.

The Howard County Planning Board issued a recommendation for approval of ZRA-190 on July 23, 2020. A noted discussion point in the recommendation was how the ZRA may allow more flexibility to make use of existing preservation parcels.

Per the Administration:

- The agricultural easements that have been dedicated to the County will have to be approved by the Agricultural Planning Board prior to their reconfiguration.
- All preservation parcels would require the consensus of its easement holders prior to reconfiguration and still be governed by the requirements of the easement.
 - Other easement holders could include the Maryland Environmental Trust or a private entity. There are no federal agricultural easements in Howard County.
- An exact accounting of the affected parcels is not currently available since it is not known which of them are adjoining and have development rights.
 - However, DPZ identified a total of 659 parcels and 11,712 acres of preservation easements that represent “potentially impacted projects.” *A listing of these parcels can be provided to the Council upon request.*
- There are two specific parcels that are associated with this ZRA. Please see the details of each proposed reconfiguration in **Attachment A**.

Attachment A

Per the Administration, the parcels associated with CB58-2020/ZRA-190 are:

1) The McDaniel Property (Tax Map 34 Parcel 117)

The images in **Attachment B** show the proposed reconfiguration as noted below.

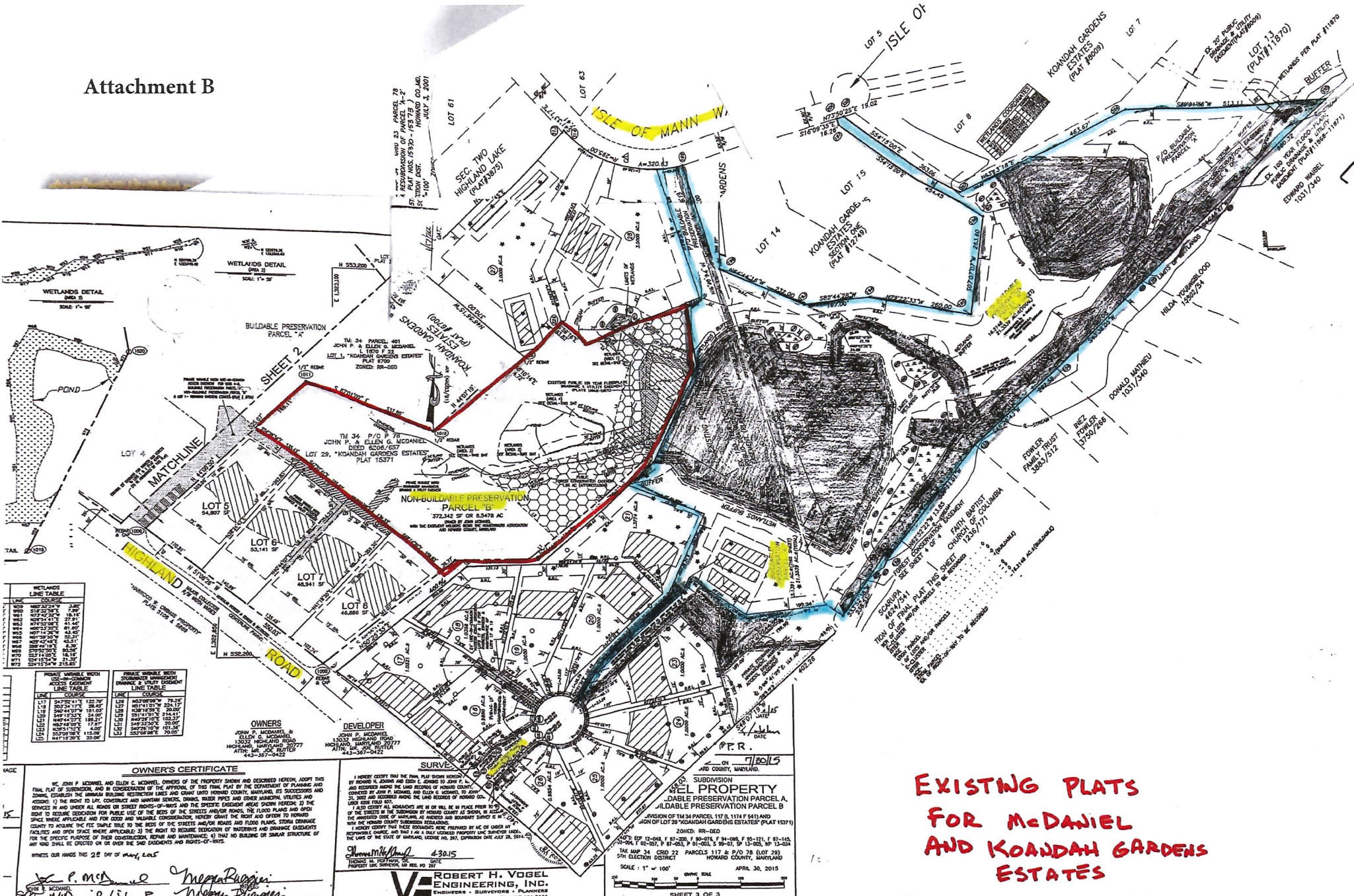
The two parcels to be combined are the McDaniel Property Non-Buildable Preservation Parcel B (F-14-021) and Koandah Estates Buildable Preservation Parcel A. The request is to combine these two parcels into one non-buildable parcel (Non-buildable Preservation Parcel C) except for 1.3 acres of the Koandah Estates Buildable Preservation Parcel A, which is proposed as a 1.3 acre buildable lot (Lot 9). Lot 9 would adjoin the property boundary of Koandah Estates Open Space Lot 22. This is where a new dwelling unit could be constructed. There are no existing structures on either preservation parcel.

