



**Howard County Maryland**  
**Department of Planning and Zoning**  
 3430 Courthouse Drive, Ellicott City, MD 21043

HOWARD COUNTY COUNCIL  
 (410) 313-2350

DPZ Office Use only:  
 Case No **ZRA 202**  
 Date Filed **9/19/22**

2022 SEP 19 A 1:23

**Petition to Amend the Zoning Regulations of Howard County**

**1. 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.N.27 to make certain that historic venue uses are permitted under the Conditional Use for Historic Building Uses.

*(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")*

**Petitioner's Name:** BFEA-Curtis Farm, LLC  
**Address:** 5771 Waterloo Road, Suite 1000, Ellicott City, Maryland 21043  
**Phone:** 866-910-5263 (W) (H) **Email Address:** stephen@earealtycompanies.com

**Counsel for Petitioner:** Thomas G. Coale, Talkin & Oh, LLP  
**Counsel's Address:** 5100 Dorsey Hall Drive, Ellicott City, MD 21042  
**Counsel's Phone:** 410-964-0300 **Email Address:** tcoale@talkin-oh.com

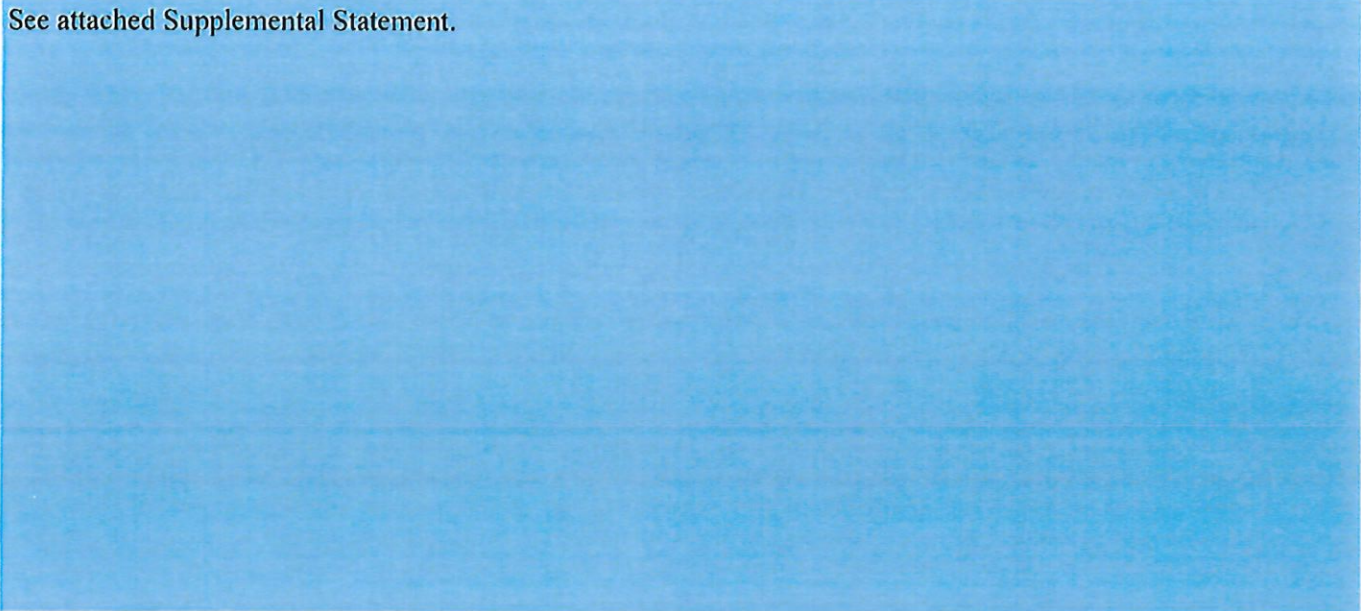
**2. Please provide a brief statement concerning the reason (s) the requested amendment(s) to the Zoning Regulations is (are) being proposed.**

To provide owners of historic properties that are seven (7) acres or larger in the R-20 zone additional adaptive reuse options for their land. This amendment is consistent with the purpose of the Historic Building Uses conditional use category. Historic Building Uses is a conditional use specifically designed for properties with historic structures that encourages and promotes the preservation of historic structures through adaptive reuse. Providing this additional adaptive reuse option further promotes and encourages the continued preservation of these historic properties and provides an opportunity for these historic properties to be enjoyed by the public.

