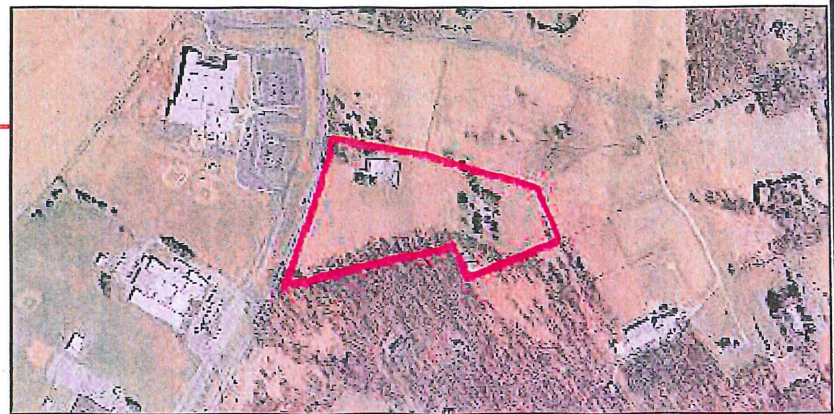


1	2	3	4	5		
6	7	8	9	10	11	
12	13	14	15	16	17	18
19	20	21	22	23	24	25
	27	28	29	30	31	32
	33	34	35	36	37	38
	39	40	41	42	43	44
		45	46	47	48	
						50



Zoning Map General Plan Amendment: 14.001 Tax ID: 1404339169  
 Current Zoning: RR-DEO Council District: 5  
 Tax Map: 14 Grid: 11 Parcel: 217 Lot: 1  
 Address: 2605 RT 97

**ADJOINING PROPERTY OWNERS FOR 2605 RT 97**

S & C Realty, LLC  
2465 Route 97  
Glenwood, MD 21738-9749  
(14.001)

William & Jennifer Walk  
P.O. Box 118  
Glenwood, MD 21738-0118  
(14.001)

Brian & Michelle Walsh  
2840 Shadow Roll Ct.  
Glenwood, MD 21738-9741  
(14.001)

Matthew & Julia Dillon  
2846 Shadow Roll Ct.  
Glenwood, MD 21738-9741  
(14.001)

Rajendar & Indira Saini  
11413 High Way Drive  
Columbia, MD 21044-1028  
(14.001)

Board of Education of  
Howard County  
10910 Route 108  
Ellicott City, MD 21042  
(14.001)

"  
"

## Requested Zoning

**Search Street:**

RT 97

**Property Information:**

Amendment No.: 14.001

Current Zoning: RR-DEO

Requested Zoning: B-1

Tax Account ID.: 1404339169

Map: 14

Grid: 11

Parcel: 217

Lot: 1

Acres: 11.06

Address: 2605 RT 97

City/State/Zip: GLENWOOD, MD 21738

**Owner:**

Name: GARVEY KEVIN T

Email:

Phone:

Mailing Address: 2605 ROXBURY MILLS RD

City/State/Zip: GLENWOOD, MD 21738

**Representative:**

Name: Talkin & Oh, LLP

Email: soh@talkin-oh.com

Phone: 410-964-0300

Mailing Address: 5100 Dorsey Hall Drive

City/State/Zip: Ellicott City, MD 21042

**Decision:**

Planning Board Decision:

Planning Board Vote:

Council Decision:

Council Vote:

# Zoning Map Amendment Request Form

## Howard County Comprehensive Zoning Plan Department of Planning and Zoning

[Word 2007 Version]  
Before filling out this form, please read the  
Instructions section at the end of the form.

### A. Property Information

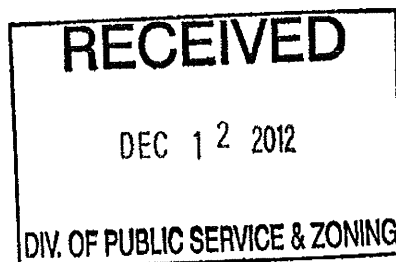
1 Address / Street (Only) 2605 Roxbury Mills Road;  
2 Tax Map Number 14 Grid 11  
3 Parcel(s) 217  
4 Lot(s) 1  
5 Tax Account Data: District 04 Account # 339169

6 Size of Property: Acres 11.06 Square feet

7 The Property is currently zoned: RR-DEO  
I request that the Property be rezoned to: B-1

### B. Owner Information

8 Owner Name Kevin T. Garvey, M. Dolores Pineda Garvey  
9 Mailing street address or Post Office Box 2605 Roxbury Mills Road  
City, State Glenwood, Maryland  
ZIP Code 21738  
Telephone (Main)  
Telephone (Secondary)  
Fax  
10 E-Mail



### C. Representative Information

11 Name Talkin & Oh, LLP  
Mailing street address or Post Office Box 5100 Dorsey Hall Drive  
City, State Ellicott City, Maryland  
ZIP 21042  
Telephone (Main)

410-964-0300 (Sang Oh)

**C. Representative Information**

Telephone (Secondary)	
Fax	410-964-2008
E-Mail	soh@talkin-oh.com
12 Association with Owner	Attorneys

**D. Alternate Contact [If Any]**

Name	
Telephone	
E-Mail	

**E. Explanation of the Basis / Justification for the Requested Rezoning**

13 The Property is located approximately 500 feet south of the intersection of Carrs Mill Road, McKendree Road, and Route 97, an area which PlanHoward 2030 identifies as a Primary Commercial Center Rural Crossroads. PlanHoward 2030, p. 164. PlanHoward 2030 provides that "[r]ural residential growth and the changing character of agriculture have impacted how commercial crossroad areas function. There is a need to reassess the role and ability of rural commercial crossroads to serve farmers' and residents' needs. Most commercial crossroads are quite small, which limits business growth and competitiveness." Furthermore, "Rural crossroads should be evaluated to assess the potential and desirability of some additional growth that would be compatible with neighboring uses and rural crossroads design character." PlanHoward 2030, pp. 163-64.

See attached Continuation Sheet.

**F. List of Attachments/Exhibits**

14 1. Continuation Sheet. 2. Map of the Property from the County's website. 3. Map of Glenwood from the County's website. 4. Glenwood Crossroads Zoning and Land Use Map and Photographs.

**G. Signatures**

15 Owner	Kevin T. Garvey	Owner (2)	M. Dolores Pineda Garvey
Date	12/10/2012	Date	12/10/2012

Additional owner signatures? **X** the box to the left and attach a separate signature page.

16 Representative Signature: *[Signature]*  
Date: 12-10-12

DPZ Use Only	JRL	Amendment No.	14.001
Notes	The official County address for this property is "2605 RT 97".		

## Continuation Sheet

### **E. Explanation of the Basis / Justification for the Requested Rezoning**

- 13 The Property is located approximately 500 feet south of the intersection of Carrs Mill Road, McKendree Road, and Route 97, an area which PlanHoward 2030 identifies as a Primary Commercial Center Rural Crossroads. PlanHoward 2030, p. 164. PlanHoward 2030 provides that "[r]ural residential growth and the changing character of agriculture have impacted how commercial crossroad areas function. There is a need to reassess the role and ability of rural commercial crossroads to serve farmers' and residents' needs. Most commercial crossroads are quite small, which limits business growth and competitiveness." Furthermore, "Rural crossroads should be evaluated to assess the potential and desirability of some additional growth that would be compatible with neighboring uses and rural crossroads design character." PlanHoward 2030, pp. 163-64.

As PlanHoward 2030 recognizes, the population of rural areas such as Glenwood has changed since the last comprehensive zoning, and a need exists for a limited commercial expansion at the Glenwood Crossroads. As shown on Exhibit 3, aside from a few parcels at the Glenwood, Daisy, and Glenwood South Crossroads, the vast majority of the area is zoned residentially. Consisting of only two commercial parcels (which is the smallest number for any of the County's Primary Commercial Center Rural Crossroads), the Glenwood Crossroads is "quite small, which limits business growth and competitiveness." Residents have few commercial options without driving to Clarksville or Ellicott City. A limited expansion of commercial zoning at the Crossroads would benefit the Glenwood community and would satisfy the goals of PlanHoward 2030 regarding this rural commercial crossroad.

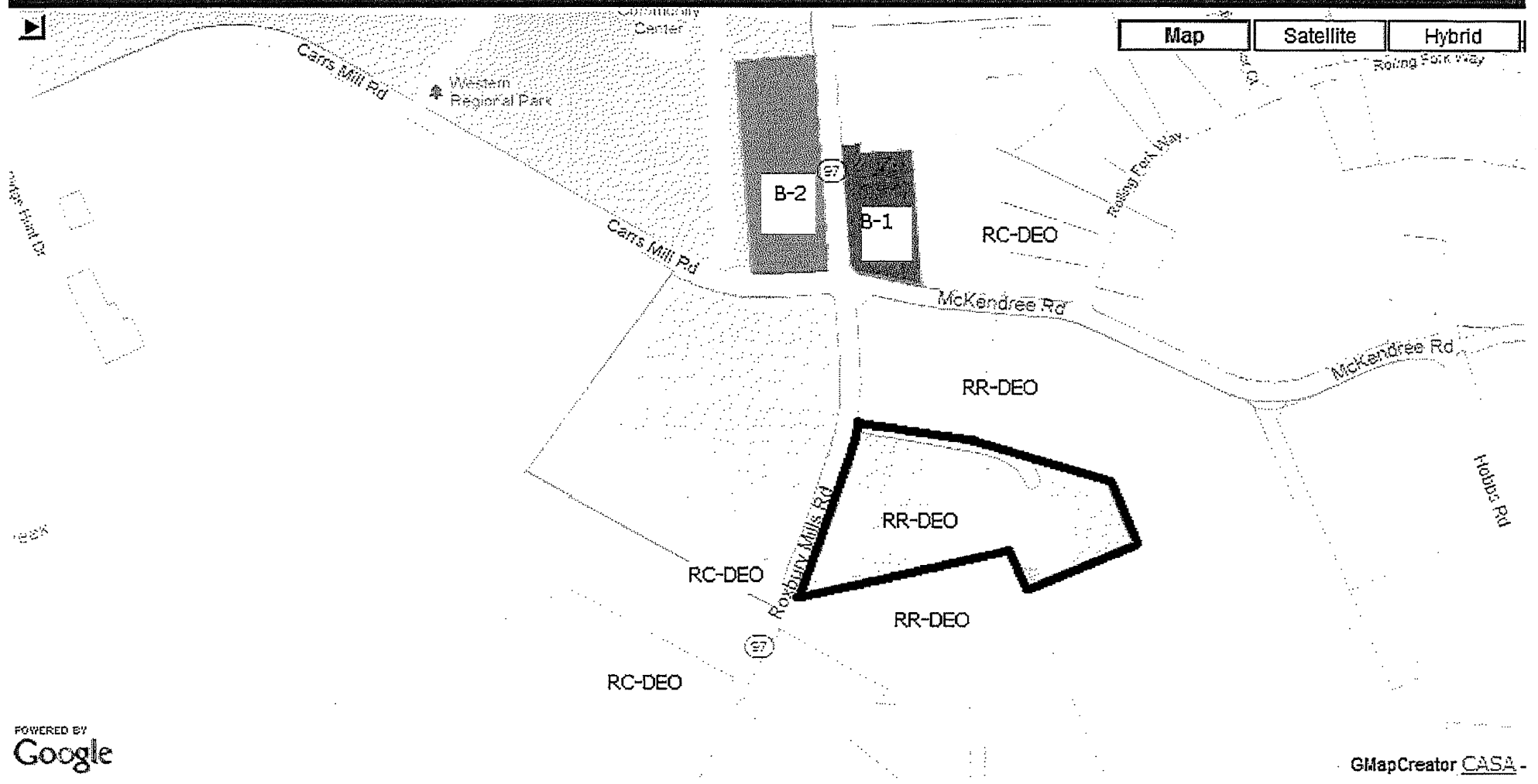
The subject Property would be a suitable property for such expansion. To the east of the Property, across Route 97, are the institutional school uses of Bushy Park Elementary School and Glenwood Middle School. Only one RR-DEO parcel, which itself currently has an approved commercial use, separates the Property from the B-1 and B-2 parcels north of McKendree Road and Carrs Mill Road. Furthermore, the property immediately south of the Property along Route 97 (Lot 44 of Parcel 229) is also requesting a B-1 rezoning during this Comprehensive Rezoning process. It is currently anticipated that both of the Properties will be jointly developed as described below.

Also to the south of the Property are residential properties that are a part of the Glenwood Springs subdivision. Aside from Lot 44, two lots of that subdivision adjoin the Property. These lots are well buffered from the Property by a dense line of existing trees, and a rezoning of the Property to the B-1 district will not adversely affect the neighboring parcels.

If the proposed rezoning of the Property is granted, the Petitioners plan to develop the Property with medical offices to serve the local community. Lot 44 of Parcel 229 would serve as open space in such a development, further buffering adjoining residential properties. Together, the Property and Lot 44 are ideally located for the limited commercial expansion of the Crossroads called for in PlanHoward 2030.

# Howard County, MARYLAND

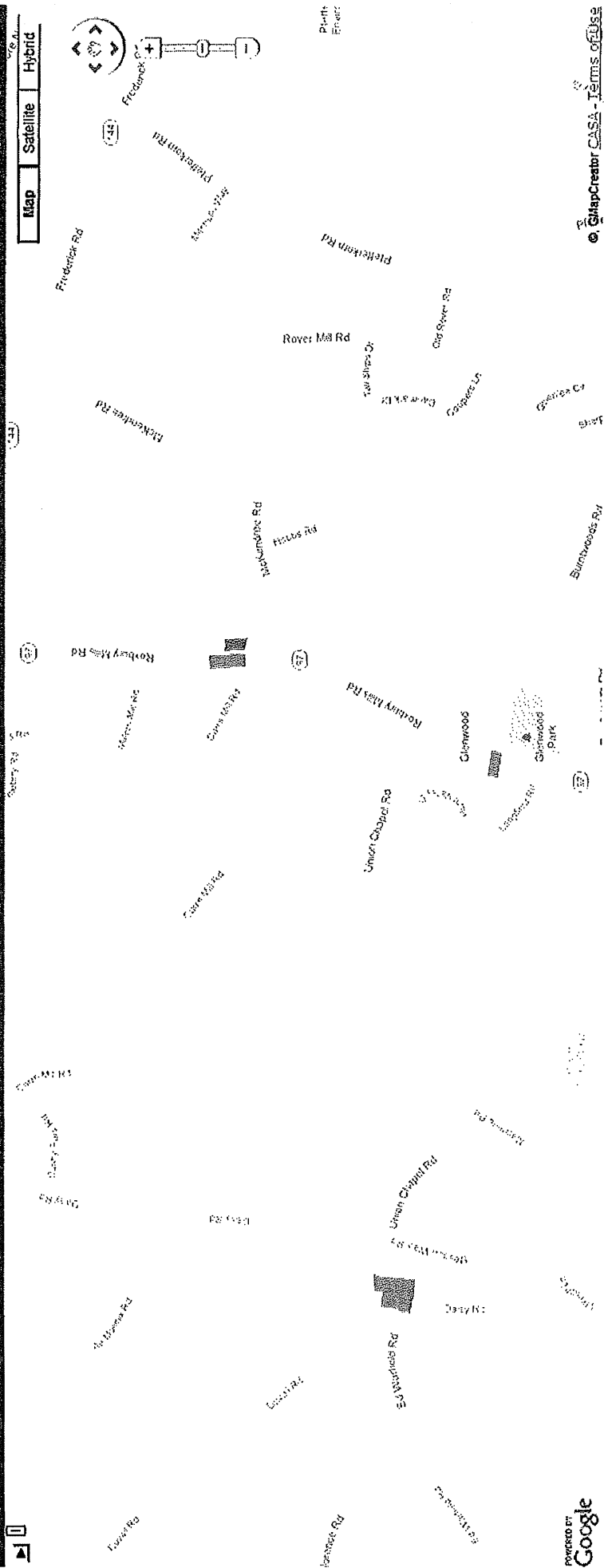
Street View | Help



# Howard County, MARYLAND

Street View | Help | Disclaimer

Map Satellite Hybrid



POWERED BY Google

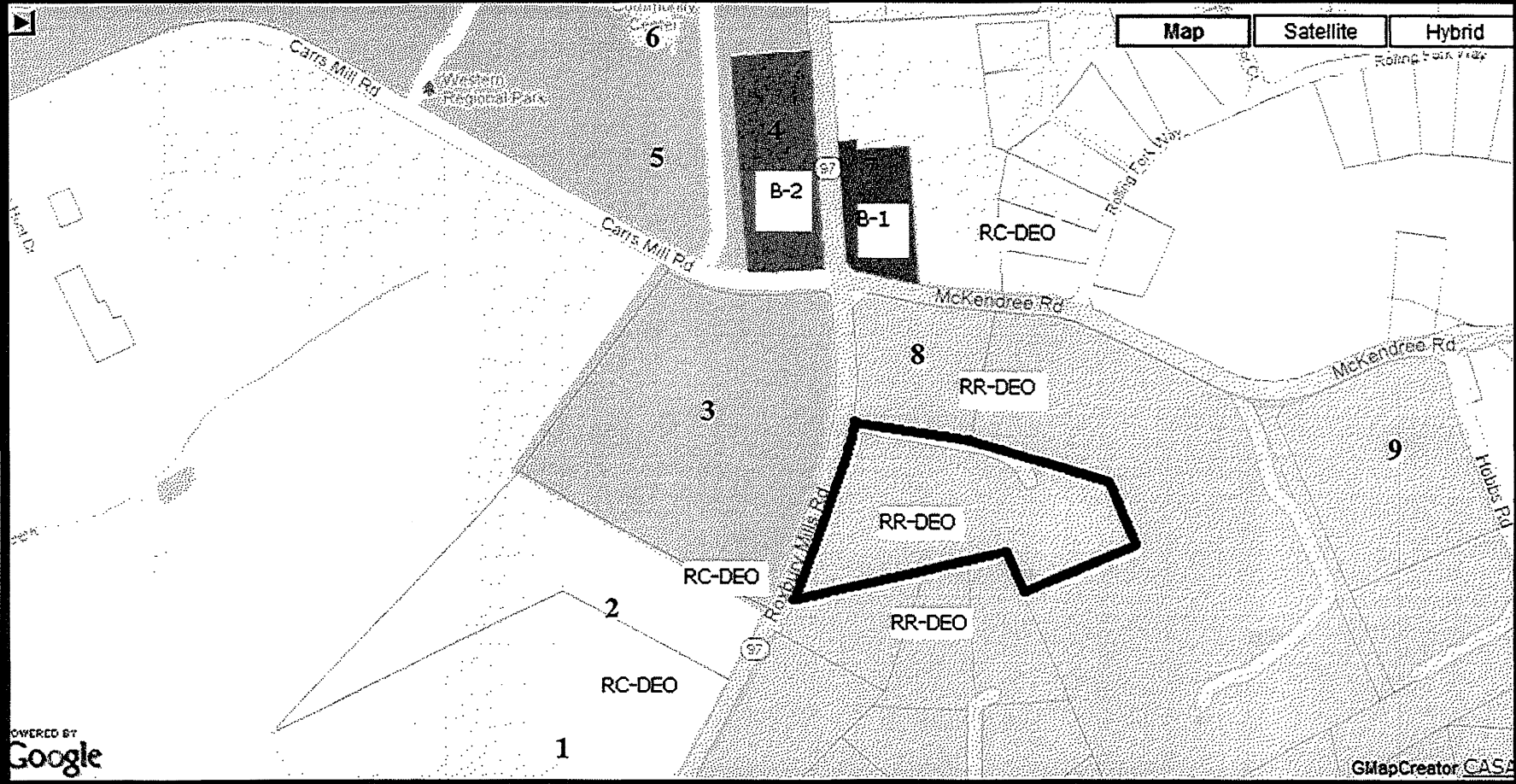
© MapCreator CASIA - Terms of Use



GLENWOOD CROSSROADS  
Zoning and Land Use Map  
 December 5, 2012

# Howard County, MARYLAND

Street View | He



**Land Uses**  
 (See corresponding numbered  
 Photographs)

- 1 - School
- 2 - County Offices
- 3 - School

- 4 - Commercial Center
- 5 - Fire Department
- 6 - Library and Community Center

- 7 - Commercial Center
- 8 - Animal Hospital
- 9 - Church (Proposed Site)

