

ADJOINING PROPERTY OWNERS FOR 9061 UPTON ROAD

Richard Brame
Jessica Woofter
9081 Upton Road
Ellicott City, MD 21042-2607
(24.002)(24.001)

Upton Properties, LLC
11024 Gaither Farm Road
Ellicott City, MD 21042-6125
(24.002)(24.001)

Emicon LLC
c/o Security Development
P.O. Box 417
Ellicott City, MD 21041-0417
(24.002)(24.001)

RP LLC
5300 Dorsey Hall Dr., Suite 102
Ellicott City, MD 21042-7819
(24.002)(24.001)

"
"

Requested Zoning

Search Street:

UPTON RD

Property Information:

Amendment No.: 24.001

Current Zoning: R-20

Requested Zoning: B-1

Tax Account ID.: 1402245523

Map: 24

Grid: 5

Parcel: 455

Lot:

Acres: 1.2

Address: 9061 UPTON RD

City/State/Zip: ELLICOTT CITY, MD 21042

Owner:

Name: CHOI KWON B

Email: benchoi41@hotmail.com

Phone: 410-561-2300

Mailing Address: 9061 UPTON RD

City/State/Zip: ELLICOTT CITY, MD 21042

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:

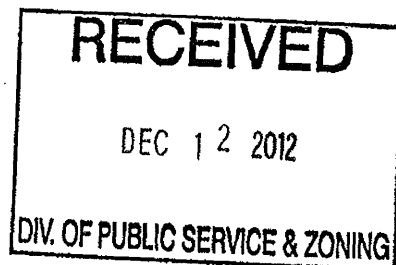
Zoning Map Amendment Request Form

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) 9061 Upton Road
2 Tax Map Number 24 Grid 5
3 Parcel(s) 455
4 Lot(s) N/A
5 Tax Account Data: District 02 Account # 245523



6 Size of Property: Acres 1.202 Square feet

7 The Property is currently zoned: R-20
I-request that the Property be rezoned to: B-1

B. Owner Information

8 Owner Name Kwon B. Choi, Jung Im Choi
9 Mailing street address or Post Office Box 9061 Upton Road
City, State Ellicott City, Maryland
ZIP Code 21042
Telephone (Main) 410-561-2300
Telephone (Secondary) 410-274-0154
Fax
10 E-Mail benchoi41@hotmail.com

C. Representative Information

11 Name Talkin & Oh
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 to the northwest of the interchange of Routes 29 and 40, east of St. Johns Lane. To the immediate west and south of the Property are parcels developed and operating with commercial uses in the B-1 and B-2 districts. Immediately adjoining the Property to the east is an undeveloped parcel zoned POR with conditional use approval for an age restricted development. Given the proximity of the Property to a major County interchange, and the existence of commercial and institutional uses adjoining the Property on three sides, the present use of the Property as a single-family detached dwelling is not the most productive or appropriate use of the Property.

See attached Continuation Sheet.

F. List of Attachments/Exhibits

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

G. Signatures

15 Owner	Kwon B. Choi	Owner (2)	Jung Im Choi
Date	<i>Kwon B. Choi</i> Dec 5, 2012	Date	<i>Jung Im Choi</i> 12/5/12
<input type="checkbox"/>	Additional owner signatures? X the box to the left and attach a separate signature page.		

16 Representative Signature	<i>Jung Im Choi</i>
Date	12-10-12

DPZ Use Only	<i>JRC</i>	Amendment No.	24.001
Notes			

Continuation Sheet

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

- 13 The subject Property is located to the northwest of the interchange of Routes 29 and 40, east of St. Johns Lane. To the immediate west and south of the Property are parcels developed and operating with commercial uses in the B-1 and B-2 districts. Immediately adjoining the Property to the east is an undeveloped parcel zoned POR with conditional use approval for an age restricted development. Given the proximity of the Property to a major County interchange, and the existence of commercial and institutional uses adjoining the Property on three sides, the present use of the Property as a single-family detached dwelling is not the most productive or appropriate use of the Property.

In 2004, the Route 40 Enhancement Study was completed. One of the goals identified in that study was the need to "[r]ecognize the economic vitality of this commercial corridor. The Route 40 Corridor is a vital part of the Howard County economy. The businesses along the corridor offer services to the adjoining residential areas and employment opportunities for county residents. Additional opportunities to accommodate multiple market segments, including retail and service businesses, local professional offices, and entertainment/recreational uses, should be identified so that the corridor can continue to grow and flourish." Route 40 Enhancement Study, pp. 13-14. The study also concluded that there was sufficient demand in the Route 40 Corridor for additional retail space and professional offices. Route 40 Enhancement Study, p. 14.

Plan Howard 2030 recognizes the need to continue the revitalization of the Route 40 Corridor. Policy 5.9 of PlanHoward 2030 is to "[c]ontinue to enhance the vitality of the Route 40 Corridor," partially through the encouragement of commercial renovation. PlanHoward 2030, p. 63.