**REVISED**

- 3. Please provide a detailed justification statement demonstrating how the proposed amendment (s) will be in harmony with current General Plan for Howard County.**

See attached Supplemental Statement.



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- 4. 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.**

See attached Supplemental Statement.



*(You may attach a separate document to respond to Section 4. If so, this document shall be titled "Response to Section 4")*

5. Unless your response to Section 4 above already addresses this issue, please provide an explanation of the public benefits to be gained by the adoption of the proposed amendment (s).

See attached Supplemental Statement.



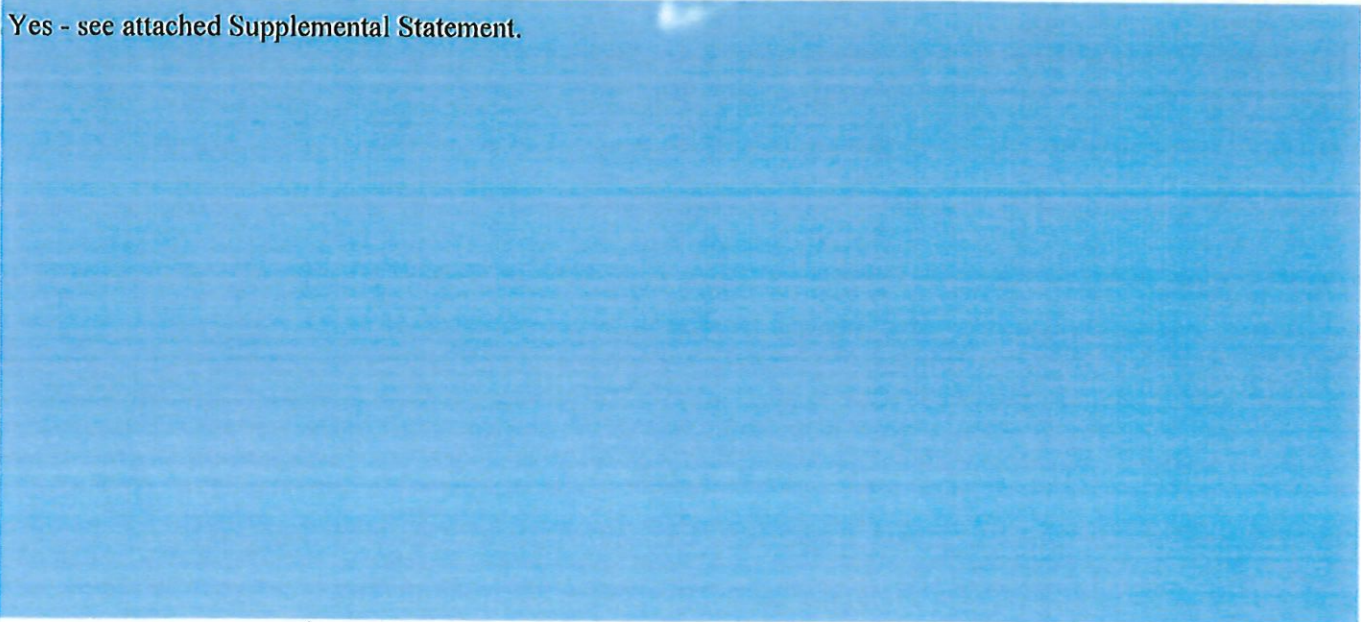
*(You may attach a separate document to respond to Section 5. If so, this document shall be titled "Response to Section 5.")*

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

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.

Yes - see attached Supplemental Statement.



*(You may attach a separate document to respond to Section 6. If so, this document shall be titled "Response to Section 6")*

7. 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.

None.



*(You may attach a separate document to respond to Section 7. If so, this document shall be titled "Response to Section 7.")*

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8. 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 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.*

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9. 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.

10. 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.