# GLENWOOD CROSSROADS

## Land Use

December 5, 2012



**1 - School**



**2 - County Offices**

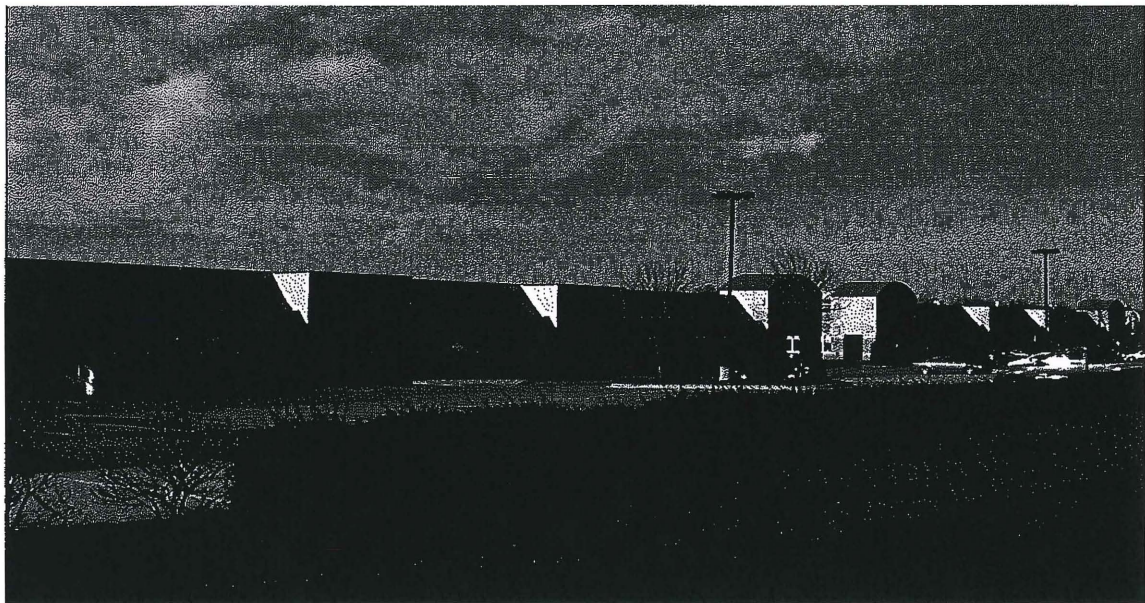
# GLENWOOD CROSSROADS

## Land Use

December 5, 2012



**3 - School**



**4 - Commercial Center**

# GLENWOOD CROSSROADS

## Land Use

December 5, 2012



**5 - Fire Department**



**6 - Library and Community Center**

# GLENWOOD CROSSROADS

## Land Use

December 5, 2012



**7 - Commercial Center**



**8 - Animal Hospital**



# Howard County Council

George Howard Building  
3434 Court House Drive  
Ellicott City, Maryland 21043-4392

## COUNCILMEMBERS

Jennifer Terrasa, Chairperson  
District 3  
Mary Kay Sigaty, Vice Chairperson  
District 4  
Courtney Watson  
District 1  
Calvin Ball  
District 2  
Greg Fox  
District 5

March 11, 2013

Mr. Kevin Garvey  
2605 Roxbury Mills Road  
Glenwood, MD 21738

Dear Mr. Garvey:

You are receiving this letter because you filed a Zoning Map Amendment Request Form/Howard County Comprehensive Zoning Plan or a Zoning Regulation Amendment Request Form/Howard County Comprehensive Plan.

Please be advised that on March 7, 2013, the Howard County Ethics Commission determined that the Zoning Map Request Form needs to be accompanied by certain affidavits and disclosures. The Commission also determined that the Zoning Regulation Amendment Form needs to be accompanied by certain affidavits and disclosures when the Form proposes to "increase the density of the land of the applicant."

The Commission directed me to notify applicants of their obligation to file the affidavit and disclosure. The obligation is set forth in Md. Code Ann., St. Gov't, Sec. 15-849(b), which provides in part, **"the affidavit or disclosure shall be filed at least 30 calendar days prior to any consideration of the application by an elected official."**

Accordingly, I am enclosing for your use the approved affidavit packet. Completed forms may be mailed to the Administrative Assistant to the Zoning Board at 3430 Court House Drive, Ellicott City, MD 21043.

Very truly yours,

Stephen M. LeGendre  
Administrator

Howard County Council  
Comprehensive Zoning Hearing

Kevin and Maria Garvey  
2605 Route 97  
Glenwood, MD 21738

**Introduction**

Kevin Garvey

I live at 2605 Route 97, Glenwood, Maryland

Testify in support of amendment number 14.001 and 14.002

My wife, Maria and I have been residence of Howard County since 1992. We have two children, a graduate and sophomore of Glenelg High School.

Our property is located South East of the intersection of Route 97 and McKendree Roads.

Currently I operate a home based landscape design/build business on the property.

**Proposed Map Amendment**

We are petitioning for a change in zoning from Rural Residential (RR) to Business-1 (B-1).

**Existing Character of Glenwood Crossroads**

Since the inception of the 2001 Zoning Plan there has been substantial changes in land use surrounding this property.

Today the Glenwood Crossroads is a rural commercial center where the community goes for convenient goods and services.

Existing uses at the Crossroads consists of;

- Two Commercial Centers
- Veterinary Hospital
- Proposed Church
- Landscape Design/Build Company (Petitioners' Property)
- Glenwood Middle School
- Howard County Administrative Offices
- Bushy Park Elementary School
- Glenwood Fire department
- Gary J. Arthur Community Center
- Glenwood Library

---

### **More Appropriate Zoning**

It is our view that the requested zoning is more appropriate due to the existing uses and changed character of the Crossroads.

The Glenwood Crossroads are designated as a "Primary Commercial Center" in Howard County's Plan Howard 2030.

This property is located 500 feet south east of the Crossroads with commercial and institutional uses on the North West, North East, South East, and South West corners.

The property is location on a State arterial road which is not conducive to large lot residential use.

It is our view that commercial zoning at this location is more appropriate and is in keeping with the existing character of the Crossroads and Howard County's Plan Howard 2030.

Our immediate neighbors, Dr. Scheinberg to the North and Dr. Saini to the South are in support of this change in zoning.

### **Proposed Uses**

It is our intension to build professional office suites that architecturally blends with the agrarian character of Western Howard County.

The offices will be designed to provide flexible space for small scale practices providing needed services to the community with some space allocated for symbiotic retail businesses.

To maximize this projects visibility and minimize any impact to our neighbors we plan to orient this development along route 97. The rear of the property will be reserved for landscape buffering and to ensure that adequate septic fields are available to protect the environment.

The Glenwood Crossroads is and will always remain a Rural Commercial Crossroad.

---



## Regner, Robin

---

**From:** Tolliver, Sheila  
**Sent:** Wednesday, June 26, 2013 5:13 PM  
**To:** Richard Tufts  
**Cc:** Regner, Robin  
**Subject:** RE: Testimony against Map Amendments 14.001 & 14.002

Thank you for your e-mail to Council members concerning comprehensive zoning proposals. The Council appreciates your interest and will consider your point of view.

Sheila Tolliver  
Council Administrator  
Howard County Council  
410 313-2001

P.S.—State law requires certain disclosures be submitted by people who submit testimony on amendments under consideration in comprehensive zoning. You may wish to check the Council's website for additional information.

<http://cc.howardcountymd.gov/displayprimary.aspx?id=6442462308>

-----Original Message-----

**From:** Richard Tufts [<mailto:tuftsdaisy@verizon.net>]  
**Sent:** Monday, June 24, 2013 8:24 PM  
**To:** CouncilMail  
**Subject:** Testimony against Map Amendments 14.001 & 14.002

To All,

Attached for your consideration is my testimony opposing Map Amendment Recommendations 14.001 and 14.002.

I will appreciate your kind consideration. Thank you.

Respectfully,  
Richard G. Tufts  
Daisy

**Fox, Greg**

---

14.001 / 14.002

**From:** Beaver, Bob <rbeaver@mtb.com>  
**Sent:** Wednesday, March 27, 2013 3:49 PM  
**To:** Fox, Greg  
**Subject:** RE: District 5 Fox News - Special Edition -- COMPREHENSIVE REZONING

Thank you very much for reaching out. I am a resident of Glenwood Springs and supporter of keeping residential and rural property "as is". Below is a copy of an email that I sent to the HC planning board stating my opposition to several properties that are contiguous to my home. I am sending as an FYI, and no response is required. Just voicing my displeasure that the county is considering changing residential to office (transitional). Such a shame.

Sincerely,

Robert Beaver

My email of 3/27/13

This email is notification that I am in opposition to the changes proposed in the Comprehensive Zoning plan being considered for certain parcels along Rte 97 in Glenwood MD, specifically amendment number 14.001 and 14.002. I am a long-time resident of Glenwood Springs and my lot is contiguous to parcel #229 (map 14, grid 17) owned by Raj Saini and on parcel away from parcel #217 (map 14, grid 17) owned by Kevin Garvey.

Both of these parcels are clearly a part of the residential landscape in this area, adjoining the Glenwood Springs neighborhood, and are not contiguous to the existing commercial strip centers at the intersection of McKendree and Rte. 97. The Zoning recommendation to transitional commercial will still allow medical office space or light commercial, bringing with it; lighting, parking, storm-water ponds, trash dumpsters, etc., none of which are suitable so close to our residential neighborhoods. Keep in mind that parcel 229 is subject to our neighborhood covenants, as it is part of our subdivision and was denied a change to transitional zoning a few years ago. If you allow neighborhood lots, with restrictive covenants, to be converted to office space, you have negated the entire theory behind covenants – which is to protect neighbors from stupid decisions by the other neighbors. Dr. Saini purchased his lot with full disclosure that it came with restrictive covenants, now he wants to change the rules. What would he say if his next door neighbor applied to build a medical office building? My guess is he would fight it! If you grant these changes the value of our property at re-sale time is probably reduced –as it will be very obvious to any future purchaser that they will be living next to office buildings – no matter how you make them appear.

The proposed zoning change would set a precedent for continued commercial development for the strip from McKendree to the land occupied by Glenwood Gardens approximately 2 miles south. This area has always been residential and should continue to remain residential. There is absolutely no need for additional office space in this area, as evidenced by the half-vacant strip center up the street – it has been in that state for almost 10 years.

Both applicants, Saini and Garvey, have made real estate purchases that they now regret, so they are attempting to recoup from bad decisions by changing zoning and creating a commercial zone contiguous to our residential neighborhood. This stretch along Rte 97 (the east side) is residential and it should remain that way. Keep the commercial where it is (McKendree and Rte 97) we don't need anymore – as evidence by all of the vacant space!

Don't make the changes! The impact on the future value of our property should take precedent over their proposed changes. Don't make us pay for their mistakes.

Thank you for your consideration.

Sincerely,

Robert M. Beaver  
2839 Shadow Roll Ct.  
Glenwood, MD 21738

(O) 410-512-4703  
(C) 443-604-8177

---

**From:** Fox, Greg [mailto:gfox@howardcountymd.gov]  
**Sent:** Sunday, March 24, 2013 4:51 PM  
**To:** Fox, Greg  
**Subject:** District 5 Fox News - Special Edition -- COMPREHENSIVE REZONING

Because this is a "special edition", some of you may receive this twice as I am not only including my main newsletter distribution list, but the Woodmont distribution list we have collected from the many e-mails about this project. If anyone NOT already included on my weekly newsletter distribution list would like to be included, please let me know. We are also putting together a separate list for the Maple Lawn property based on the number of inquiries we received during the past week so please let us know if you would like to be put on that list as well.

I have provided a number of other key documents in addition to the newsletter that you will also want to view.

Please contact myself along with other members of the council, the county executive and Marsha McLaughlin, Director of the Department of Planning and zoning with any concerns or levels of support for any of the items contained in this document. The first part of this process goes through the planning board and then to the County Council after their recommendations are received.

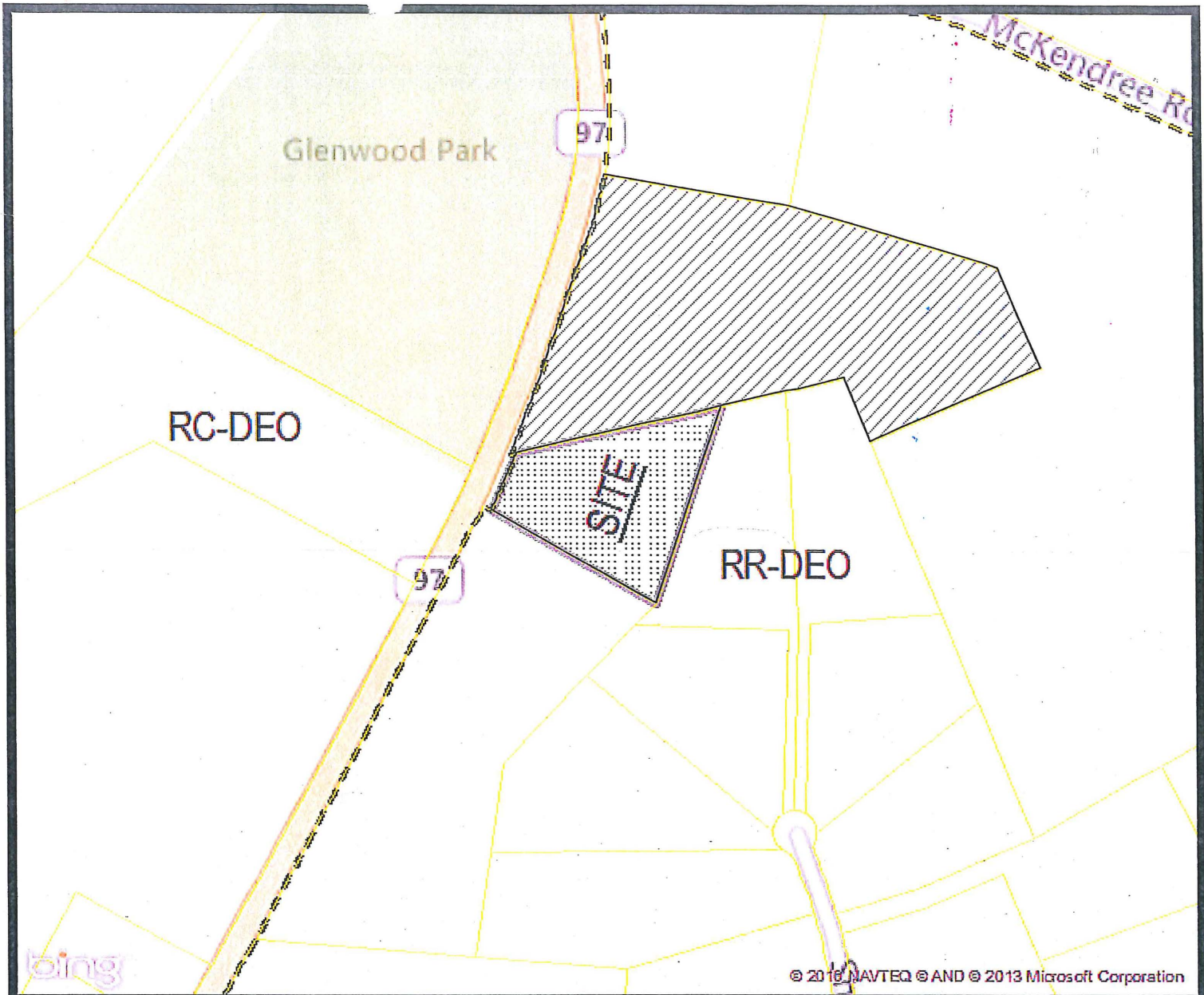
Regards,

*Greg*

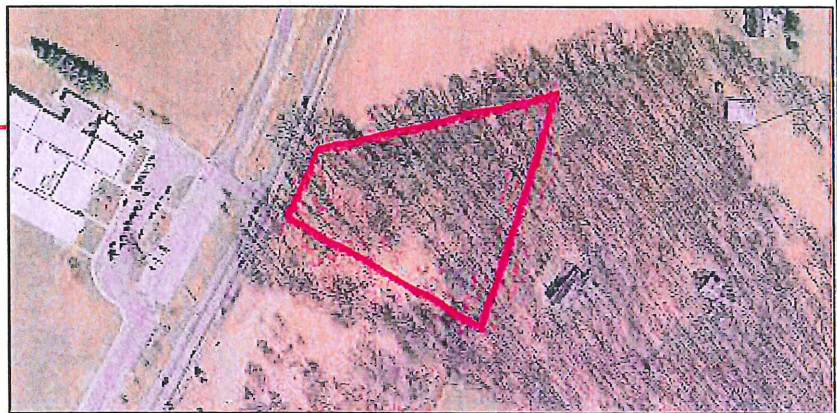
**Greg Fox, Councilmember District 5**  
**3430 Court House Drive**  
**Ellicott City, MD 21043**  
**410-313- 2001**

\*\*\*\*\*

This email may contain privileged and/or confidential information that is intended solely for the use of the addressee. If you are not the intended recipient or entity, you are strictly prohibited from disclosing, copying, distributing or using any of the information contained in the transmission. If you received this communication in error, please contact the sender immediately and destroy the material in its entirety, whether electronic or hard copy. This communication may contain nonpublic personal information about consumers subject to the restrictions of the Gramm-Leach-Bliley Act and the Sarbanes-Oxley Act. You may not directly or indirectly reuse or disclose such information for any purpose other than to provide the services for which you are receiving the information. There are risks associated with the use of electronic transmission. The



1	2	3	4	5		
6	7	8	9	10	11	
12	13	14	15	16	17	18
19	20	21	22	23	24	25
27	28	29	30	31	32	
33	34	35	36	37	38	
39	40	41	42	43	44	
45	46	47	48			
50						



Zoning Map General Plan Amendment: 14.002 Tax ID: 1404346904  
 Current Zoning: RR-DEO Council District: 5  
 Tax Map: 14 Grid: 17 Parcel: 229 Lot: 44  
 Address: 2669 RT 97

"  
"

## Requested Zoning

**Search Street:**

RT 97

Next

**Property Information:**

Amendment No.: 14.002

Current Zoning: RR-DEO

Requested Zoning: B-1

Tax Account ID.: 1404346904

Map: 14

Grid: 17

Parcel: 229

Lot: 44

Acres: 3.02

Address: 2669 RT 97

City/State/Zip: GLENWOOD, MD 21738

**Owner:**

Name: SAINI RAJENDAR M

Email: rajmsaini@yahoo.com

Phone: 410-730-0341

Mailing Address: 11413 HIGH HAY DR

City/State/Zip: COLUMBIA, MD 21044

**Representative:**

Name: Talkin & Oh

Email: soh@talkin-oh.com

Phone: 410-964-0300

Mailing Address: 5100 Dorsey Hall Drive

City/State/Zip: Elllicott City, MD 21042

**Decision:**

Planning Board Decision:

Planning Board Vote:

Council Decision:

Council Vote:

# Zoning Map Amendment Request Form

## Howard County Comprehensive Zoning Plan Department of Planning and Zoning

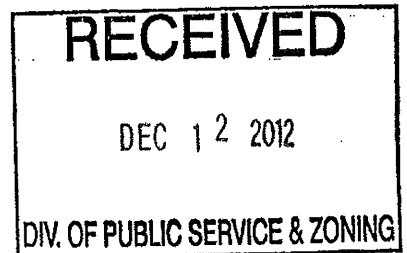
[Word 2007 Version]  
Before filling out this form, please read the  
Instructions section at the end of the form.