2) Two properties on Penn Shop Road – Harrison Property (Tax Map 6, Parcel 19) and Crowder Property (Tax Map 6, Parcel 86)

See Map below: In this scenario, all but the 3 acres surrounding the existing house (indicated by the red line) of the 37-acre parcel would be shifted to the 52-acre parcel. The result would be an 86 +/- acre farm and a 3-acre residential lot, still under the agricultural conservation easement.



Attachment B



WETLANDS LINE TABLE

LINE	DESCRIPTION	WIDTH
1	WETLANDS	100'
2	WETLANDS	100'
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PROJECT DIMENSION WITH LOCUS-CORNER

LINE	DESCRIPTION	WIDTH
1	PROJECT DIMENSION WITH LOCUS-CORNER	100'
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50	PROJECT DIMENSION WITH LOCUS-CORNER	100'

OWNER'S CERTIFICATE

WE, JOHN P. McDANIEL and ELLEN G. McDANIEL, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, ADOPT THIS FINAL PLAN OF SUBDIVISION, AND IN CONSIDERATION OF THE APPROVAL OF THIS FINAL PLAN BY THE DEPARTMENT OF PLANNING AND ZONING, CERTAIN THE URBAN BUILDING RESTRICTION LINES AND CORNER MARKERS, SURVEYING, SUCCESSIONS AND EASEMENTS, 1) THE RIGHT TO LAY, CONVEY AND MAINTAIN SEWERS, DRAINAGE, WATER PIPES AND OTHER MUNICIPAL UTILITIES AND SERVICES IN AND UNDER ALL RIGHTS OR STREET RIGHTS-OF-WAY AND THE SPECIFIC EXCEPTED AREAS SHOWN HEREON; 2) THE RIGHT TO REQUIRE DEDICATION FOR PUBLIC USE OF THE BEDS OF THE STREETS AND/OR RIGHTS, THE (1) DRAINAGE PLANS AND OPEN SPACE TRAILS APPLICABLE AND FOR GOOD AND VALUABLE CONSIDERATION, HEREBY GRANT THE RIGHT AND OPTION TO HOWARD COUNTY TO ACQUIRE THE FIVE (5) TRAILS TO THE BEDS OF THE STREETS AND/OR RIGHTS AND FLOOD PLAINS, STORM DRAINAGE FACILITIES AND OPEN SPACE TRAILS APPLICABLE; 3) THE RIGHT TO REQUIRE DEDICATION OF WATERWAYS AND DRAINAGE EASEMENTS FOR THE SPECIFIC PURPOSE OF THEIR CONSTRUCTION, REPAIR AND MAINTENANCE; 4) THAT NO BUILDING OR SIMILAR STRUCTURE OF ANY KIND SHALL BE ERRECTED ON OR OVER THE SHAD DRAINAGE AND RIGHTS-OF-WAY.