Stephen Ferrandi  
 BFEA- Curtis Farm, LLC  
 Petitioner's name (Printed)

  
 \_\_\_\_\_  
 Petitioner's Signature

23 MAY 2022  
 \_\_\_\_\_  
 Date

Petitioner's name (Printed)

\_\_\_\_\_  
 Petitioner's Signature

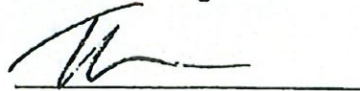
\_\_\_\_\_  
 Date

Petitioner's name (Printed)

\_\_\_\_\_  
 Petitioner's Signature

\_\_\_\_\_  
 Date

Thomas G. Coale

  
 \_\_\_\_\_  
 Counsel for Petitioner's Signature

6/2/2022  
 \_\_\_\_\_  
 Date

Counsel for Petitioner's name (Printed)

\_\_\_\_\_  
 Counsel for Petitioner's Signature Date

*(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 .....\$2,500.00. 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 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-four (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: [howardcountymd.gov](http://howardcountymd.gov)

## **INSTRUCTIONS TO THE APPLICANT/PARTY OF RECORD**

- As required by State Law, applicants are required to complete the AFFIDAVIT AS TO CONTRIBUTION that is attached, and if you have made a contribution as described in the Affidavit, please complete the DISCLOSURE OF CONTRIBUTION that is attached.
- If you are an applicant, Party of Record (i.e., supporter/protestant) or a family member and have made a contribution as described in the Affidavit, you must complete the DISCLOSURE OF CONTRIBUTION that is attached.
- Filed affidavits and disclosures will be available for review by the public in the office of the Administrative Assistant to the Zoning Board during normal business hours.
- Additional forms may be obtained from the Administrative Assistant to the Zoning Board at (410) 313-2395 or from the Department of Planning and Zoning.
- Completed forms may be mailed to the Administrative Assistant to the Zoning Board at 3430 Courthouse Drive, Ellicott City MD 21043.
- Pursuant to State Law, violations shall be reported to the Howard County Ethics Commission.

ZONING MATTER: \_\_\_\_\_

**AFFIDAVIT AS TO CONTRIBUTIONS TO CANDIDATES AND  
BUSINESS ENGAGEMENTS WITH ELECTED OFFICIALS**

**As required by the Maryland Public Ethics Law  
Annotated Code of Maryland, General Provisions Article  
Sections 5-852 through 5-854**

**ALL BOLDED TERMS ARE DEFINED BY SECTION 5-852  
MARK EACH PARAGRAPH AS APPLICABLE**

1. I, Stephen J. Ferrandi, the **Applicant** filing an **Application** in the above zoning matter, to the best of my information, knowledge, and belief  **HAVE** /  **HAVE NOT** made a **Contribution** or contributions having a cumulative value of \$500 or more to the treasurer of a **Candidate** or the treasurer of a **Political Committee** during the 48-month period before the **Application** was filed; and I  **AM** /  **AM NOT** currently **Engaging in Business** with an **Elected Official**.

2. I, the  **Applicant** or a  **Party of Record** in the above referenced zoning matter, acknowledge and affirm that, if I or my **Family Member** has made a **Contribution** or contributions having a cumulative total of \$500 or more during the 48-month period before the **Application** was filed or during the pendency of the **Application**, I will file a disclosure providing the name of the **Candidate** or **Elected Official** to whose treasurer or **Political Committee** the **Contribution** was

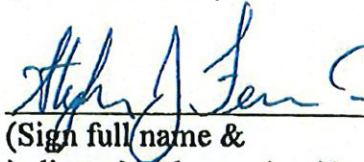
made, the amount, and the date of the **Contribution**; and that a **Contribution** made between the filing and the disposition of the **Application** will be disclosed within 5 business days after the **Contribution**.

3. I, the  **Applicant**, acknowledge and affirm that, if I begin **Engaging in Business** with an **Elected Official** between the filing and the disposition of the **Application**, I will file this Affidavit at the time of **Engaging in Business** with the **Elected Official**.

I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY and upon personal knowledge that the contents of this Affidavit are true.