### A. Property Information

1 Address / Street (Only) 2669 Route 97  
~~2761 Glenwood Springs Drive~~  
2 Tax Map Number 14 Grid 17  
3 Parcel(s) 229  
4 Lot(s) 44  
5 Tax Account Data: District 04 Account # 346904

6 Size of Property: Acres 3.027 Square feet

7 The Property is currently zoned: RR-DEO  
I request that the Property be rezoned to: B-1



### B. Owner Information

8 Owner Name Rajendar M. Saini  
9 Mailing street address or Post Office Box 11413 High Hay Drive  
City, State Columbia, Maryland  
ZIP Code 21044  
Telephone (Main) 410-730-0341  
Telephone (Secondary) 410-730-1255  
Fax  
10 E-Mail rajmsaini@yahoo.com

### C. Representative Information

11 Name Talkin & Oh, LLP  
Mailing street address or Post Office Box 5100 Dorsey Hall Drive  
City, State Ellicott City, Maryland  
ZIP 21042  
Telephone (Main) 410-964-0300 (Sang Oh)

**C. Representative Information**

Telephone (Secondary)

Fax 410-964-2008

E-Mail

soh@talkin-oh.com

12 Association with Owner Attorneys

**D. Alternate Contact [If Any]**

Name

Telephone

E-Mail

**E. Explanation of the Basis / Justification for the Requested Rezoning**

13 The subject Property is located close to the intersection of Carrs Mill Road, McKendree Road, and Route 97, an area which PlanHoward 2030 identifies as a Primary Commercial Center Rural Crossroads. PlanHoward 2030, p. 164. PlanHoward 2030 provides that "[r]ural residential growth and the changing character of agriculture have impacted how commercial crossroad areas function. There is a need to reassess the role and ability of rural commercial crossroads to serve farmers' and residents' needs. Most commercial crossroads are quite small, which limits business growth and competitiveness." Furthermore, "Rural crossroads should be evaluated to assess the potential and desirability of some additional growth that would be compatible with neighboring uses and rural crossroads design character." PlanHoward 2030, pp. 163-64.

See attached Continuation Sheet.

**F. List of Attachments/Exhibits**

14 1. Continuation Sheet. 2. Map of the Property from the County's website. 3. Map of Glenwood from the County's website.

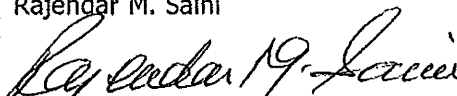
**G. Signatures**

15 Owner Rajendar M. Saini

Owner (2)

Date 12/5/12

Date



Additional owner signatures? **X** the box to the left and attach a separate signature page.

16 Representative Signature

Date



12-10-12

DPZ Use Only	<i>JS</i>	Amendment No.	14.002
Notes			

## Continuation Sheet

### **E. Explanation of the Basis / Justification for the Requested Rezoning**

- 13 The subject Property is located close to the intersection of Carrs Mill Road, McKendree Road, and Route 97, an area which PlanHoward 2030 identifies as a Primary Commercial Center Rural Crossroads. PlanHoward 2030, p. 164. PlanHoward 2030 provides that "[r]ural residential growth and the changing character of agriculture have impacted how commercial crossroad areas function. There is a need to reassess the role and ability of rural commercial crossroads to serve farmers' and residents' needs. Most commercial crossroads are quite small, which limits business growth and competitiveness." Furthermore, "Rural crossroads should be evaluated to assess the potential and desirability of some additional growth that would be compatible with neighboring uses and rural crossroads design character." PlanHoward 2030, pp. 163-64.

As PlanHoward 2030 recognizes, the population of rural areas such as Glenwood has changed since the last comprehensive zoning, and a need exists for a limited commercial expansion at the Glenwood Crossroads. As shown on Exhibit 3, aside from a few parcels at the Glenwood, Daisy, and Glenwood South Crossroads, the vast majority of the area is zoned residentially. Consisting of only two commercial parcels (which is the smallest number for any of the County's Primary Commercial Center Rural Crossroads), the Glenwood Crossroads is "quite small, which limits business growth and competitiveness." Residents have few commercial options without driving to Clarksville or Ellicott City. A limited expansion of commercial zoning at the Crossroads would benefit the Glenwood community and would satisfy the goals of PlanHoward 2030 regarding this rural commercial crossroad.

The subject Property would be a suitable property for such expansion. To the east of the Property, across Route 97, are the institutional school uses of Bushy Park Elementary School and Glenwood Middle School. To the north, only two RR-DEO parcels separate the Property from the B-1 and B-2 parcels north of McKendree Road and Carrs Mill Road, and the immediately adjoining property to the north (Lot 1 of Parcel 217) is also requesting a B-1 rezoning during this Comprehensive Rezoning process. It is currently anticipated that both the Property and Lot 1 will be jointly developed as described below.

East of the Property are residential properties that are a part of the Glenwood Springs subdivision. These lots are well buffered from the Property by a dense line of existing trees, and a rezoning of the Property to the B-1 district will not adversely affect the neighboring parcels.

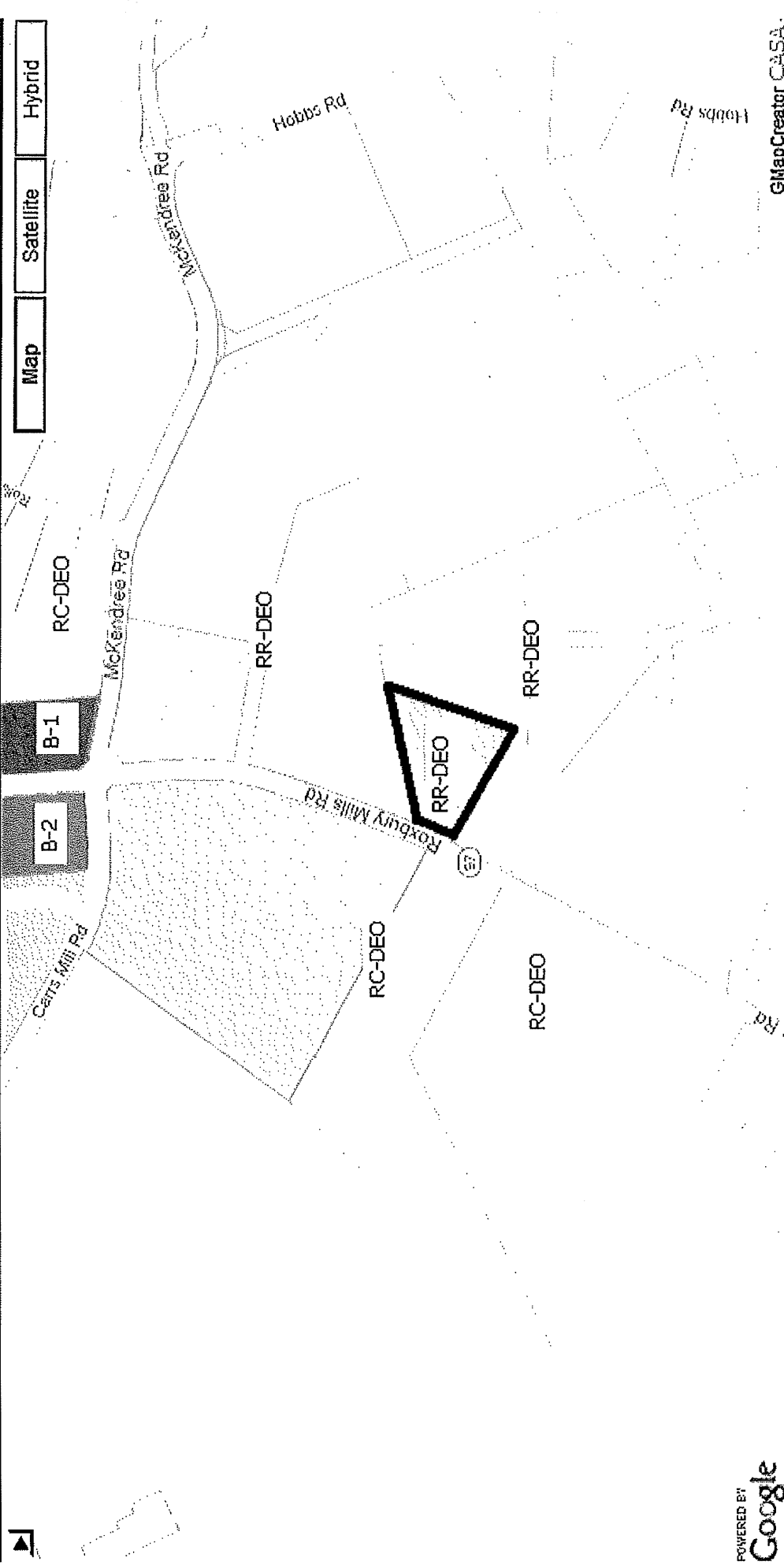
If the proposed rezoning of the Property is granted, the Petitioners plan to develop the Property in combination with Lot 1 of Parcel 217. Lot 1 would be developed with medical offices to serve the local community. The Property would serve as open space in such a development, further buffering adjoining residential properties. Together, the Property and Lot 1 are ideally located for the limited commercial expansion of the Crossroads called for in PlanHoward 2030.



# Howard County, MARYLAND

Street View | Help

Map    Satellite    Hybrid



POWERED BY  
**Google**

GMapCreator [CASA](#)





# Howard County Council

George Howard Building  
3435 Court House Drive  
Ellicott City, Maryland 21043-4392

## COUNCILMEMBERS

Jennifer Terrasa, Chairperson  
District 3  
Mary Kay Sigaty, Vice Chairperson  
District 4  
Courtney Watson  
District 1  
Calvin Ball  
District 2  
Greg Fox  
District 5

March 11, 2013

Fajendar Saini  
11413 High Hay Drive  
Columbia, Maryland 21044

Dear M. Saini:

You are receiving this letter because you filed a Zoning Map Amendment Request Form/Howard County Comprehensive Zoning Plan or a Zoning Regulation Amendment Request Form/Howard County Comprehensive Plan.

Please be advised that on March 7, 2013, the Howard County Ethics Commission determined that the Zoning Map Request Form needs to be accompanied by certain affidavits and disclosures. The Commission also determined that the Zoning Regulation Amendment Form needs to be accompanied by certain affidavits and disclosures when the Form proposes to "increase the density of the land of the applicant."

The Commission directed me to notify applicants of their obligation to file the affidavit and disclosure. The obligation is set forth in Md. Code Ann., St. Gov't, Sec. 15-849(b), which provides in part, **"the affidavit or disclosure shall be filed at least 30 calendar days prior to any consideration of the application by an elected official."**

Accordingly, I am enclosing for your use the approved affidavit packet. Completed forms may be mailed to the Administrative Assistant to the Zoning Board at 3430 Court House Drive, Ellicott City, MD 21043.

Very truly yours,

Stephen M. LeGendre  
Administrator

4.001 §14.002

**Howard County Council  
Comprehensive Zoning Hearing**

Kevin and Maria Garvey  
2605 Route 97  
Glenwood, MD 21738

**Introduction**

Kevin Garvey  
I live at 2605 Route 97, Glenwood, Maryland  
Testify in support of amendment number 14.001 and 14.002

My wife, Maria and I have been residence of Howard County since 1992. We have two children, a graduate and sophomore of Glenelg High School.

Our property is located South East of the intersection of Route 97 and McKendree Roads.

Currently I operate a home based landscape design/build business on the property.

**Proposed Map Amendment**

We are petitioning for a change in zoning from Rural Residential (RR) to Business-1 (B-1).

**Existing Character of Glenwood Crossroads**

Since the inception of the 2001 Zoning Plan there has been substantial changes in land use surrounding this property.

Today the Glenwood Crossroads is a rural commercial center where the community goes for convenient goods and services.

Existing uses at the Crossroads consists of;

- Two Commercial Centers
- Veterinary Hospital
- Proposed Church
- Landscape Design/Build Company (Petitioners' Property)
- Glenwood Middle School
- Howard County Administrative Offices
- Bushy Park Elementary School
- Glenwood Fire department
- Gary J. Arthur Community Center
- Glenwood Library

**More Appropriate Zoning**

It is our view that the requested zoning is more appropriate due to the existing uses and changed character of the Crossroads.

The Glenwood Crossroads are designated as a "Primary Commercial Center" in Howard County's Plan Howard 2030.

This property is located 500 feet south east of the Crossroads with commercial and institutional uses on the North West, North East, South East, and South West corners.

The property is location on a State arterial road which is not conducive to large lot residential use.

It is our view that commercial zoning at this location is more appropriate and is in keeping with the existing character of the Crossroads and Howard County's Plan Howard 2030.

Our immediate neighbors, Dr. Scheinberg to the North and Dr. Saini to the South are in support of this change in zoning.

**Proposed Uses**

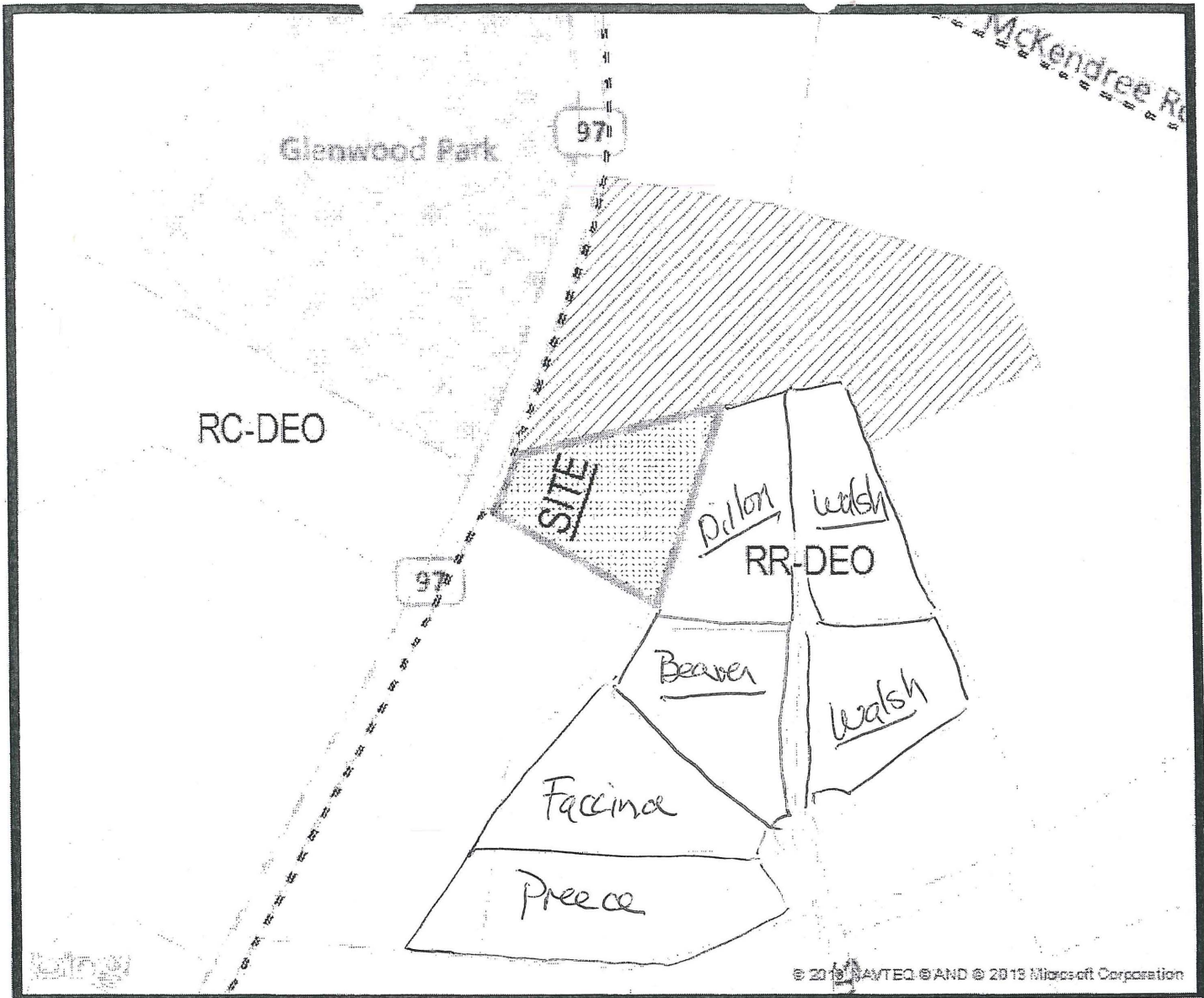
It is our intension to build professional office suites that architecturally blends with the agrarian character of Western Howard County.

The offices will be designed to provide flexible space for small scale practices providing needed services to the community with some space allocated for symbiotic retail businesses.

To maximize this projects visibility and minimize any impact to our neighbors we plan to orient this development along route 97. The rear of the property will be reserved for landscape buffering and to ensure that adequate septic fields are available to protect the environment.