WITNESS OUR HANDS THIS 28 DAY OF MAY, 2015

John P. McDaniel
Ellen G. McDaniel

DEVELOPER
 JOHN P. McDANIEL
 ELLEN G. McDANIEL
 13032 HIGHLAND ROAD
 HIGHLAND, MARYLAND 20777
 ATTN: JOHN P. McDANIEL
 443-367-0422

OWNER
 JOHN P. McDANIEL &
 ELLEN G. McDANIEL
 13032 HIGHLAND ROAD
 HIGHLAND, MARYLAND 20777
 ATTN: JOHN P. McDANIEL
 443-367-0422

SURVEYOR
 ROBERT H. VOGEL
 ENGINEERING, INC.
 ENGINEERS - SURVEYORS - PLANNERS
 4400 FREDERICK ROAD, SUITE 100
 FREDERICK, MARYLAND 21704
 734-218-2811/2819

DATE
 APRIL 30, 2015

SCALE
 1" = 100'

SHEET 3 OF 3

**EXISTING PLATS
 FOR McDANIEL
 AND KOANDAH GARDENS
 ESTATES**

F-14-021 F-02-04

F-17-021 F-02-04

SCALE: 1"=2000'
ADC MAP: 31 B5

COORDINATE TABLE				
NO.	NORTH	EAST	NO.	NORTH
244	552154.9381	1323712.3686	2000	552560.3094
245	552090.7286	1323673.7975	2001	552533.6653
246	552098.3639	1323664.6064	2004	552302.1248
247	552186.3378	1323717.1372	3001	553508.7035
248	552640.2205	1323909.1223	3002	553517.0029
249	553129.4859	1323996.5559	3004	553509.7738
250	553537.1925	1324349.7977	3005	553110.8840
251	553420.1613	1324644.5101	3008	553132.0456
252	553629.0710	1325058.0297	3007	553084.0482
253	552412.7339	1323378.5884	3008	553345.9004
254	552917.0783	1323257.5159	3009	553611.7773
255	552600.6673	1323146.0421	3010	553626.9284
256	552705.0796	1323030.5759	3015	553637.8572
257	552783.4469	1322920.1278	3017	552936.8108
1010	552772.8690	1323348.8847	3020	552735.3573
1011	552904.7876	1323037.8094	3021	552443.4353
1012	552438.0778	1323409.2453	3022	552449.7752
1016	552439.8522	1323584.8640	3026	552335
1023	553016.8917	1323705.7308	3027	552338
1029	553074.0670	1323644.4441	3029	552332
1026	552979.1998	1323555.6695	3030	552293.1800
1027	552982.4710	1323562.2616	3038	553168.7048