**Stephen J. Ferrandi**

(Print full name) on behalf of BFEA-Curtis Farm, LLC



(Sign full name & indicate legal capacity, if applicable)

23 May 2022  
(Date)



ZONING MATTER: \_\_\_\_\_

**DISCLOSURE OF CONTRIBUTION**

**As required by the Maryland Public Ethics Law  
Annotated Code of Maryland, General Provisions Article  
Sections 5-852 through 5-854**

**ALL BOLDED TERMS ARE DEFINED BY SECTION 5-852**

If the **Applicant** or a **Party of Record** or their **Family Member** has made a **Contribution** or contributions having a cumulative value of \$500 or more during the 48-month period before the **Application** is filed or during the pendency of the **Application**, the **Applicant** or the **Party of Record** must file this disclosure providing the name of the **Candidate** or **Elected Official** to whose treasurer or **Political Committee** the **Contribution** was made, the amount, and the date of the **Contribution**.

For a **Contribution** made during the 48-month period before the **Application** is filed, the **Applicant** must file this disclosure when they file their **Application**, and a **Party of Record** must file this disclosure within 2 weeks after entering the above zoning matter.

A **Contribution** made between the filing and the disposition of the **Application** must be disclosed within 5 business days after the **Contribution**.

Any person who knowingly and willfully violates Sections 5-852 through 5-854 of the General Provisions Article of the Annotated Code of Maryland is subject to a fine of not more than \$5,000. If the person is not an individual, each officer and partner who knowingly authorized or participated in the violation is subject to the same penalty.

Applicant or Party of Record: Stephen J. Ferrandi  
(Print Full Name)

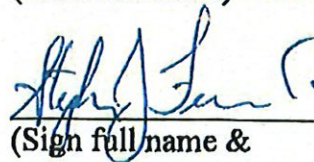
RECIPIENTS OF CONTRIBUTIONS:

NAME	DATE	AMOUNT

I acknowledge and affirm that any Contribution I make between the filing of this disclosure and the disposition of the Application must be disclosed within 5 business days of the Contribution.

Stephen J. Ferrandi

(Print full name) on behalf of BFEA-Curtis Farm, LLC



(Sign full name & indicate legal capacity, if applicable)

23 May 2022

(Date)

Petition to Amend the Zoning Regulations  
Of Howard County

Supplemental Statement

The proposed Zoning Regulation Amendment (“ZRA”) would add “Historic Venue Uses” to the Historic Building Uses conditional use for those properties that are seven (7) acres or larger in the R-20 zone. Historic properties have been long sought after for wedding venues and other special events, yet there are only a handful in Howard County permitted for this use. The proposed ZRA expands the availability of historic properties for this use and, in doing so, ensures preservation and upkeep of valuable community resources.

Due to the fact that many historic properties may not be appropriate for private rental, the proposed ZRA includes limiting conditions, such as a 7 acre minimum lot size and frontage on an arterial road, that would ensure Historic Venue uses are not proposed on properties that would unduly disturb established residential neighborhoods. The proposed ZRA also limits the use to properties in the R-20 zone.

This ZRA would allow private property owners to pursue the same opportunity already enjoyed by Howard County Recreation and Parks and other historic nonprofits in offering historic properties for events and weddings. Belmont Manor is one of the oldest historic properties in the county and is owned by Howard County Recreation and Parks. Since taking ownership of the property in 2012, Howard County has routinely offered the property for rent, including special events and weddings. In 2022, Belmont was awarded the WeddingWire 2022 Couples’ Choice Award® for the third time in four years.<sup>1</sup> The Howard County Historical Society has also embraced the benefit of offering historic structures for special events by renting out its headquarters at the former First Presbyterian Church of Howard County in Historic Ellicott City for weddings.<sup>2</sup>

As such, the proposed ZRA serves the public good in two distinct but intertwined ways. First, the ZRA promotes the restoration and adaptive reuse of historic structures that may otherwise fall into disrepair and disuse. Second, the ZRA will result in the general public having the opportunity to utilize historic resources for special events and weddings when these properties might otherwise be withheld by their owners.

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<sup>1</sup> <https://www.howardcountymd.gov/News020222>

<sup>2</sup> <https://hchsmd.org/wedding-rentals/>

5. Please provide a detailed justification statement demonstrating how the proposed amendment(s) will be in harmony with the current General Plan for Howard County.

First, the proposed amendment will expand the availability of existing programs focused on historic preservation in accordance with Policy 4.10. In particular, Policy 4.10.b., recommends policy-makers "incentivize restoration and adaptive reuse." By allowing Historic Venue Uses as part of the Historic Building conditional use, the proposed amendment promotes adaptive reuse of historic buildings and is consistent with the general principles of historic preservation.