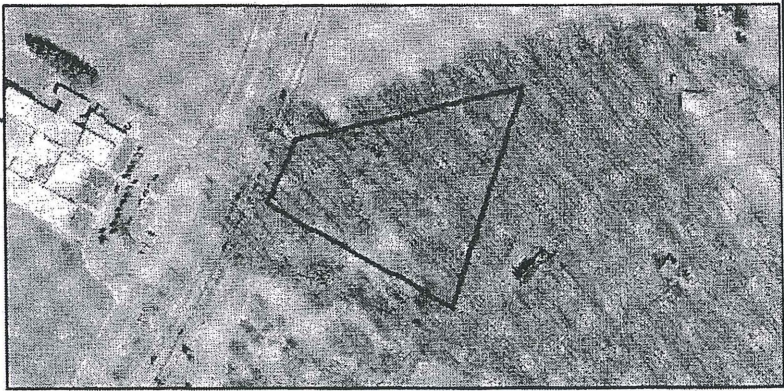
The Glenwood Crossroads is and will always remain a Rural Commercial Crossroad.

---



© 2013 NAVTEQ © AND © 2013 Microsoft Corporation

1	2	3	4	5		
6	7	8	9	10	11	
12	13	14	15	16	17	18
19	20	21	22	23	24	25
	27	28	29	30	31	32
	33	34	35	36	37	38
	39	40	41	42	43	44
		45	46	47	48	
				50		



Zoning Map General Plan Amendment: **14.002** Tax ID: 1404346904  
 Current Zoning: RR-DEO Tax Map: 14 Grid: 17 Parcel: 229 Lot: 44  
 Proposed Zoning: POR  
 Address: 2669 RT 97 Council District: 5

*Robin copy*

**Fox, Greg**

---

14.001 / 14.002

**From:** Beaver, Bob <rbeaver@mtb.com>  
**Sent:** Wednesday, March 27, 2013 3:49 PM  
**To:** Fox, Greg  
**Subject:** RE: District 5 Fox News - Special Edition -- COMPREHENSIVE REZONING

Thank you very much for reaching out. I am a resident of Glenwood Springs and supporter of keeping residential and rural property "as is". Below is a copy of an email that I sent to the HC planning board stating my opposition to several properties that are contiguous to my home. I am sending as an FYI, and no response is required. Just voicing my displeasure that the county is considering changing residential to office (transitional). Such a shame.

Sincerely,

Robert Beaver

My email of 3/27/13

This email is notification that I am in opposition to the changes proposed in the Comprehensive Zoning plan being considered for certain parcels along Rte 97 in Glenwood MD, specifically amendment number 14.001 and 14.002. I am a long-time resident of Glenwood Springs and my lot is contiguous to parcel #229 (map 14, grid 17) owned by Raj Saini and on parcel away from parcel #217 (map 14, grid 17) owned by Kevin Garvey.

Both of these parcels are clearly a part of the residential landscape in this area, adjoining the Glenwood Springs neighborhood, and are not contiguous to the existing commercial strip centers at the intersection of McKendree and Rte. 97. The Zoning recommendation to transitional commercial will still allow medical office space or light commercial, bringing with it; lighting, parking, storm-water ponds, trash dumpsters, etc., none of which are suitable so close to our residential neighborhoods. Keep in mind that parcel 229 is subject to our neighborhood covenants, as it is part of our subdivision and was denied a change to transitional zoning a few years ago. If you allow neighborhood lots, with restrictive covenants, to be converted to office space, you have negated the entire theory behind covenants – which is to protect neighbors from stupid decisions by the other neighbors. Dr. Saini purchased his lot with full disclosure that it came with restrictive covenants, now he wants to change the rules. What would he say if his next door neighbor applied to build a medical office building? My guess is he would fight it! If you grant these changes the value of our property at re-sale time is probably reduced –as it will be very obvious to any future purchaser that they will be living next to office buildings – no matter how you make them appear.

The proposed zoning change would set a precedent for continued commercial development for the strip from McKendree to the land occupied by Glenwood Gardens approximately 2 miles south. This area has always been residential and should continue to remain residential. There is absolutely no need for additional office space in this area, as evidenced by the half-vacant strip center up the street – it has been in that state for almost 10 years.

Both applicants, Saini and Garvey, have made real estate purchases that they now regret, so they are attempting to recoup from bad decisions by changing zoning and creating a commercial zone contiguous to our residential neighborhood. This stretch along Rte 97 (the east side) is residential and it should remain that way. Keep the commercial where it is (McKendree and Rte 97) we don't need anymore – as evidence by all of the vacant space!

Don't make the changes! The impact on the future value of our property should take precedent over their proposed changes. Don't make us pay for their mistakes.

Thank you for your consideration.

Sincerely,

Robert M. Beaver  
2839 Shadow Roll Ct.  
Glenwood, MD 21738

(O) 410-512-4703  
(C) 443-604-8177

---

**From:** Fox, Greg [mailto:gfox@howardcountymd.gov]  
**Sent:** Sunday, March 24, 2013 4:51 PM  
**To:** Fox, Greg  
**Subject:** District 5 Fox News - Special Edition -- COMPREHENSIVE REZONING

Because this is a "special edition", some of you may receive this twice as I am not only including my main newsletter distribution list, but the Woodmont distribution list we have collected from the many e-mails about this project. If anyone NOT already included on my weekly newsletter distribution list would like to be included, please let me know. We are also putting together a separate list for the Maple Lawn property based on the number of inquiries we received during the past week so please let us know if you would like to be put on that list as well.

I have provided a number of other key documents in addition to the newsletter that you will also want to view.

Please contact myself along with other members of the council, the county executive and Marsha McLaughlin, Director of the Department of Planning and zoning with any concerns or levels of support for any of the items contained in this document. The first part of this process goes through the planning board and then to the County Council after their recommendations are received.

Regards,

*Greg*

**Greg Fox, Councilmember District 5**  
**3430 Court House Drive**  
**Ellicott City, MD 21043**  
**410-313- 2001**

\*\*\*\*\*

This email may contain privileged and/or confidential information that is intended solely for the use of the addressee. If you are not the intended recipient or entity, you are strictly prohibited from disclosing, copying, distributing or using any of the information contained in the transmission. If you received this communication in error, please contact the sender immediately and destroy the material in its entirety, whether electronic or hard copy. This communication may contain nonpublic personal information about consumers subject to the restrictions of the Gramm-Leach-Bliley Act and the Sarbanes-Oxley Act. You may not directly or indirectly reuse or disclose such information for any purpose other than to provide the services for which you are receiving the information. There are risks associated with the use of electronic transmission. The



**ADJOINING PROPERTY OWNERS FOR 12962 LIVESTOCK ROAD**

Willow Springs Limited Partnership  
c/o Thomas C. Beach III  
P.O. Box 31  
West Friendship, MD 21794-0031  
(15.001)

Livestock Road, LLC  
c/o Gould Property Company  
1725 Desales St. NW, Suite 900  
Washington, DC 20036-4404  
(15.001)

"  
"

## Requested Zoning

**Search Street:**

LIVESTOCK RD

Next

**Property Information:**

Amendment No.: 15.001

Current Zoning: POR

Requested Zoning: RC-DEO

Tax Account ID.: 1403344568

Map: 15

Grid: 4

Parcel: 145

Lot: PAR B

Acres: 4.5

Address: 12962 LIVESTOCK RD

City/State/Zip: WEST FRIENDSHIP, MD 21794

**Owner:**

Name: WILLOW SPRINGS I LIMITED PARTNERSH

Email: tbeach@wtplaw.com

Phone: 4103478722

Mailing Address: PO BOX 31

City/State/Zip: WEST FRIENDSHIP, MD 21794

**Representative:**

Name: Thomas C. Beach III

Email: tbeach@wtplaw.com

Phone: 410-347-8722

Mailing Address: Suite 1500, Seven St. Paul St.

City/State/Zip: Baltimore, MD 21202

**Decision:**

Planning Board Decision:

Planning Board Vote:

Council Decision:

Council Vote:

024

[Empty header box]

# Zoning Map Amendment Request Form

**Howard County**  
**Comprehensive Zoning Plan**  
Department of Planning and Zoning

[Word 2007 Version]  
Before filling out this form, please read the  
Instructions section at the end of the form.

### A. Property Information

1	Address / Street (Only)	12962/66/80	Livestock Road
2	Tax Map Number	15	Grid 0004
3	Parcel(s)	145	
4	Lot(s)	Lot 29/ Parcel A/ Parcel B	
5	Tax Account Data:	District 03	Account # 344568/ 344541/ 313417

6	Size of Property:	Acres	Square feet 16,940
---	-------------------	-------	--------------------

7	The Property is currently zoned:	POR/ POR/ RC-DEO
	I request that the Property be rezoned to:	POR to RC-DEO/ RC-DEO to POR

### B. Owner Information

8	Owner Name	Willow Springs I Limited Partnership/Thomas C. Beach III, Pres.
9	Mailing street address or Post Office Box	P. O. Box 31, 13343 Pipes Lane
	City, State	West Friendship, MD
	ZIP Code	21794-0031
	Telephone (Main)	410-347-8722
	Telephone (Secondary)	410-489-9490
	Fax	410-223-3722
10	E-Mail	tbeach@wtplaw.com

### C. Representative Information

11	Name	Thomas C. Beach III/ Whiteford, Taylor & Preston, LLP
	Mailing street address or Post Office Box	Suite 1500, Seven St. Paul St.
	City, State	Baltimore, MD
	ZIP	21202
	Telephone (Main)	410-347-8722

**RECEIVED**  
DEC - 5 2012  
DIV. OF PUBLIC SERVICE & ZONING

**C. Representative Information**

Telephone (Secondary)	410-347-8700
Fax	410-223-3722
E-Mail	tbeach@wtplaw.com
12 Association with Owner	Attorney/client

**D. Alternate Contact [If Any]**

Name	
Telephone	
E-Mail	

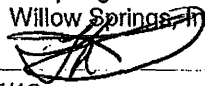
**E. Explanation of the Basis / Justification for the Requested Rezoning**

13	To rezone 24'X704' m/l strip on east side of Parcel B (originally intended to be an access fee strip to northeast corner of property before Parcels A&B were subdivided from original parcel) from RC-DEO to POR to conform to zoning of Parcels A & B; to rezone rear strip on northerly edge of Parcels A & B from POR back to RC-DEO, the same zoning as Lot 29. Narrow strip on easterly edge of what is now Parcel B was inadvertently left out of configuration for "proposed" Parcels A & B when subdivided, thus separating POR zoned parcels from property line of adjoining commercial parcel owned by entity which will acquire Parcels A & B from Owner. There will be no net loss of RC-DEO land nor of POR land. This is first step in an eventual swap of strips accomplished by a reconfiguration of Lot 29, Parcel A, and Parcel B, all of which are contiguous.
----	---


**F. List of Attachments/Exhibits**

14	1.) Plat showing current layout of Parcels A & B and part of Lot 29; Willow Highlands at Willow Springs Golf Course. 2.) Plat showing revised layout of Parcels A & B and Part of Lot 29; Willow Highlands at Willow Springs Golf Course.
----	--

**G. Signatures**

15	Owner: Willow Springs I Limited Partnership By: Willow Springs, Inc., Gen. Partner By:  President	Owner (2)
	Date: 12/5/12	Date

Additional owner signatures? **X** the box to the left and attach a separate signature page.

16	Representative Signature:  Thomas C. Beach III Date: 12/5/12
----	--

DPZ Use Only	Amendment No. 15,001
Notes	

## H. Instructions for the Comprehensive Zoning Plan Zoning Map Amendment Request Form

General Instructions	<p>This form was designed for use as a Microsoft Office Word 2007 document. It is preferred that these request forms be filled out using this Word version. If you want to fill out a hand-written (or typed) request form instead, there is a different form available for that method.</p> <p>To move between the table entry areas, you can Tab or Right Mouse Click. The table entry areas are formatted; do not alter this formatting.</p> <p><b>You must maintain the integrity of the request form as a two-page form. The table areas within the form are "expandable", but request forms expanded beyond the two-page format will be not be accepted.</b> If you cannot fit the information within the allotted space, mainly in Section E and Section F, include attachments as indicated in the instructions below.</p> <p>Only paper request forms with original signatures will be accepted for processing (i.e., no email or faxed versions). When you submit the request form, please <u>do not include these instruction pages.</u></p>
----------------------	---



### THESE INSTRUCTIONS ARE KEYED TO THE ITEM NUMBERS TO THE LEFT OF THE AREAS TO ENTER INFORMATION.

8	Owner Name
1	Enter the street address number and the street name only (not the "City, State, Zip"). Only use the official address number and street name as assigned by Howard County [the addresses given in the State Department of Assessments and Taxation data can often not be the official addresses, and could lead to confusion.]
2	Enter the one or two digit Tax Map number and Grid number as assigned to the property/properties by the State Department of Assessments and Taxation ("SDAT"). If you do not know, you can determine these online by going to: <a href="http://sdatcert3.resiusa.org/rp_rewrite/">http://sdatcert3.resiusa.org/rp_rewrite/</a> , and search for Howard County properties.
3 & 4	Enter the Parcel and Lot number(s) as assigned by SDAT. Multiple numbers should be separated commas. If there is no Lot number, enter "N/A". Do not enter any other numbers which may be shown on the SDAT search page under "Sub District", "Subdivision", "Section", "Block", or "Assessment Area".
5	Enter the two digit District number and the six digit Account number as assigned by SDAT. These appear near the top of the SDAT search page as <div style="text-align: center; font-size: small;"> <span>Account Identifier:      District - 02 Account Number - 218488</span> </div>
6	If the property is one acre or larger, enter the number in "Acres". If the property is smaller than one acre, enter the number in "Square Feet". Leave the other one blank.
7	For these entries, you must enter the Zoning District "codes" as listed on Page 2 of the Zoning Regulations, (for a link to the Zoning Regulations, go to <a href="http://www.howardcountymd.gov/compzoning">www.howardcountymd.gov/compzoning</a> ), or eventually, the codes for new districts that may be proposed in the Comprehensive Zoning Plan. Enter the code only, (examples; "RC" or "B-2"), not the description (examples; "Rural Conservation" or "Business: General"). You must enter a single specific district request. Do not enter multiple district requests (i.e., "B-1 or B-2 or SC"; "R-SA-8 or R-A-15").
8	Enter the property owner(s) name according to the SDAT search page for the property, except you do not need to put the last name first like SDAT does. If the property owner is a business entity of some type, enter the business entity name.
9	Enter the mailing address at which the property owner(s) will directly receive mail, and the telephone number(s) which can be used to directly contact the property owner(s). If the property owner is a business entity, also enter the appropriate contact person's name next to the telephone number(s).
10	Enter the email address(es) which can be used to contact the property owner(s). Although this entry is optional in consideration of those who may not use email, it is highly recommended that you provide this information if you do use email because email is a quick, effective, and relatively non-intrusive method of contacting applicants. If you are reluctant to provide a personal email address, please consider setting up an alternate email address for this purpose.
11	Enter the name and other contact information of the person officially representing the property owner(s), if applicable.
12	Enter the description of how the representative is associated with the property owner(s) (e.g., "Attorney", "Contract Purchaser", "Employee", "Designated Representative")



NAD'27

P/O LOT 29

N 77°02'47" W 24.58'

PIPESTEM AREA PART OF LOT 29  
16940± SQ. FT.  
0.3889± ACRES

S77°02'47"E 657.64

293.08

364.56

PARCEL A

197757± SQ. FT.  
4.5399± ACRES

N15°09'23"E  
372.93

PARCEL B

196071± SQ. FT.  
4.5012± ACRES

N25°26'41"E 652.68

S25°26'41"W 704.01

S25°26'41"W 707.65'

S25°26'41"W 942.06

NAD 27

P/O LOT 29

S 25°26'41" W 25.52'

ADDED TO LOT 29  
16940± SQ. FT.  
0.3889± ACRES

S 15°09'23" W 24.93'

N 77°02'47" W 682.22'

S 77°02'47" E 677.66'

317.66

360.00

S 25°26'41" W 942.06

N 15°09'23" E  
348.00

12' E  
13'

PARCEL A

188731± SQ. FT.  
4.3327± ACRES

N 25°26'41" E 627.17

PARCEL B

205097± SQ. FT.  
4.7084± ACRES

S 25°26'41" W 682.13'





# Howard County Council

George Howard Building  
3436 Court House Drive  
Ellicott City, Maryland 21043-4392

## COUNCILMEMBERS

Jennifer Terrasa, Chairperson  
District 3  
Mary Kay Sigaty, Vice Chairperson  
District 4  
Courtney Watson  
District 1  
Calvin Ball  
District 2  
Greg Fox  
District 5

March 11, 2013

Willow Springs I Limited partnership  
P.O. Box 31  
West Friendship, MD 21794

Dear Sir or Madam:

You are receiving this letter because you filed a Zoning Map Amendment Request Form/Howard County Comprehensive Zoning Plan or a Zoning Regulation Amendment Request Form/Howard County Comprehensive Plan.

Please be advised that on March 7, 2013, the Howard County Ethics Commission determined that the Zoning Map Request Form needs to be accompanied by certain affidavits and disclosures. The Commission also determined that the Zoning Regulation Amendment Form needs to be accompanied by certain affidavits and disclosures when the Form proposes to "increase the density of the land of the applicant."

The Commission directed me to notify applicants of their obligation to file the affidavit and disclosure. The obligation is set forth in Md. Code Ann., St. Gov't, Sec. 15-849(b), which provides in part, "**the affidavit or disclosure shall be filed at least 30 calendar days prior to any consideration of the application by an elected official.**"

Accordingly, I am enclosing for your use the approved affidavit packet. Completed forms may be mailed to the Administrative Assistant to the Zoning Board at 3430 Court House Drive, Ellicott City, MD 21043.

Very truly yours,

Stephen M. LeGendre  
Administrator

**Testimony of Peter H. Li In Support of The Original DPZ Proposed Amendments and Amendment No. 15 on Excluding Funeral Homes and/or Mortuaries from Conditional Use in Certain Zoning Districts**

June 24, 2013

Before the Howard County Zoning Board/Council

My name is Peter H. Li, a resident of Howard County since 1997. I reside at 6555 Paper Place, Highland, MD 20777. I am a Certified Professional Geologist, holding a PhD in Geological Sciences. Based on my 20 years of experience running a 500-person environmental cleanup and consulting company, I testify in full support of Amendment No. 15 by Ms. Karen Wang.

First, I'd like to share with you some facts:

1. USEPA reported in 1986 that septic systems are the #1 source of groundwater contamination in the US<sup>1</sup>.
2. In 1995, National Funeral Home Directors Association performed a study and revealed that **formaldehyde and phenol** were present in funeral homes' septic systems even though the embalming wastewater was kept separate from the sanitary flow.
3. A mortuary that has a design capacity of receiving 200 visitors per day will generate a wastewater discharge with its concentration 50 times greater than a typical 4-person family house, even if the volume of the discharge is about the same. The wastewater discharge from a typical family house is mostly wash water while the discharge from a mortuary consists of mostly toilet water and cleaning liquid waste containing chemicals such as **formaldehyde and phenol**.
4. In Clarksville, the County connected public water to the Sandy Springs Bank after the bank filed a law sue alleging that the County's salt dome operation contaminated its water well. The bank is located about 500 feet away from the now-removed salt dome.
5. Howard County Health Department recently sent a letter to those on wells and septic to test their water regularly to make sure that their water is not contaminated by septic systems.
6. The western Howard County is underlain by fractured rock. Those on wells and septic in this area get their water supply from the groundwater stored in fractures in the rock. In 1999, EPA performed a study<sup>2</sup> on septic wastes and documented the migration of the waste as far as 3,000 feet on fractures.