REVISED
JUN 09 2017
DPZ Land Development

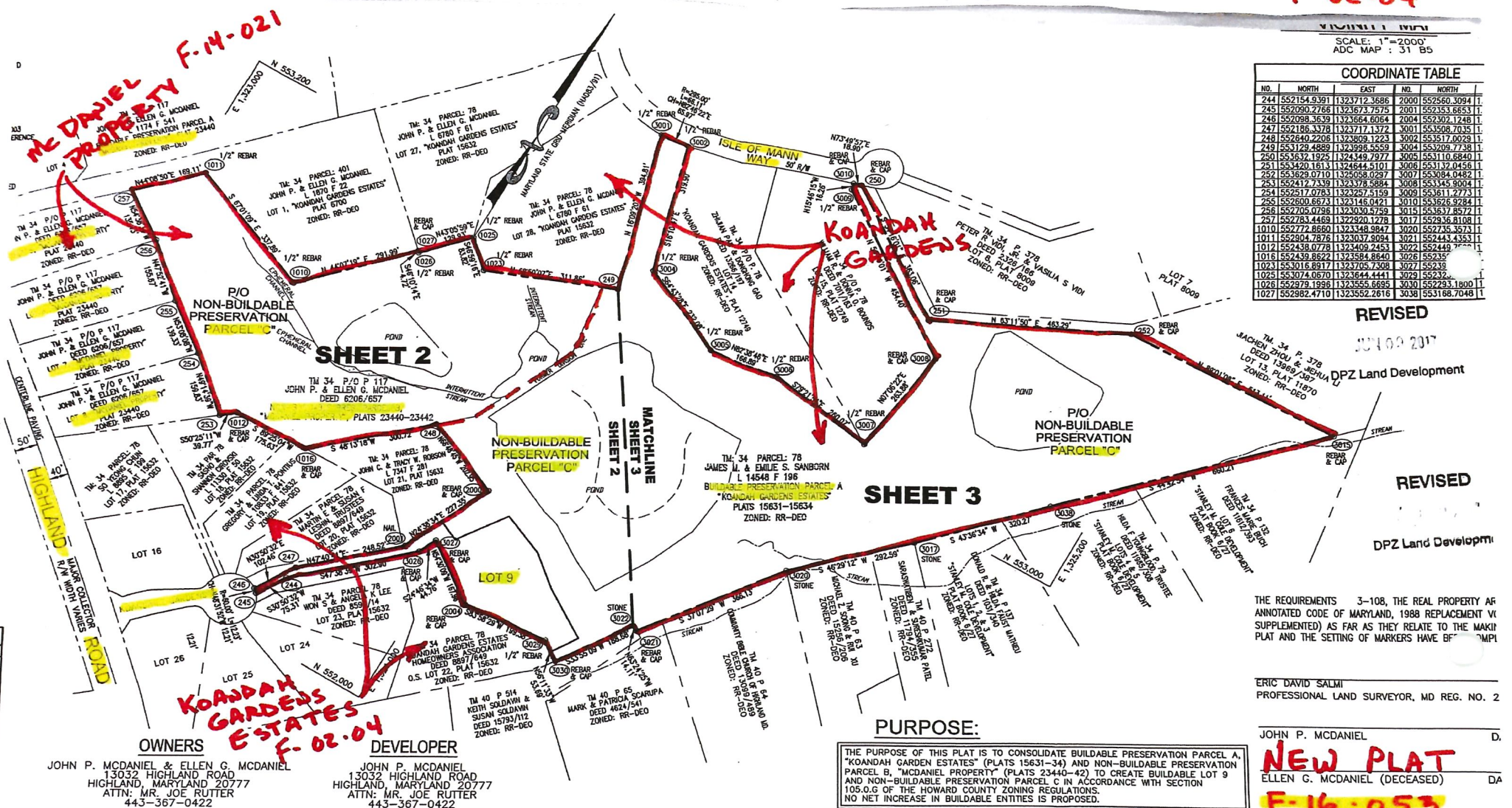
REVISED
DPZ Land Development

THE REQUIREMENTS 3-108, THE REAL PROPERTY ANNOTATED CODE OF MARYLAND, 1988 REPLACEMENT (AS SUPPLEMENTED) AS FAR AS THEY RELATE TO THE MAKING OF PLATS AND THE SETTING OF MARKERS HAVE BEEN COMPILED

ERIC DAVID SALMI
PROFESSIONAL LAND SURVEYOR, MD REG. NO. 2

JOHN P. MCDANIEL D.

NEW PLAT
ELLEN G. MCDANIEL (DECEASED) DA
F-16-053



PURPOSE:
THE PURPOSE OF THIS PLAT IS TO CONSOLIDATE BUILDABLE PRESERVATION PARCEL A, "KOANDAH GARDEN ESTATES" (PLATS 15631-34) AND NON-BUILDABLE PRESERVATION PARCEL B, "MCDANIEL PROPERTY" (PLATS 23440-42) TO CREATE BUILDABLE LOT 9 AND NON-BUILDABLE PRESERVATION PARCEL C IN ACCORDANCE WITH SECTION 105.0.G OF THE HOWARD COUNTY ZONING REGULATIONS. NO NET INCREASE IN BUILDABLE ENTITIES IS PROPOSED.