Second, the proposed amendment is also consistent with Policy 10.3, which encourages policy-makers to "[e]xpand the range and scope of community planning to identify... facilities...or other amenities that would create more complete communities and reflect community diversity." This ZRA encourages the preservation of historic properties that contribute to community diversity. Furthermore, as noted above, this ZRA encourages more expansive enjoyment of historic properties by allowing those other than the owner to access these historic resources and utilize them for special events and weddings. In doing so, this ZRA presents historic amenities as resources for the community at large.

6. The Legislative Intent of the Zoning Regulations in Section 100.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.A.

This ZRA promotes the preservation of Howard County's historic properties and aligns the goals of preservation with the interests of property owners in retaining a practical use for their property. The nonresidential reuse of historic buildings has proven to be a viable option to prevent demolition and incentivize renovation. It provides the historic property owner a revenue stream that can be invested into building and property.

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).

Please see above.

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.

The proposed amendment would potentially impact all historic properties that are seven (7) acres or more and have frontage on and direct access onto a collector or arterial road designated in the General Plan in the R-20 zone for which the Historic Building Uses conditional use is available. That is a significantly circumscribed category of properties and the policy rationale stated above would apply universally to such parcels. Furthermore, as with all conditional uses, any petition for a Historical Building Uses conditional use under this amendment would be evaluated for compliance with the conditional use criteria by the Hearing Authority at a public hearing.

Upon information and belief, there is only one property currently approved for a Historic Building Use on a parcel that is seven acres or larger in the R-20 zone, which is Petitioner's property.

**Proposed Text**  
**CONDITIONAL USE ZRA**

Amend Section 131.0.N.27 as follows:

**27. Historic Building Uses**

A Conditional Use may be granted for the conversion of a historic building in the RC, RR, R-ED, R-20, R-12, R-SC, R-SA-8, R-H-ED, R-A-15, R-APT, R-MH, POR, B-1, B-2, M-1, and M-2 Districts to apartments and in the RC, RR, R-ED, R-20, R-12, R-SC, R-SA-8, R-A-15, R-APT and R-MH Districts to business and professional offices, specialty stores, standard restaurants, arts and crafts classes, antiques shops, art galleries, craft shops; bakeries (provided all goods baked on the premises shall be sold at retail from the premises); furniture upholstery, and similar services; personal service establishments; seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.4; service agencies; ~~or~~ community meeting halls [.,] ; OR HISTORIC VENUE USES INCLUDING WEDDINGS, ANNIVERSARY/RETIREMENT PARTIES, BRIDAL OR BABY SHOWERS, PICNICS, REHEARSAL DINNERS, PHILANTHROPIC EVENTS, COMPANY RETREATS OR OTHER SIMILAR USES, provided that:

- a. The building is a historic structure as defined in these Regulations.
- b. The maximum number of dwelling units permitted shall be one dwelling unit for every 800 square feet of building area.
- c. 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 August 1, 1989, when ZB 882R was adopted adding the historic building use category to these Regulations.
- d. 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.
- e. A historic building converted into a community meeting hall or offices shall be subject to the following standards:
  - (1) No material or equipment shall be stored outside of structures.
  - (2) Parking areas shall be set back a minimum of 30 feet from all property lines or public street rights-of-way and screened from the roadway and adjacent properties.
  - (3) The site shall have frontage on and direct access onto a collector or arterial road designated in the General Plan.

F. A HISTORIC BUILDING THAT IS CONVERTED FOR HISTORIC VENUE USES SHALL BE SUBJECT TO THE FOLLOWING STANDARDS:

(1) THE PROPERTY IS LOCATED IN AN R-20 DISTRICT.

(2) THE MINIMUM LOT SIZE SHALL BE 7 ACRES.

(3) THE USE SHALL NOT SHARE A DRIVEWAY WITH ANOTHER RESIDENTIAL LOT.

(4) PARKING AREAS SHALL BE SET BACK A MINIMUM OF 30 FEET FROM ALL PROPERTY LINES OR PUBLIC STREET RIGHTS-OF-WAY AND ADEQUATELY SCREENED TO MINIMIZE VISIBILITY FROM THE ROADWAY AND ADJACENT PROPERTIES.