The facts presented above strongly support the notion that a mortuary with its waste concentration 50 times higher than a typical family house and containing **formaldehyde and phenol** should not be constructed in a residential area in the western Howard County underlain by fractured rock.

While we are working on the zoning regulations, I would also like to request our Council Members to make sure that the existing County Code is strictly followed. I sent a letter to Howard County Health Department on January 9, 2013, challenging that its November 2009 approval of a percolation certification plan violates the County Code and COMAR. Please investigate this alleged violation. Thank you.

Respectively submitted,



<sup>1</sup> USEPA National Water Quality Inventory, 1986 Report to Congress. EPA-440/4-87-008

<sup>2</sup> USEPA Class V Underground Injection Control Study of Large-Capacity Septic Systems, 1999. EPA-8/16-R-99-014e

Peter Li  
6555 Paper Place  
Highland, MD 20777

January 9, 2013

Bert Nixon, Director  
Environmental Health Bureau  
Howard County Health Department  
7178 Columbia Gateway Drive  
Columbia, MD 21046-2147

**Re: BA-10-001C Donaldson Funeral Home**

Dear Mr. Nixon:

As you may be aware, I am writing this letter on behalf of Clarksville Residents against Mortuary (CRAM), a non-profit organization in opposition to the above referenced conditional use application currently pending before the Howard County Board of Appeals. CRAM consists of several hundreds of residents opposing the application and residing in nine communities: Clarks Glen, Clarks Glen North, Clarksville Manor, Clarksville Overlook, Highland, Preserve of Clarksville, River Hill, Walnut Grove, and Windy Knolls. I am a Certified Professional Geologist with a Ph.D. in Geological Sciences and over 20 years of experience with groundwater studies, involving contamination investigation and cleanup.

This letter is to challenge your 18 November 2009 approval of the Percolation Certification Plan (PCP) filed by Robert H. Vogel Engineering, Inc. for the above referenced conditional use application on behalf of Donaldson (or Clarksville) Funeral Home. Our challenge is based on the following facts:

1. Howard County Code states on Page 470 that "On-site sewage disposal systems (and designated sewage disposal area) shall not be located up gradient of existing or proposed water wells within 200 feet". COMAR 26.04.02 states that "On-site sewage disposal systems shall be located downgrade from private water supplies".
2. There is an existing well (Lutheran Church) within 200 feet, hydrologically down gradient of the proposed septic easement. The proposed water well for the funeral home is located, down gradient, about 100 feet south of the proposed septic easement.
3. When asked why the County approved the PCP against its own code, Mr. Jeff Williams, the County's Well & Septic Program Supervisor, said that the septic easement is not directly up gradient of the two wells based on a 45 degree rule, which is not documented in the County Code but used as an advisory guide. When asked to explain the 45 degree rule, he said that in the past, many wells were hand-dug and the rule was set up to prevent the surface water runoff from the septic easement area to flow directly to the open pits of the hand-dug wells. Mr. Williams also indicated that his staff does not include any geologist or hydrogeologist.
4. The issue here is that the groundwater flow is different from the surface water flow. The withdrawal of the groundwater from a well will create a cone of depression, pulling the groundwater from the surroundings, including not only the higher elevation but also the lower elevation areas. The cone of depression extends further in the higher elevation area than in the lower elevation area. Both the wells are thus down gradient of the septic easement area.

5. The site geology makes the impact of the sewage water even greater on the two wells and other wells at a distance. The site is underlain by Baltimore Gneiss, a metamorphic rock formation with three dominant fracture or joint groups: two in the direction roughly parallel to Route 108 and another perpendicular. When the septic water enters an underground drainage system, most will find its way to the groundwater stored in fractures or joints in the bedrock. All the wells in the area withdraw the groundwater stored in the fractures/joints. The groundwater migrates much faster and further along bedrock fractures/joints than in unconsolidated sediments.

Based on the above facts, the County's approval of the PCP violates not only the County Code but also COMAR 26.04.02. We request your immediate attention to this matter; please review and reverse your approval of the PCP.

The proposed well at the subject property will serve 200 visitors per funeral at its capacity and the church well currently also serves several tens of visitors weekly. In its study done in 1999 (EPA/8/16-R-99-014e), EPA cited 27 examples of groundwater contamination by septic systems and identified over 1,000 cases of gastroenteritis and hepatitis resulted from the septic contamination of groundwater supplies. Should the wells be contaminated by septic water, there is a very high possibility of outbreak of certain diseases. Please note that Howard County could be held liable for the potential contamination if proved in court that it has not done its due diligence protecting the water supply. The County was forced to connect the public water to the Sandy Springs Bank at Clarksville when the bank's well was found contaminated with salt associated with the past operations of County's now removed salt dome facility in the vicinity.

We would also like to seek your attention to the same 1999 EPA study, which defined those septic systems serving 20 or more people per day as Large Capacity Septic Systems (LCSSs). A LCSS permit is required for these systems. The Donaldson septic system is designed to serve 200 visitors at its capacity and thus should be classified as a LCSS per EPA standard.

In addition, we would request you consider hiring a geologist or hydrogeologist as a staff or consultant for your well and septic program. Clearly, the program is lack of technical expertise when evaluating PCP applications in complex geologic and hydrogeologic settings.

Should you have any questions regarding this letter, please do not hesitate to contact me at 301-323-1411 (office) or 410-949-4011 (cell).

Sincerely,

Peter H. Li, Ph.D., C.P.G.

CC: Ken Ulman, County Executive  
Calvin Ball, County Council Member  
Greg Fox, County Council Member  
Mary Kay Sigaty, County Council Member  
Jennifer Terrasa, County Council Member  
Courtney Watson, County Council Member  
Shun Lu, President of CRAM

<i>Establishment</i>	<i>GPD* per Unit</i>
Per space with sewer/service building	175
Children's camp	50/person
Labor camp	50/person
Luxury camp	100/person
Day camp (no meals)	15/person
Warehouse	.03**

\*Gallons per day

\*\*Gallons per day per square foot (Ord. No. 81, 2006, § 1)

**Sec. 3.808. Location of on-site sewage disposal system.**

(a) *Required Minimum Lot Size Where Public Water is Available.* Where public water is available, the minimum lot size in which an on-site sewage disposal system may be installed shall conform with comar requirements.

(b) *Required minimum lot size with private water system.* Where public water is not available, the minimum lot size in which an on-site sewage disposal system may be installed shall conform with COMAR requirements.

(m) *Distances.* The following minimum well and septic related distances shall be observed in locating the various components of the on-site sewage disposal system and any required replacement areas:

	<i>Distance in Feet</i>
Well to septic tank/system/septic easement .....	100
Well to new foundations .....	30
Well to pool.....	20
Well to deck .....	10
Well to roads .....	15
Well to driveways.....	10
Well to lot lines .....	10
Well to above ground liquid propane tank.....	10

Well to below ground liquid propane tank .....	100
Well water line to septic tank/system/easement .....	10
Well water line to pool .....	10
Well to tennis court .....	10
Septic easement to house/sunroom .	20
Septic easement to pool .....	20
Septic easement to garage .....	20
Septic easement to deck/patio (not built on a foundation).....	5
Septic easement to liquid propane tank.....	5
Septic easement to tennis court....	10
Septic easement to lot lines.....	10
Septic tank to house without basement .....	10
Septic tank to house with basement	20
Septic tank to pool .....	10
Septic tank to garage.....	10
Septic tank to deck.....	5
Septic tank to liquid propane tank .	5
Septic tank to tennis court.....	5
Storm water infiltration device to well .....	100
Storm water non-infiltrative device to well.....	50
Storm water management to septic easement .....	25

(d) *Site Requirements.* Each on-site sewage disposal system shall conform with the following general principles regarding site:

- (1) **On-site sewage disposal systems shall be located at the point lower than the ground elevation of the well on the premises consistent with the general layout, topography, and surroundings, including abutting lots.**

<i>Establishment</i>	<i>GPD* per Unit</i>	Well to below ground liquid propane tank . . . . .	100
Per space with sewer/service building	175	Well water line to septic tank/system/easement . . . . .	10
Children's camp	50/person	Well water line to pool . . . . .	10
Labor camp	50/person	Well to tennis court . . . . .	10
Luxury camp	100/person	Septic easement to house/sunroom .	20
Day camp (no meals)	15/person	Septic easement to pool . . . . .	20
Warehouse	.03**	Septic easement to garage . . . . .	20
*Gallons per day		Septic easement to deck/patio (not built on a foundation) . . . . .	5
**Gallons per day per square foot (Ord. No. 81, 2006, § 1)		Septic easement to liquid propane tank . . . . .	5
		Septic easement to tennis court . . . . .	10
		Septic easement to lot lines . . . . .	10
		Septic tank to house without basement . . . . .	10
		Septic tank to house with basement	20
		Septic tank to pool . . . . .	10
		Septic tank to garage . . . . .	10
		Septic tank to deck . . . . .	5
		Septic tank to liquid propane tank .	5
		Septic tank to tennis court . . . . .	5
		Storm water infiltration device to well . . . . .	100
		Storm water non-infiltrative device to well . . . . .	50
		Storm water management to septic easement . . . . .	25
		(d) <i>Site Requirements.</i> Each on-site sewage disposal system shall conform with the following general principles regarding site:	
		(1) On-site sewage disposal systems shall be located at the point lower than the ground elevation of the well on the premises consistent with the general layout, topography, and surroundings, including abutting lots.	
	<i>Distance in Feet</i>		
Well to septic tank/system/septic easement . . . . .	100		
Well to new foundations . . . . .	30		
Well to pool . . . . .	20		
Well to deck . . . . .	10		
Well to roads . . . . .	15		
Well to driveways . . . . .	10		
Well to lot lines . . . . .	10		
Well to above ground liquid propane tank . . . . .	10		

John P. McDonough, Secretary of State ~  
 Brian Morris, Acting Administrator, Division of State Documents

[<< Back](#) | [Return to Main COMAR Search Page](#)

### 14 records match your request.

File	Abstract
<a href="#">26.04.02.00.htm</a>	26.04.02.00. Title 26 DEPARTMENT OF THE ENVIRONMENT Subtitle 04 REGULATION OF WATER SUPPLY, SEWAGE DISPOSAL, AND SOLID WASTE Chapter 02 Sewage Disposal and Certain Water Systems for Homes and Other Establishments in the Counties of Maryland Where a Public Sewage System is Not Available Authority: Environment Article, §9-216, 9-217, 9-223, 9-252, 10-103, 10-301, and 10-304, Annotated Code of Maryland
<a href="#">26.04.02.01.htm</a>	26.04.02.01. 01 Definitions.. A. The following terms have the meanings indicated.. B. Terms Defined.. 1) "Aerobic treatment" means a method which utilizes the principal of oxidation in the decomposition of sewage by introduction of air into the sewage or by surface adsorption of air for a sufficient length of time to effect treatment through aerobic bacterial action.2) "Approving Authority" means the Secretary of the Environment or the Secretary's designee.. 3) "Aquifer" means any fo
<a href="#">26.04.02.02.htm</a>	26.04.02.02. 02 General Provisions.. A. The requirements of this chapter apply to new on-site sewage disposal systems, replacements, additions to existing systems, and any material changes in the use of a system.B. On-Site Disposal System.. 1) Notwithstanding any other provision of this regulation, the Department may approve an on-site disposal system:a) For a lot which was approved by the Department as of November 17, 1985 if it meets the Department's regulations and polici
<a href="#">26.04.02.03.htm</a>	26.04.02.03. 03 Conventional On-Site Sewage Disposal Systems.. A. When a community sewerage system is adequate and economically available to the building to be served, the Approving Authority may require a connection to the public system.B. Holding tanks may be used to resolve existing on-site sewage disposal failures when community sewer facilities are not available or on-site repair is not possible. They may not be permitted to serve new construction or for the purpose of adding ca
<a href="#">26.04.02.04.htm</a>	26.04.02.04. 04 Site Evaluation Criteria.. A. On-Site Sewage Disposal Permit.. 1) In determining whether or not to issue an on-site sewage disposal permit, the Approving Authority shall review the appropriateness and design of the proposed system. The review shall include consideration of the following:a) The general topography, geology, soil classification, and hydrology;. b) Surface and subsurface drainage conditions;. c) Soil descriptions, tests and borings;.
<a href="#">26.04.02.05.htm</a>	26.04.02.05. 05 Design and Construction of Conventional On-Site Sewage Disposal Systems.. A. Sewage from bathrooms, kitchens, laundry fixtures, and other household plumbing shall receive adequate treatment from a sewage treatment unit before the effluent discharged to an approved on-site sewage disposal area.B. On-site sewage disposal systems and recovery areas shall be at least 100 feet removed from any water well system in unconfined aquifers and 50 feet from any water well syst
<a href="#">26.04.02.06.htm</a>	26.04.02.06. 06 Non-Conventional On-Site Sewage Disposal Systems.. A. The Department of the Environment and the Approving Authority shall consider all possible methods for correcting existing system failures and providing facilities for homes which lack indoor plumbing and, based on a case-by-case evaluation, provide the best technical guidance in attempting to resolve existing pollution or public health problems. When a public sewer is not available and a conventional on-site system des
<a href="#">26.04.02.07.htm</a>	26.04.02.07. 07 Special Methods of Sewage Collection and Disposal.. A. Privies shall be located and constructed so as to prevent contamination of ground and surface water. They shall be constructed in such a manner as to be insect and rodent free and to prevent odor nuisances. Location and construction plans shall be approved by the Approving Authority before issuing a sewage disposal construction permit.B. Chemical toilets shall be constructed of impervious materials, vented to
<a href="#">26.04.02.08.htm</a>	26.04.02.08. 08 Scavenging.. All solid and liquid contents of chemical toilets, septic tanks, seepage pits, privies, and watertight holding tanks for septic tank effluent shall be removed when necessary and disposed of in conformance with COMAR 26.04.06.
<a href="#">26.04.02.09.htm</a>	26.04.02.09. 09 Variances.. The Department of the Environment may grant variances to area, well siting, distances and slope requirements of these regulations upon the recommendation of the Approving Authority provided that the public health is protected.

<a href="#"><u>26.04.02.10.htm</u></a>	26.04.02.10. 10 Appeal.. A person aggrieved by a final decision of the Approving Authority in a contested case has the right to have the decision reviewed in accordance with the provisions of the Administrative Procedure Act and other applicable statutes and regulations. All appeals shall be filed with the Director, Water Management Administration, within 30 days after notification of the final decision by the Approving Authority.
<a href="#"><u>26.04.02.11.htm</u></a>	26.04.02.11. 11 Penalty.. A person who violates any provision of these regulations shall, upon conviction, be guilty of a misdemeanor and subject to a fine of not less than \$50 and not more than \$100 for each offense. Each day's failure to comply with any provision of these regulations shall constitute a separate violation. The Approving Authority may also seek injunctive relief to enforce provisions of this regulation by initiating appropriate civil proceedings.
<a href="#"><u>26.04.02.12.htm</u></a>	26.04.02.12. 12 Map..
<a href="#"><u>26.04.02.9999.htm</u></a>	26.04.02.9999. Administrative History Effective date:. Regulations .01—05 effective November 16, 1953; amended effective July 1, 1957, November 15, 1957, June 8, 1965, October 15, 1966, April 1, 1967, December 1, 1970 Regulations .01E and .02C amended, .02C-1 adopted effective December 17, 1984 (11:25 Md. R. 2134). Regulations .06—16 effective November 16, 1953. Regulation .17 effective June 1, 1957. Regulations .18—21 effective November 16, 1953 —. Regulations .01—21 repeal

[<< Back](#) | [Return to Main COMAR Search Page](#)



**Peter Li**

---

**From:** Michael Barsa  
**Sent:** Tuesday, October 23, 2012 4:55 PM  
**To:** Peter Li  
**Subject:** FW: Fwd: Question Regarding Private Drinking Water Well Placement in Relation to Septic Field

Hi Peter,

I just heard back from MDE regarding what COMAR says about a private well's relation to a septic field.

Essentially, COMAR does say that the well must be located at least 100 feet upgradient of anything on-site sewage-related (septic tank or field). The requirement is only 50 feet upgradient for confined aquifers though.

Variance to the requirement of well placement can be granted depending on the site-specific hydrogeology though - I would assume this means that if specific groundwater flow direction can be determined, the well can be more precisely placed (not just in the general sense) such that it won't run the risk of being contaminated by the septic system.

Hope that gives you the information you need – let me know if I can do anything else to help!

Thanks!  
-Mike

**From:** Jay Prager [<mailto:jprager@mde.state.md.us>] 410-537-3780  
**Sent:** Tuesday, October 23, 2012 4:41 PM  
**To:** Michael Barsa  
**Cc:** John Boris 410-537-3678  
**Subject:** Re: Fwd: Question Regarding Private Drinking Water Well Placement in Relation to Septic Field

Dear Mr. Barsa,

Please see the following excerpt from COMAR 26.04.02 that addresses your questions:

## **.05 Design and Construction of Conventional On-Site Sewage Disposal Systems.**

A. Sewage from bathrooms, kitchens, laundry fixtures, and other household plumbing shall receive adequate treatment from a sewage treatment unit before the effluent discharged to an approved on-site sewage disposal area.

B. On-site sewage disposal systems and recovery areas shall be at least 100 feet removed from any water well system in unconfined aquifers and 50 feet from any water well system in confined aquifers.

C. On-site sewage disposal systems shall be located downgrade from private water supplies. A variance to this requirement may be granted by the Department of the Environment after consideration of the hydrogeologic conditions and recommendations of the Approving Authority. If you have further questions please feel free to either contact me or John Boris at [jboros@mde.state.md.us](mailto:jboros@mde.state.md.us).

Jay Prager

>>> Michael Barsa <[Michael.Barsa@ertcorp.com](mailto:Michael.Barsa@ertcorp.com)> 10/19/2012 4:25 PM >>>

Hello,

I was wondering if COMAR or any other regulatory document specifies a minimum distance that drinking water wells must be located away from septic fields? If so, I would assume the drinking water well would have to be located upgradient of the septic field?

COMAR 26.04.04.09.B seems to imply that the State of Maryland is more concerned with general potability of the water coming from the well, and it seems that it is up to the individual county to make a determination of distance the well needs to be from the septic field.

Just from my research, it appears that counties such as Montgomery and Howard require private drinking water wells to be ~100 ft or more from the septic field. I haven't been able to find any language in any of these regulations dictating whether they are concerned if the well is upgradient or downgradient.

Is this a correct assessment? Maryland is essentially the regulatory agency on water quality and the individual counties are more or less the regulatory agencies on private well placement?

Thanks for any and all information you can provide!

-Mike Barsa

**Michael W. Barsa**

*Project Environmental Scientist/Deputy Project Manager,  
Environmental Services Division*



ERT, Inc.