OWNER'S CERTIFICATE

JOHN P. MCDANIEL AND ELLEN G. MCDANIEL, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, ADOPT THIS IF SUBDIVISION, AND IN CONSIDERATION OF THE APPROVAL OF THIS FINAL PLAT BY THE DEPARTMENT OF PLANNING AND BUSH THE MINIMUM BUILDING RESTRICTION LINES AND GRANT UNTO HOWARD COUNTY, MARYLAND, ITS SUCCESSORS AND THE RIGHT TO LAY, CONSTRUCT AND MAINTAIN SEWERS, DRAINS, WATER PIPES AND OTHER MUNICIPAL UTILITIES AND AND UNDER ALL ROADS OR STREET RIGHTS-OF-WAYS AND THE SPECIFIC EASEMENT AREAS SHOWN HEREON; 2) THE JUIRE DEDICATION FOR PUBLIC USE OF THE BEDS OF THE STREETS AND/OR ROADS, THE FLOOD PLAINS AND OPEN

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT; THAT IT IS A SUBDIVISION OF (1) THE LAND CONVEYED BY JAMES M. SANBORN AND EMILIE S. SANBORN TO JOHN P. MCDANIEL BY DEED DATED DECEMBER 19, 2012 AND RECORDED AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND IN LIBER 14548 FOLIO 196 AND (2) PART OF THE LAND CONVEYED BY JOHN P. MCDANIEL AND ELLEN G. MCDANIEL TO JOHN P. MCDANIEL AND ELLEN G. MCDANIEL, BY DEED DATED MAY 31, 2002 AND RECORDED AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND IN LIBER 6206 FOLIO 657. I ALSO CERTIFY ALL MONUMENTS ARE IN OR WILL BE IN PLACE PRIOR TO THE ACCEPTANCE OF THE STREETS IN THE SUBDIVISION BY HOWARD COUNTY AS SHOWN, IN ACCORDANCE WITH

RECORDED AS PLAT NO. _____ ON _____
AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND.

FILED FOR RECORDATION
MCDANIEL PROPERTY
LOT 9
AND NON-BUILDABLE PRESERVATION PARCEL



CB 58-2020

Sayers, Margery

From: Jung, Deb
Sent: Monday, October 19, 2020 1:34 PM
To: Sayers, Margery
Subject: FW: BILL No 58- 2020 (ZRA - 190)

Deb Jung

Council Chair, District 4
3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

Sign up for my newsletter [here](#).



From: Tracy Diamond <Tracy@tracydiamondteam.com>
Sent: Monday, October 19, 2020 11:03 AM
To: Jung, Deb <djung@howardcountymd.gov>
Subject: BILL No 58- 2020 (ZRA - 190)

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

Hello Deb,

My name is Tracy Diamond and I support BILL No. 58-2020 (ZRA – 190). I have worked as a realtor in the Howard County real estate market for over 25 years. I am a lifelong Howard County resident and as a realtor, I focus on agricultural and rural properties. I currently have a client that owns 37.1 acres on Penn Shop Road which includes a brick rancher situated at the front of the property along the road. The client would like to sell this property. The neighboring property is owned by a family that would like to purchase as much of the acreage as possible to merge into their existing 50 acre farm. The 37 acre property naturally borders the neighbor for the entire depth of the property allowing more agricultural use than the current individual parcels allow.

Under the present law, 20 acres needs to remain with the brick rancher. Under the proposed ZRA the amount of land that needs to stay with the existing home is reduced to 3 acres.

The benefits to farming should be pretty clear. A farm of 89 acres is much more viable as an operating and functional agricultural property than a farm of 20 acres. A 20 acre property is almost impossible to farm and a 67 acre property less desirable than the proposed 89 acres. Under current regulations, each property functioning as a farm would have its own equipment for farming, storage for that equipment and possible livestock which significantly effects the amount of remaining acreage for actual farming. Today's costs for

equipment and the physical size of this available modern equipment is greater which, to be cost effective, requires farmers to farm more land.

I am in support of ZRA – 190.

Respectfully,

Tracy Diamond, Realtor
EXP Realty
410 984 2501

WWW.TRACYDIAMONDTEAM.COM