(5) THE SITE SHALL HAVE FRONTAGE ON AND DIRECT ACCESS ONTO A COLLECTOR OR ARTERIAL ROAD DESIGNATED IN THE GENERAL PLAN.

(6) OUTDOOR USE IS PERMITTED PROVIDED THAT ANY OUTDOOR USE AREA IS LOCATED AND SCREENED TO ADEQUATELY SHIELD ADJACENT RESIDENTIAL LOTS FROM NOISE AND NUISANCE.

(7) ALL OUTDOOR USES SHALL BE LOCATED WITHIN 500 FEET OF THE PRINCIPAL HISTORIC STRUCTURE ON THE PROPERTY.

(8) PETITIONER SHALL SUBMIT A SOUND MANAGEMENT PLAN DEMONSTRATING HOW SOUND FROM OUTDOOR USES WILL BE MANAGED TO MINIMIZE ADVERSE IMPACTS ON SURROUNDING RESIDENTIAL PROPERTIES.

(9) THE HEARING AUTHORITY MAY SET THE DAYS, HOURS OF OPERATION, AND MAXIMUM NUMBER OF GUESTS FOR HISTORIC VENUE USES.

[[f.]] G. On an ALPP purchased or dedicated easement property, the following additional criteria are required:

(1) The use shall not interfere with the farming operations or limit future farming production.

(2) Any new building or building addition associated with the use, including any outdoor storage and parking area shall count towards the cumulative use cap of 2% of the easement.

## **Example of How Text of Section 131.0.N.27 Would Appear Normally if Adopted**

### **27. Historic Building Uses**

A Conditional Use may be granted for the conversion of a historic building in the RC, RR, R-ED, R-20, R-12, R-SC, R-SA-8, R-H-ED, R-A-15, R-APT, R-MH, POR, B-1, B-2, M-1, and M-2 Districts to apartments and in the RC, RR, R-ED, R-20, R-12, R-SC, R-SA-8, R-A-15, R-APT and R-MH Districts to business and professional offices, specialty stores, standard restaurants, arts and crafts classes, antiques shops, art galleries, craft shops; bakeries (provided all goods baked on the premises shall be sold at retail from the premises); furniture upholstery, and similar services; personal service establishments; seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.4; service agencies; or community meeting halls; or historic venue uses including weddings, anniversary/retirement parties, bridal or baby showers, picnics, rehearsal dinners, philanthropic events, company retreats or other similar uses, provided that:

- a. The building is a historic structure as defined in these Regulations.
- b. The maximum number of dwelling units permitted shall be one dwelling unit for every 800 square feet of building area.
- c. 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 August 1, 1989, when ZB 882R was adopted adding the historic building use category to these Regulations.
- d. 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.
- e. A historic building converted into a community meeting hall or offices shall be subject to the following standards:
  - (1) No material or equipment shall be stored outside of structures.
  - (2) Parking areas shall be set back a minimum of 30 feet from all property lines or public street rights-of-way and screened from the roadway and adjacent properties.
  - (3) The site shall have frontage on and direct access onto a collector or arterial road designated in the General Plan.
- f. A historic building that is converted for historic venue uses shall be subject to the following standards:
  - (1) The property is located in an R-20 District.
  - (2) The minimum lot size shall be 7 acres.
  - (3) The use shall not share a driveway with another residential lot.



(4) Parking areas shall be set back a minimum of 30 feet from all property lines or public street rights-of-way and adequately screened to minimize visibility from the roadway and adjacent properties.

(5) The site shall have frontage on and direct access onto a collector or arterial road designated in the General Plan .

(6) Outdoor use is permitted provided that any outdoor use area is located and screened to adequately shield adjacent residential lots from noise and nuisance.

(7) All outdoor uses shall be located within 500 feet of the principal historic structure on the property.

(8) Petitioner shall submit a Sound Management Plan demonstrating how sound from outdoor uses will be managed to minimize adverse impacts on surrounding residential properties.

(9) The Hearing Authority may set the days, hours of operation, and maximum number of guests for historic venue uses.

g. On an ALPP purchased or dedicated easement property, the following additional criteria are required:

(1) The use shall not interfere with the farming operations or limit future farming production.

(2) Any new building or building addition associated with the use, including any outdoor storage and parking area shall count towards the cumulative use cap of 2% of the easement.