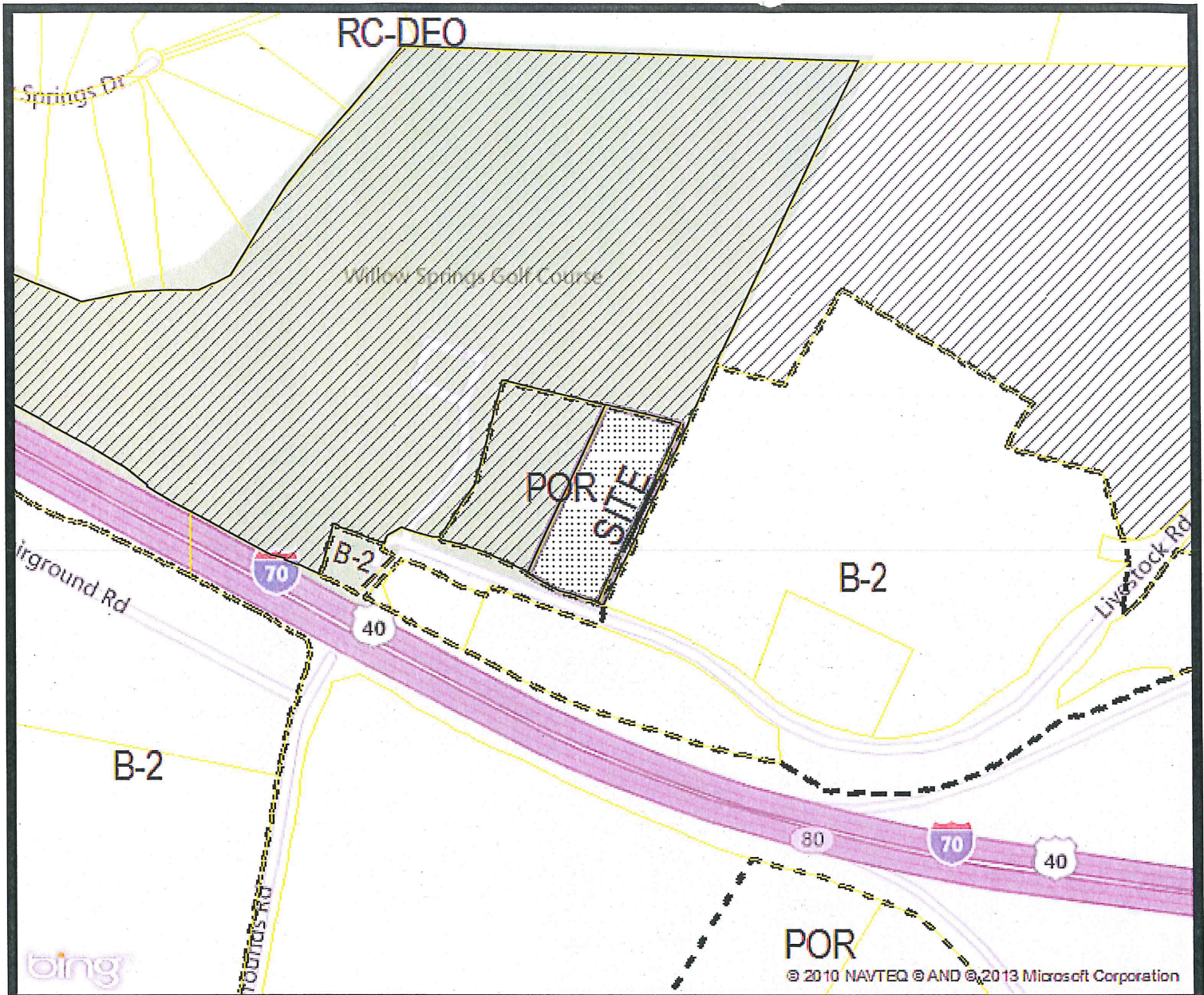
6100 Frost Place, Suite A  
Laurel, MD 20707

**Phone:** 301-323-1447 | **Cell:** 410-703-6213 | **Fax:** 301-361-0659

[michael.barsa@ertcorp.com](mailto:michael.barsa@ertcorp.com)

[www.ertcorp.com](http://www.ertcorp.com)

The information contained in this communication may be confidential, is intended only for the use of the recipient named above, and may be legally privileged. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please re-send this communication to the sender and delete the original message and any copy of it from your computer system. Thank You



1	2	3	4	5		
6	7	8	9	10	11	
12	13	14	15	16	17	18
19	20	21	22	23	24	25
	27	28	29	30	31	32
	33	34	35	36	37	38
	39	40	41	42	43	44
		45	46	47	48	
			50			



Zoning Map General Plan Amendment: **15.001** Tax ID: **1403344568**  
 Current Zoning: **POR** Council District: **5**  
 Tax Map: **15** Grid: **4** Parcel: **145** Lot: **PAR B**  
 Address: **12962 LIVESTOCK RD**

## Regner, Robin

---

**From:** Tolliver, Sheila  
**Sent:** Friday, June 28, 2013 8:51 AM  
**To:** Hamilton, Cindy; McLaughlin, Marsha; Boone, Laura; Hartner, John E; Kampe, Douglas  
**Cc:** Sager, Jennifer; Wimberly, Theo; Regner, Robin; Tolliver, Sheila  
**Subject:** RE: Planning Bd agenda for 7/11

From last night:

There is an error in one of the maps in the group 15.001, 15.002, 15.003; Marsha agreed to submit an amendment correcting that error. We also are likely to need a new map changing the zoning recommended to B-1 or CAT (to be decided); however, the error correction is a separate (administration) amendment.

On 14.001, Marsha agreed to do a new map (amendment) showing the split in the property on the map. This also is an administration amendment.

Greg Fox indicated an interest in bringing in an additional property on the corner adjacent to the 14.001 and 14.002 properties and making it B-1 or POR (to be decided; it's currently a veterinarian); I don't have information on address, etc., and we will need a map for that property when he decides what zoning designation to give it. If you have the property address, etc., please send it (otherwise we'll get it from Greg)

Greg Fox is exploring CCT zoning for 15.005; if he wants to amend that, we'll need a map with that designation in the text at the bottom.

I think the maps we have are PDF's, which we can't edit. If we have them in a format that can be edited to change the zoning designation in the text at the bottom of each map (and if there's no concurrent change in the map itself), of course, we can do that. I've included everything I had in my notes, however, just to give you some notice and to keep them in a record. We may have better clarity after today's work session.

Sheila

-----Original Message-----

**From:** Hamilton, Cindy  
**Sent:** Friday, June 28, 2013 8:20 AM  
**To:** McLaughlin, Marsha; Boone, Laura; Hartner, John E; Kampe, Douglas  
**Cc:** Tolliver, Sheila; Sager, Jennifer  
**Subject:** Re: Planning Bd agenda for 7/11

JJ and Doug have already produced the maps for the 6 potential late rezoning requests which were forwarded to us. Let us know if additional maps are needed.

----- Original Message -----

**From:** McLaughlin, Marsha  
**Sent:** Friday, June 28, 2013 07:18 AM Eastern Standard Time  
**To:** Boone, Laura  
**Cc:** Tolliver, Sheila; Sager, Jennifer; Hamilton, Cindy  
**Subject:** Planning Bd agenda for 7/11

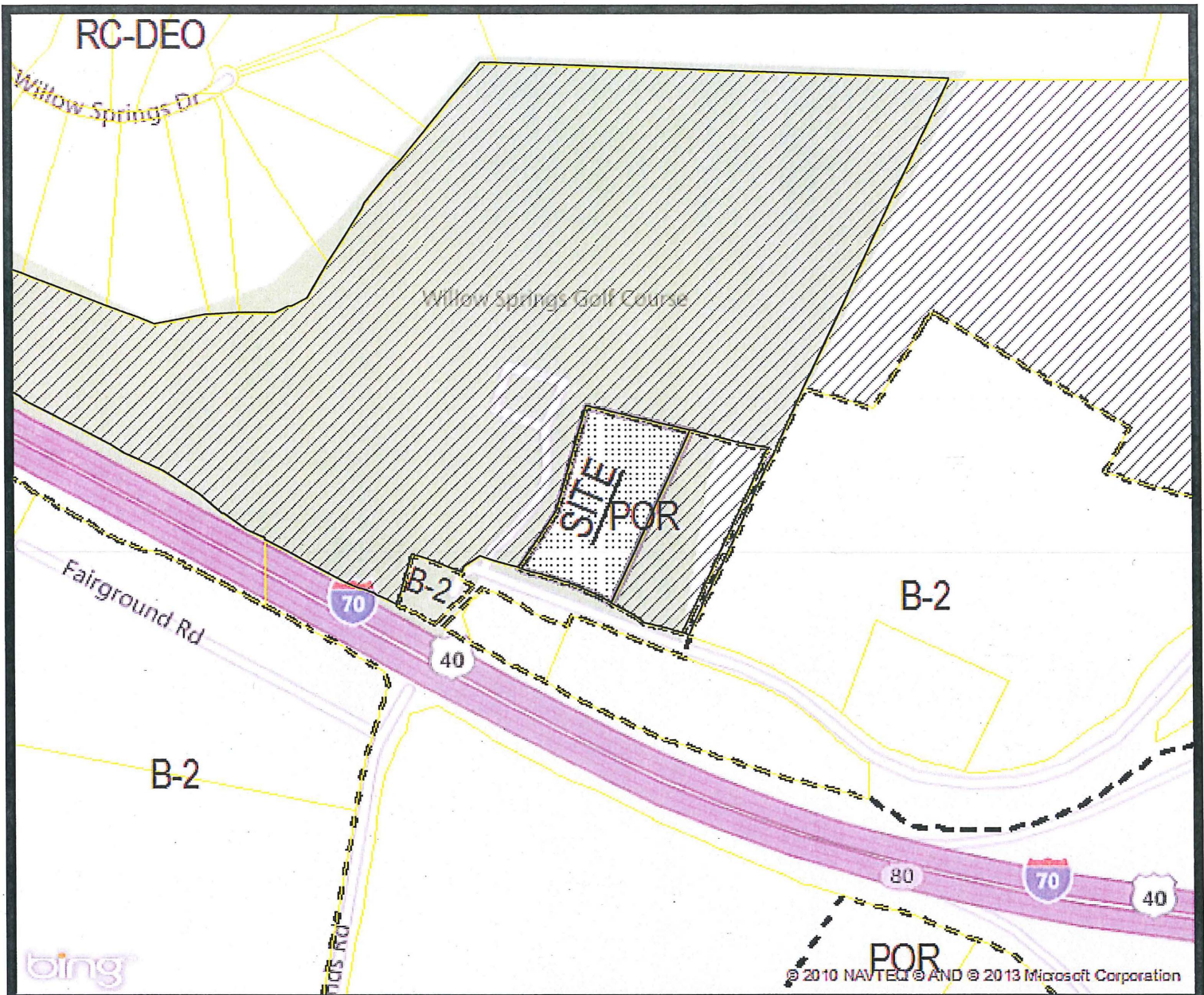
Council won't vote on whether to consider late filed map requests until Sunday, so need to post agenda to web indicating these 6 Comp Zoning map amendments are tentatively scheduled for consideration. Can amend after the vote - expect at least one will be dropped.

Council may add one more, possibly two. Hope to get a decision on late adds by the Council at worksession today. If include, Cindy, will need maps

Marsha McLaughlin, Director  
Dept. of Planning & Zoning  
3430 Courthouse Drive  
Ellicott City, MD 21043

(w) 410 313 4301

(c) 410 206 5478



1	2	3	4	5		
6	7	8	9	10	11	
12	13	14	15	16	17	18
19	20	21	22	23	24	25
	27	28	29	30	31	32
	33	34	35	36	37	38
	39	40	41	42	43	44
		45	46	47	48	
				50		



Zoning Map General Plan Amendment: **15.002** Tax ID: **1403344541**  
 Current Zoning: **POR** Council District: **5**  
 Tax Map: **15** Grid: **4** Parcel: **145** Lot: **PARA**  
 Address: **12966 LIVESTOCK RD**

**ADJOINING PROPERTY OWNERS FOR 12966 LIVESTOCK ROAD**

Willow Springs Limited Partnership  
c/o Thomas C. Beach III  
P.O. Box 31  
West Friendship, MD 21794-0031  
(15.001)  
(15.002)

Livestock Road, LLC  
c/o Gould Property Company  
1725 Desales St. NW, Suite 900  
Washington, DC 20036-4404  
(15.001)  
(15.002)

Roeper Real Estate Holdings, LLC  
12975 Livestock Road  
Sykesville, MD 21784-5630  
(15.002)

---

"  
"

## Requested Zoning

**Search Street:**

LIVESTOCK RD

**Property Information:**

Amendment No.: 15.002  
Current Zoning: POR  
Requested Zoning: RC-DEO  
Tax Account ID.: 1403344541  
Map: 15  
Grid: 4  
Parcel: 145  
Lot: PAR A  
Acres: 4.53  
Address: 12966 LIVESTOCK RD  
City/State/Zip: WEST FRIENDSHIP, MD 21794

**Owner:**

Name: WILLOW SPRINGS I LIMITED PARTNERSH  
Email: tbeach@wtplaw.com  
Phone: 410-347-8722  
Mailing Address: PO BOX 31  
City/State/Zip: WEST FRIENDSHIP, MD 21794

**Representative:**

Name: Thomas C. Beach III  
Email: tbeach@wtplaw.com  
Phone: 4103478722  
Mailing Address: Suite 1500, Steven St. Paul St.  
City/State/Zip: Baltimore, MD 21202

**Decision:**

Planning Board Decision:  
Planning Board Vote:  
Council Decision:  
Council Vote:



CH

DEC 5 - 2012

# Zoning Map Amendment Request Form

**Howard County**  
**Comprehensive Zoning Plan**  
Department of Planning and Zoning

[Word 2007 Version]  
Before filling out this form, please read the  
Instructions section at the end of the form.

### A. Property Information

1	Address / Street (Only)	12962/66/80	Livestock Road
2	Tax Map Number	15	Grid 0004
3	Parcel(s)	145	
4	Lot(s)	Lot 29/ Parcel A/ Parcel B	
5	Tax Account Data:	District 03	Account # 344568/ 344541/ 313417
6	Size of Property:	Acres	Square feet 16,940
7	The Property is currently zoned:	POR/ POR/ RC-DEO	
	I request that the Property be rezoned to:	POR to RC-DEO/ RC-DEO to POR	

### B. Owner Information

8	Owner Name	Willow Springs I Limited Partnership/Thomas C. Beach III, Pres.	
9	Mailing street address or Post Office Box	P. O. Box 31, 13343 Pipes Lane	
	City, State	West Friendship, MD	
	ZIP Code	21794-0031	
	Telephone (Main)	410-347-8722	
	Telephone (Secondary)	410-489-9490	
	Fax	410-223-3722	
10	E-Mail	tbeach@wtplaw.com	

### C. Representative Information

11	Name	Thomas C. Beach III/ Whiteford, Taylor & Preston, LLP	
	Mailing street address or Post Office Box	Suite 1500, Seven St. Paul St.	
	City, State	Baltimore, MD	
	ZIP	21202	
	Telephone (Main)	410-347-8722	

**RECEIVED**

DEC - 5 2012

DIV. OF PUBLIC SERVICE & ZONING

**C. Representative Information**

Telephone (Secondary)	410-347-8700
Fax	410-223-3722
E-Mail	tbeach@wtplaw.com
12 Association with Owner	Attorney/client

**D. Alternate Contact [If Any]**

Name	
Telephone	
E-Mail	

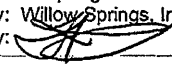
**E. Explanation of the Basis / Justification for the Requested Rezoning**

13 To rezone 24'X704' m/l strip on east side of Parcel B (originally intended to be an access fee strip to northeast corner of property before Parcels A&B were subdivided from original parcel) from RC-DEO to POR to conform to zoning of Parcels A & B; to rezone rear strip on northerly edge of Parcels A & B from POR back to RC-DEO, the same zoning as Lot 29. Narrow strip on easterly edge of what is now Parcel B was inadvertently left out of configuration for "proposed" Parcels A & B when subdivided, thus separating POR zoned parcels from property line of adjoining commercial parcel owned by entity which will acquire Parcels A & B from Owner. There will be no net loss of RC-DEO land nor of POR land. This is first step in an eventual swap of strips accomplished by a reconfiguration of Lot 29, Parcel A, and Parcel B, all of which are contiguous.

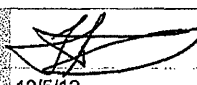
**F. List of Attachments/Exhibits**

14 1.) Plat showing current layout of Parcels A & B and part of Lot 29; Willow Highlands at Willow Springs Golf Course.  
 2.) Plat showing revised layout of Parcels A & B and Part of Lot 29; Willow Highlands at Willow Springs Golf Course.

**G. Signatures**

15 Owner Willow Springs I Limited Partnership Owner (2)  
 By: Willow Springs, Inc., Gen. Partner  
 By:  President  
 Date 12/5/12 Date

Additional owner signatures?  the box to the left and attach a separate signature page.

16 Representative Signature  Thomas C. Beach III  
 Date 12/5/12

DPZ Use Only	Amendment No. 15.002
Notes	

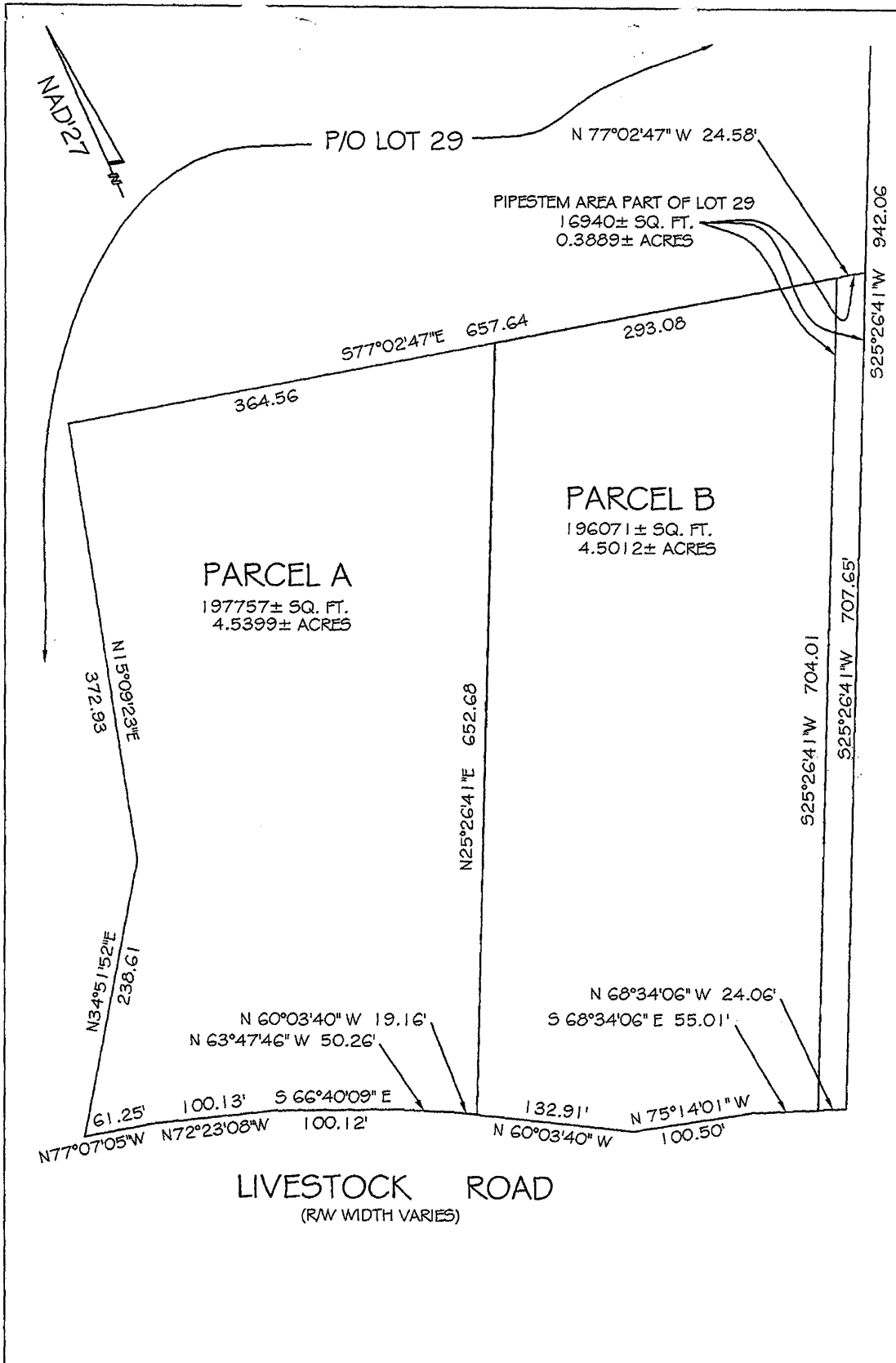
## H. Instructions for the Comprehensive Zoning Plan Zoning Map Amendment Request Form

<p><b>General Instructions</b></p>	<p>This form was designed for use as a Microsoft Office Word 2007 document. It is preferred that these request forms be filled out using this Word version. If you want to fill out a hand-written (or typed) request form instead, there is a different form available for that method.</p> <p>To move between the table entry areas, you can Tab or Right Mouse Click. The table entry areas are formatted; do not alter this formatting.</p> <p><b>You must maintain the integrity of the request form as a two-page form.</b> The table areas within the form are "expandable", but <b>request forms expanded beyond the two-page format will be not be accepted.</b> If you cannot fit the information within the allotted space, mainly in Section E and Section F, include attachments as indicated in the instructions below.</p> <p>Only paper request forms with original signatures will be accepted for processing (i.e., no email or faxed versions). When you submit the request form, please <u>do not include these instruction pages.</u></p>
------------------------------------	--

 **THESE INSTRUCTIONS ARE KEYED TO THE ITEM NUMBERS TO THE LEFT OF THE AREAS TO ENTER INFORMATION.**

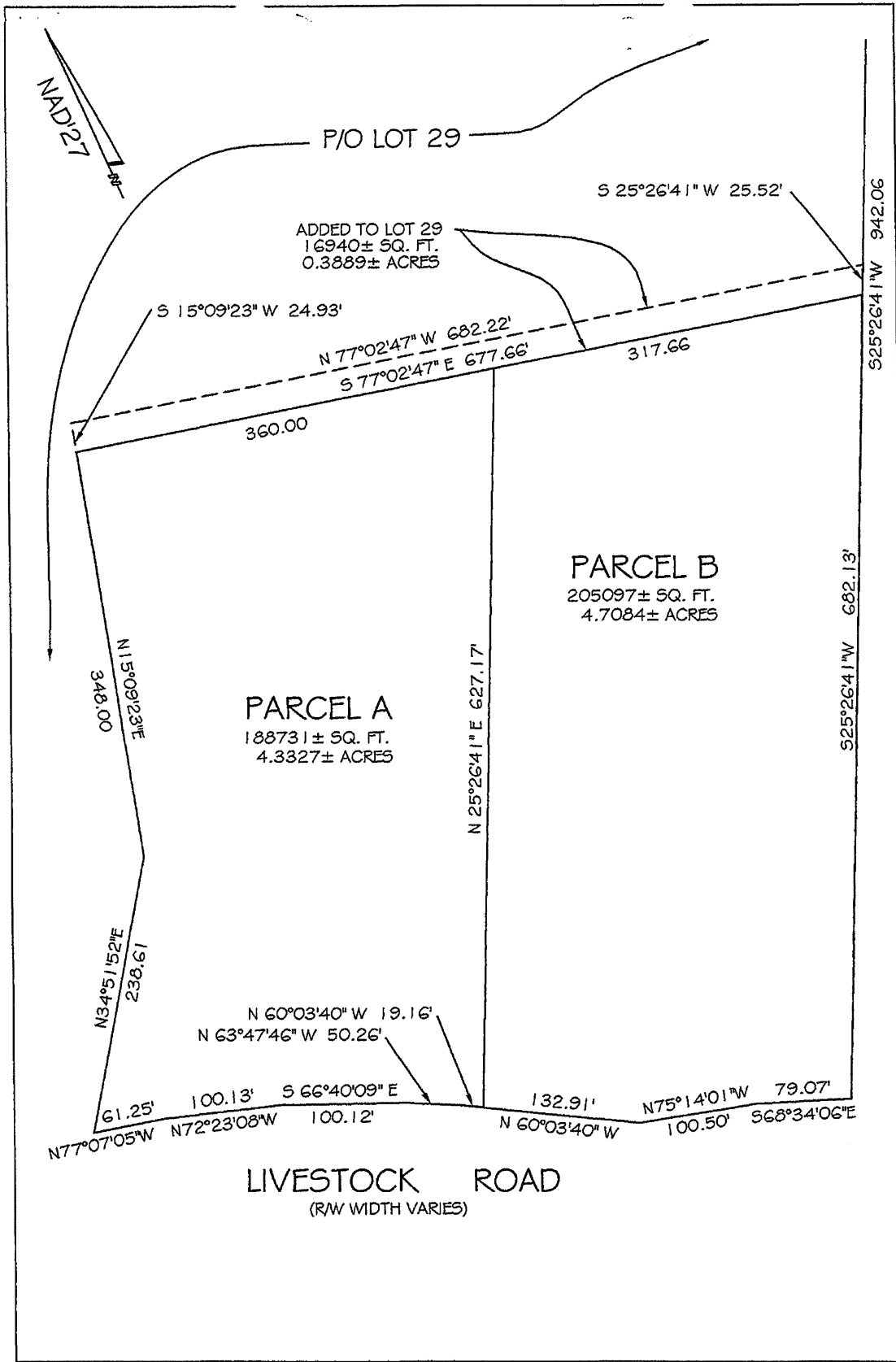
8	Owner Name
1	Enter the street address number and the street name only (not the "City, State, Zip"). Only use the official address number and street name as assigned by Howard County [the addresses given in the State Department of Assessments and Taxation data can often not be the official addresses, and could lead to confusion.]
2	Enter the one or two digit Tax Map number and Grid number as assigned to the property/properties by the State Department of Assessments and Taxation ("SDAT"). If you do not know, you can determine these online by going to: <a href="http://sdatcert3.resiusa.org/rp_rewrite/">http://sdatcert3.resiusa.org/rp_rewrite/</a> , and search for Howard County properties.
3 & 4	Enter the Parcel and Lot number(s) as assigned by SDAT. Multiple numbers should be separated commas. If there is no Lot number, enter "N/A". Do not enter any other numbers which may be shown on the SDAT search page under "Sub District", "Subdivision", "Section", "Block", or "Assessment Area".
5	Enter the two digit District number and the six digit Account number as assigned by SDAT. These appear near the top of the SDAT search page as <div style="margin-left: 40px;"> <small>Account Identifier:                      District - 02 Account Number - 218488</small> </div>
6	If the property is one acre or larger, enter the number in "Acres". If the property is smaller than one acre, enter the number in "Square Feet". Leave the other one blank.
7	For these entries, you must enter the Zoning District "codes" as listed on Page 2 of the Zoning Regulations, (for a link to the Zoning Regulations, go to <a href="http://www.howardcountymd.gov/compzoning">www.howardcountymd.gov/compzoning</a> ), or eventually, the codes for new districts that may be proposed in the Comprehensive Zoning Plan. Enter the code only, (examples; "RC" or "B-2"), not the description (examples; "Rural Conservation" or "Business: General"). You must enter a single specific district request. Do not enter multiple district requests (i.e., "B-1 or B-2 or SC"; "R-SA-8 or R-A-15").
8	Enter the property owner(s) name according to the SDAT search page for the property, except you do not need to put the last name first like SDAT does. If the property owner is a business entity of some type, enter the business entity name.
9	Enter the mailing address at which the property owner(s) will directly receive mail, and the telephone number(s) which can be used to directly contact the property owner(s). If the property owner is a business entity, also enter the appropriate contact person's name next to the telephone number(s).
10	Enter the email address(es) which can be used to contact the property owner(s). Although this entry is optional in consideration of those who may not use email, it is highly recommended that you provide this information if you do use email because email is a quick, effective, and relatively non-intrusive method of contacting applicants. If you are reluctant to provide a personal email address, please consider setting up an alternate email address for this purpose.
11	Enter the name and other contact information of the person officially representing the property owner(s), if applicable.
12	Enter the description of how the representative is associated with the property owner(s) (e.g., "Attorney", "Contract Purchaser", "Employee", "Designated Representative")





**SHANABERGER & LANE**  
 8726 TOWN & COUNTRY BLVD.  
 SUITE 201  
 ELLICOTT CITY, MD 21043  
 (410) 461-9563  
 (410) 461-9693 fax  
 home@shanlane.com

CURRENT LAYOUT OF  
**PARCELS A AND B AND PART OF LOT 29**  
**WILLOW HIGHLANDS AT**  
**WILLOW SPRING GOLF COURSE**  
 3RD ELECTION DISTRICT, HOWARD COUNTY, MD  
 TAX MAP 15 BLOCK 4 P/O PARCEL 145  
 SCALE: 1"= 100' DATE: 11/21/2012



**SHANABERGER & LANE**  
8726 TOWN & COUNTRY BLVD.  
SUITE 201  
ELLICOTT CITY, MD 21043  
(410) 461-9563  
(410) 461-9693 fax  
home@shanlane.com

REVISED LAYOUT  
**PARCELS A AND B AND PART OF LOT 29**  
WILLOW HIGHLANDS AT  
WILLOW SPRING GOLF COURSE  
3RD ELECTION DISTRICT, HOWARD COUNTY, MD  
TAX MAP 15 BLOCK 4 P/O PARCEL 145  
SCALE: 1"= 100' DATE: 11/21/2012



# Howard County Council

George Howard Building  
3436 Court House Drive  
Ellicott City, Maryland 21043-4392

## COUNCILMEMBERS

Jennifer Terrasa, Chairperson  
District 3  
Mary Kay Sigaty, Vice Chairperson  
District 4  
Courtney Watson  
District 1  
Calvin Ball  
District 2  
Greg Fox  
District 5

March 11, 2013

Willow Springs I Limited partnership  
P.O. Box 31  
West Friendship, MD 21794

Dear Sir or Madam:

You are receiving this letter because you filed a Zoning Map Amendment Request Form/Howard County Comprehensive Zoning Plan or a Zoning Regulation Amendment Request Form/Howard County Comprehensive Plan.

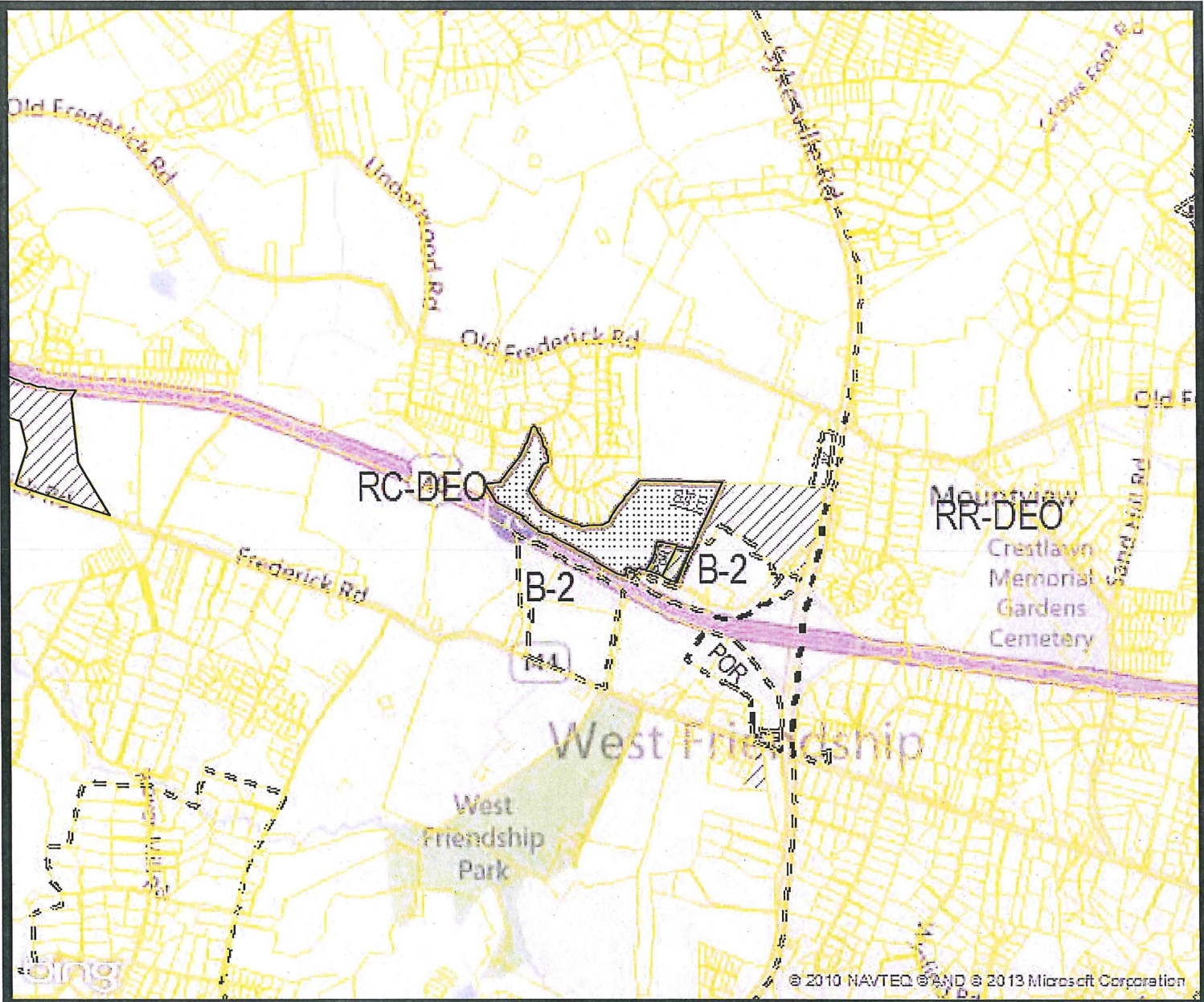
Please be advised that on March 7, 2013, the Howard County Ethics Commission determined that the Zoning Map Request Form needs to be accompanied by certain affidavits and disclosures. The Commission also determined that the Zoning Regulation Amendment Form needs to be accompanied by certain affidavits and disclosures when the Form proposes to "increase the density of the land of the applicant."

The Commission directed me to notify applicants of their obligation to file the affidavit and disclosure. The obligation is set forth in Md. Code Ann., St. Gov't, Sec. 15-849(b), which provides in part, **"the affidavit or disclosure shall be filed at least 30 calendar days prior to any consideration of the application by an elected official."**

Accordingly, I am enclosing for your use the approved affidavit packet. Completed forms may be mailed to the Administrative Assistant to the Zoning Board at 3430 Court House Drive, Ellicott City, MD 21043.

Very truly yours,

Stephen M. LeGendre  
Administrator



1	2	3	4	5		
6	7	8	9	10	11	
12	13	14	15	16	17	18
19	20	21	22	23	24	25
	27	28	29	30	31	32
	33	34	35	36	37	38
	39	40	41	42	43	44
		45	46	47	48	
				50		



Zoning Map General Plan Amendment: **15.003** Tax ID: **1403313417**  
 Current Zoning: **RC-DEO** Council District: **5**  
 Tax Map: **15** Grid: **4** Parcel: **145** Lot: **29**  
 Address: **12980 LIVESTOCK RD**



"  
"

## Requested Zoning

**Search Street:**

LIVESTOCK RD

Next

**Property Information:**

Amendment No.: 15.003

Current Zoning: RC-DEO

Requested Zoning: POR

Tax Account ID.: 1403313417

Map: 15

Grid: 4

Parcel: 145

Lot: 29

Acres: 100.87

Address: 12980 LIVESTOCK RD

City/State/Zip: WEST FRIENDSHIP, MD 21794

**Owner:**

Name: WILLOW SPRINGS I LIMITED PARTNERSH

Email: tbeach@wtplaw.com

Phone: 4103478722

Mailing Address: PO BOX 31

City/State/Zip: WEST FRIENDSHIP, MD 21794

**Representative:**

Name: Thomas C. Beach III

Email: tbeach@wtplaw.com

Phone: 4103478722

Mailing Address: Suite 1500, Stven St. Paul St.

City/State/Zip: Baltimore, MD 21202

**Decision:**

Planning Board Decision:

Planning Board Vote:

Council Decision:

Council Vote:

64

# Zoning Map Amendment Request Form

**Howard County**  
**Comprehensive Zoning Plan**  
Department of Planning and Zoning

[Word 2007 Version]  
Before filling out this form, please read the  
Instructions section at the end of the form.

## A. Property Information

1	Address / Street (Only)	12962/66/80	Livestock Road
2	Tax Map Number	15	Grid 0004
3	Parcel(s)	145	
4	Lot(s)	Lot 29/ Parcel A/ Parcel B	
5	Tax Account Data:	District 03	Account # 344568/ 344541/ 313417
6	Size of Property:	Acres	Square feet 16,940
7	The Property is currently zoned:	POR/ POR/ RC-DEO	
	I request that the Property be rezoned to:	POR to RC-DEO/ RC-DEO to POR	

## B. Owner Information

8	Owner Name	Willow Springs I Limited Partnership/Thomas C. Beach III, Pres.	
9	Mailing street address or Post Office Box	P. O. Box 31, 13343 Pipes Lane	
	City, State	West Friendship, MD	
	ZIP Code	21794-0031	
	Telephone (Main)	410-347-8722	
	Telephone (Secondary)	410-489-9490	
	Fax	410-223-3722	
10	E-Mail	tbeach@wtplaw.com	

## C. Representative Information

11	Name	Thomas C. Beach III/ Whiteford, Taylor & Preston, LLP	
	Mailing street address or Post Office Box	Suite 1500, Seven St. Paul St.	
	City, State	Baltimore, MD	
	ZIP	21202	
	Telephone (Main)	410-347-8722	

**RECEIVED**

DEC - 5 2012

DIV. OF PUBLIC SERVICE & ZONING

**C. Representative Information**

Telephone (Secondary)	410-347-8700
Fax	410-223-3722
E-Mail	tbeach@wtplaw.com
L2 Association with Owner	Attorney/client

**D. Alternate Contact [If Any]**

Name	
Telephone	
E-Mail	


**E. Explanation of the Basis / Justification for the Requested Rezoning**

13 To rezone 24'X704' m/l strip on east side of Parcel B (originally intended to be an access fee strip to northeast corner of property before Parcels A&B were subdivided from original parcel) from RC-DEO to POR to conform to zoning of Parcels A & B; to rezone rear strip on northerly edge of Parcels A & B from POR back to RC-DEO, the same zoning as Lot 29. Narrow strip on easterly edge of what is now Parcel B was inadvertently left out of configuration for "proposed" Parcels A & B when subdivided, thus separating POR zoned parcels from property line of adjoining commercial parcel owned by entity which will acquire Parcels A & B from Owner. There will be no net loss of RC-DEO land nor of POR land. This is first step in an eventual swap of strips accomplished by a reconfiguration of Lot 29, Parcel A, and Parcel B, all of which are contiguous.

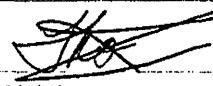
**F. List of Attachments/Exhibits**

14 1.) Plat showing current layout of Parcels A & B and part of Lot 29; Willow Highlands at Willow Springs Golf Course.  
 2.) Plat showing revised layout of Parcels A & B and Part of Lot 29; Willow Highlands at Willow Springs Golf Course.

**G. Signatures**

15 Owner	Willow Springs I Limited Partnership	Owner (2)
	By: Willow Springs, Inc., Gen. Partner	
	By:  President	
Date	12/5/12	Date

Additional owner signatures?  the box to the left and attach a separate signature page.

16 Representative Signature	 Thomas C. Beckett
Date	12/5/12

DPZ Use Only	Amendment No. 15.003
Notes	

## H. Instructions for the Comprehensive Zoning Plan Zoning Map Amendment Request Form

This form was designed for use as a Microsoft Office Word 2007 document. It is preferred that these request forms be filled out using this Word version. If you want to fill out a hand-written (or typed) request form instead, there is a different form available for that method.

To move between the table entry areas, you can Tab or Right Mouse Click. The table entry areas are formatted; do not alter this formatting.

### General Instructions

**You must maintain the integrity of the request form as a two-page form.** The table areas within the form are "expandable", but **request forms expanded beyond the two-page format will be not be accepted.** If you cannot fit the information within the allotted space, mainly in Section E and Section F, include attachments as indicated in the instructions below.

Only paper request forms with original signatures will be accepted for processing (i.e., no email or faxed versions). When you submit the request form, please do not include these instruction pages.

### ↓ THESE INSTRUCTIONS ARE KEYED TO THE ITEM NUMBERS TO THE LEFT OF THE AREAS TO ENTER INFORMATION.

8	Owner Name
1	Enter the street address number and the street name only (not the "City, State, Zip"). Only use the official address number and street name as assigned by Howard County [the addresses given in the State Department of Assessments and Taxation data can often not be the official addresses, and could lead to confusion.]
2	Enter the one or two digit Tax Map number and Grid number as assigned to the property/properties by the State Department of Assessments and Taxation ("SDAT"). If you do not know, you can determine these online by going to: <a href="http://sdatcert3.resiusa.org/rp_rewrite/">http://sdatcert3.resiusa.org/rp_rewrite/</a> , and search for Howard County properties.
3 & 4	Enter the Parcel and Lot number(s) as assigned by SDAT. Multiple numbers should be separated commas. If there is no Lot number, enter "N/A". Do not enter any other numbers which may be shown on the SDAT search page under "Sub District", "Subdivision", "Section", "Block", or "Assessment Area".
5	Enter the two digit District number and the six digit Account number as assigned by SDAT. These appear near the top of the SDAT search page as <b>Account Identifier: District - 02 Account Number - 218488</b>
6	If the property is one acre or larger, enter the number in "Acres". If the property is smaller than one acre, enter the number in "Square Feet". Leave the other one blank.
7	For these entries, you must enter the Zoning District "codes" as listed on Page 2 of the Zoning Regulations, (for a link to the Zoning Regulations, go to <a href="http://www.howardcountymd.gov/compzoning">www.howardcountymd.gov/compzoning</a> ), or eventually, the codes for new districts that may be proposed in the Comprehensive Zoning Plan. Enter the code only, (examples; "RC" or "B-2"), not the description (examples; "Rural Conservation" or "Business: General"). You must enter a single specific district request. Do not enter multiple district requests (i.e., "B-1 or B-2 or SC"; "R-SA-8 or R-A-15").
8	Enter the property owner(s) name according to the SDAT search page for the property, except you do not need to put the last name first like SDAT does. If the property owner is a business entity of some type, enter the business entity name.
9	Enter the mailing address at which the property owner(s) will directly receive mail, and the telephone number(s) which can be used to directly contact the property owner(s). If the property owner is a business entity, also enter the appropriate contact person's name next to the telephone number(s).
10	Enter the email address(es) which can be used to contact the property owner(s). Although this entry is optional in consideration of those who may not use email, it is highly recommended that you provide this information if you do use email because email is a quick, effective, and relatively non-intrusive method of contacting applicants. If you are reluctant to provide a personal email address, please consider setting up an alternate email address for this purpose.
11	Enter the name and other contact information of the person officially representing the property owner(s), if applicable.
12	Enter the description of how the representative is associated with the property owner(s) (e.g., "Attorney", "Contract Purchaser", "Employee", "Designated Representative")

13 Enter a brief explanation of why you believe the requested new zoning for the property is more appropriate than the existing zoning and/or the factors that justify the requested new zoning district or are evidence of why the current zoning district is no longer appropriate. As noted above in the General Instructions, do not expand the table beyond the space given. If you want or need to provide a longer explanation than can fit in the space given, enter the most concise summary explanation as you can, and then state "See the attached continuation". It is required that you provide a true summary statement on the form at a minimum. **Forms will not be accepted** if Section E. only includes a statement like "See attached supplement", "See attached exhibit" or similar. The purpose of this is to give persons an "at-a-glance" basic understanding of the request, without requiring an in-depth review of all the longer explanation details.

14 If there are attachments or exhibits, enter a list of the items here in the format: 1. [Description of first attachment]; 2. [Description of second attachment]; etc. To save space, list across left-to-right, not as a table with each item on its own line. The purpose of this section is to have a list to check against the exhibits, in case an exhibit might become lost or misplaced.

15 All property owners of record must sign the request. Prior to printing the form and signing it, enter the name of the person signing at the top-left portion of the signature area:

15	Owner	Jane Doe
----	-------	----------

Please note that if the property owner is a business entity, this entry should be the name of the person authorized to sign on behalf of that entity, not the name of the entity. Then print the form and sign and date it in ink. (Remember, there is no need to print these instructions!) If your printer supports duplex printing (i.e., printing on both sides), print the form that way, otherwise, print as two pages. If there are more than two property owners of record, "X" the box as indicated and provide an attached page with any additional names and signatures.

16 If applicable, the person listed as the representative in Section C. signs and dates here.

**Deadline for Submission**                      **Forms must be submitted no later than 5:00 p.m. on December 14, 2012.**

**How to Submit the Form**

To submit the form by mail or other delivery service, the address is:

**Ms. Cindy Hamilton, Chief**  
**Division of Public Service and Zoning Administration**  
**Department of Planning and Zoning**  
**3430 Court House Drive**  
**Ellicott City, Maryland 21043**

To submit the form in person, drop off at:    **Zoning Service Counter, 1<sup>st</sup> Floor**  
**3430 Court House Drive**  
**8:00 a.m. to 5:00 p.m., M through F**

**We require forms with original signatures, so we are unable to accept or process forms sent in by email or by fax.**

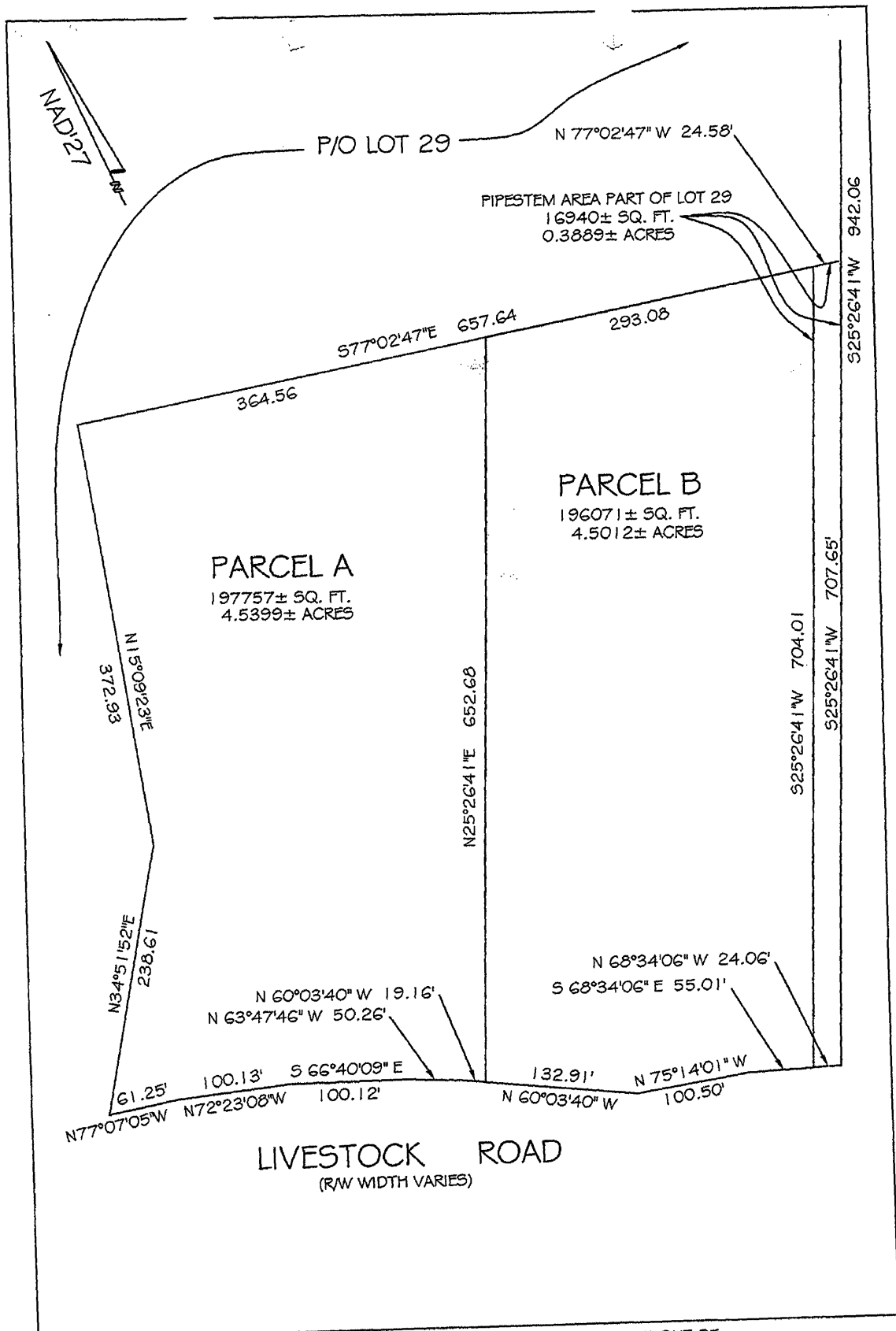
**Fee**    **\$250 for each map amendment request. Checks payable to "Director of Finance".**

**If You Have Any Questions**

Principal contact in the Division of Public Service and Zoning Administration:

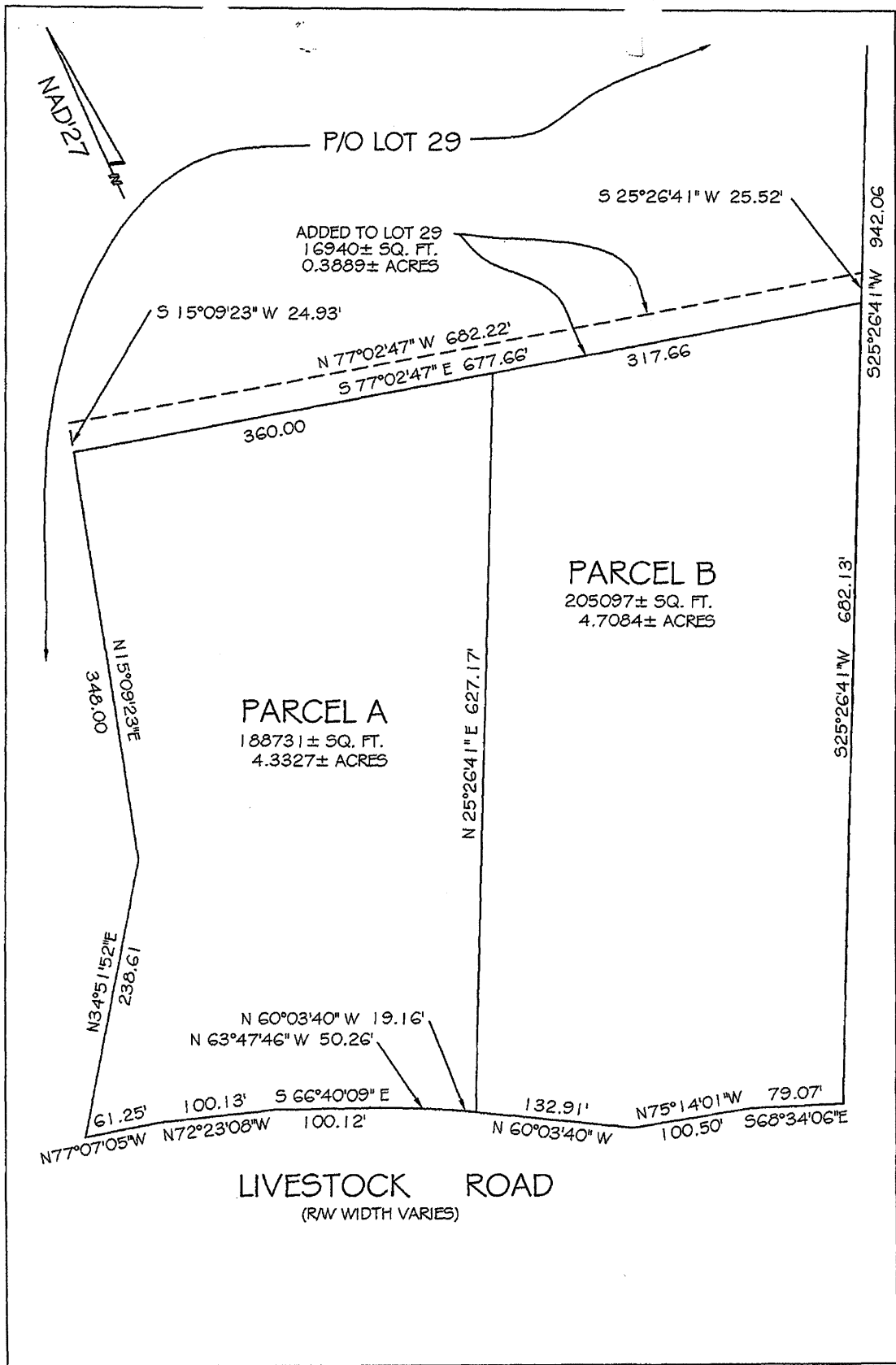
Bob Lalush                                      [compzoning@howardcountymd.gov](mailto:compzoning@howardcountymd.gov)

Secondary Contacts at same email address: Cindy Hamilton - Zan Koldewey - JJ Hartner  
**Due to staff time constraints in conducting the Comprehensive Zoning process concurrently with the usual case load, email is the preferred method of communication.** Phone messages can be left at 410-313-0500, but responses may be delayed at times. We apologize for any inconvenience caused by such a delay.



**SHANABERGER & LANE**  
 8726 TOWN & COUNTRY BLVD.  
 SUITE 201  
 ELLICOTT CITY, MD 21043  
 (410) 461-9563  
 (410) 461-9693 fax  
 home@shanlane.com

CURRENT LAYOUT OF  
**PARCELS A AND B AND PART OF LOT 29**  
**WILLOW HIGHLANDS AT**  
**WILLOW SPRING GOLF COURSE**  
 3RD ELECTION DISTRICT, HOWARD COUNTY, MD  
 TAX MAP 15 BLOCK 4 P/O PARCEL 145  
 SCALE: 1"= 100' DATE: 11/21/2012



**SHANABERGER & LANE**  
 8726 TOWN & COUNTRY BLVD.  
 SUITE 201  
 ELLICOTT CITY, MD 21043  
 (410) 461-9563  
 (410) 461-9693 fax  
 home@shanlane.com

REVISED LAYOUT  
**PARCELS A AND B AND PART OF LOT 29**  
**WILLOW HIGHLANDS AT**  
**WILLOW SPRING GOLF COURSE**  
 3RD ELECTION DISTRICT, HOWARD COUNTY, MD  
 TAX MAP 15 BLOCK 4 P/O PARCEL 145  
 SCALE: 1"= 100' DATE: 11/21/2012



# Howard County Council

George Howard Building  
3436 Court House Drive  
Ellicott City, Maryland 21043-4392

## COUNCILMEMBERS

Jennifer Terrasa, Chairperson  
District 3  
Mary Kay Sigaty, Vice Chairperson  
District 4  
Courtney Watson  
District 1  
Calvin Ball  
District 2  
Greg Fox  
District 5

March 11, 2013

Willow Springs I Limited partnership  
P.O. Box 31  
West Friendship, MD 21794

Dear Sir or Madam:

You are receiving this letter because you filed a Zoning Map Amendment Request Form/Howard County Comprehensive Zoning Plan or a Zoning Regulation Amendment Request Form/Howard County Comprehensive Plan.

Please be advised that on March 7, 2013, the Howard County Ethics Commission determined that the Zoning Map Request Form needs to be accompanied by certain affidavits and disclosures. The Commission also determined that the Zoning Regulation Amendment Form needs to be accompanied by certain affidavits and disclosures when the Form proposes to "increase the density of the land of the applicant."

The Commission directed me to notify applicants of their obligation to file the affidavit and disclosure. The obligation is set forth in Md. Code Ann., St. Gov't, Sec. 15-849(b), which provides in part, **"the affidavit or disclosure shall be filed at least 30 calendar days prior to any consideration of the application by an elected official."**

Accordingly, I am enclosing for your use the approved affidavit packet. Completed forms may be mailed to the Administrative Assistant to the Zoning Board at 3430 Court House Drive, Ellicott City, MD 21043.

Very truly yours,

Stephen M. LeGendre  
Administrator