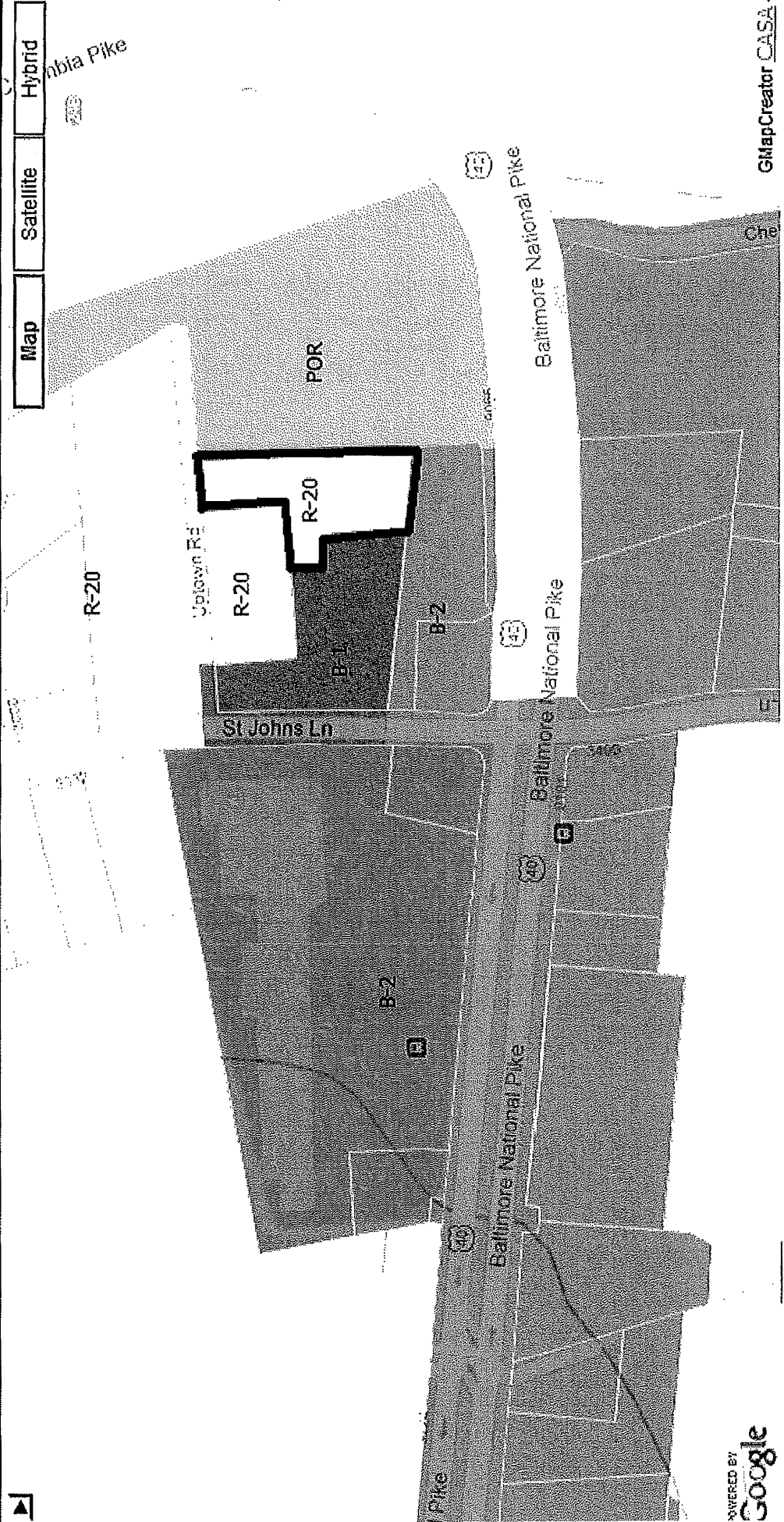
Given that many residential properties in the Route 40 Corridor are in established neighborhood communities, opportunities for additional commercial development in the area are scarce. Additionally, while many developers are trending away from commercial development and towards residential development, a demand still exists in the Route 40 corridor for high quality, attractive office and retail businesses. As the Enhancement Study determined, the Route 40 Corridor is a vital part of the Howard County economy, and additional opportunities for commercial development, in appropriate areas, should be seized.

The subject Property is ideally located to address these PlanHoward 2030 and Route 40 Corridor goals. The Property is situated between two developed commercial parcels and a third parcel scheduled for age-restricted housing. Given its location, the Property is currently ill-suited for its existing single-family residence use and for the potential additional residential lot that the Property could support through minor subdivision. Instead, the Property should be rezoned to a commercial district and developed in a manner that is compatible with the adjoining business uses and supportive of the future age-restricted development. The proposed rezoning of the Property will allow it to be developed in a way that will support the continued growth of the Route 40 Corridor.

Howard County, MARYLAND

Street View | Help

Map Satellite Hybrid



POWERED BY Google

GMapCreator CASA



Howard County Council

George Howard Building
3444 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

Kwon Choi
9061 Upton Road
Ellicott City, MD 21042

Dear M. Choi:

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.

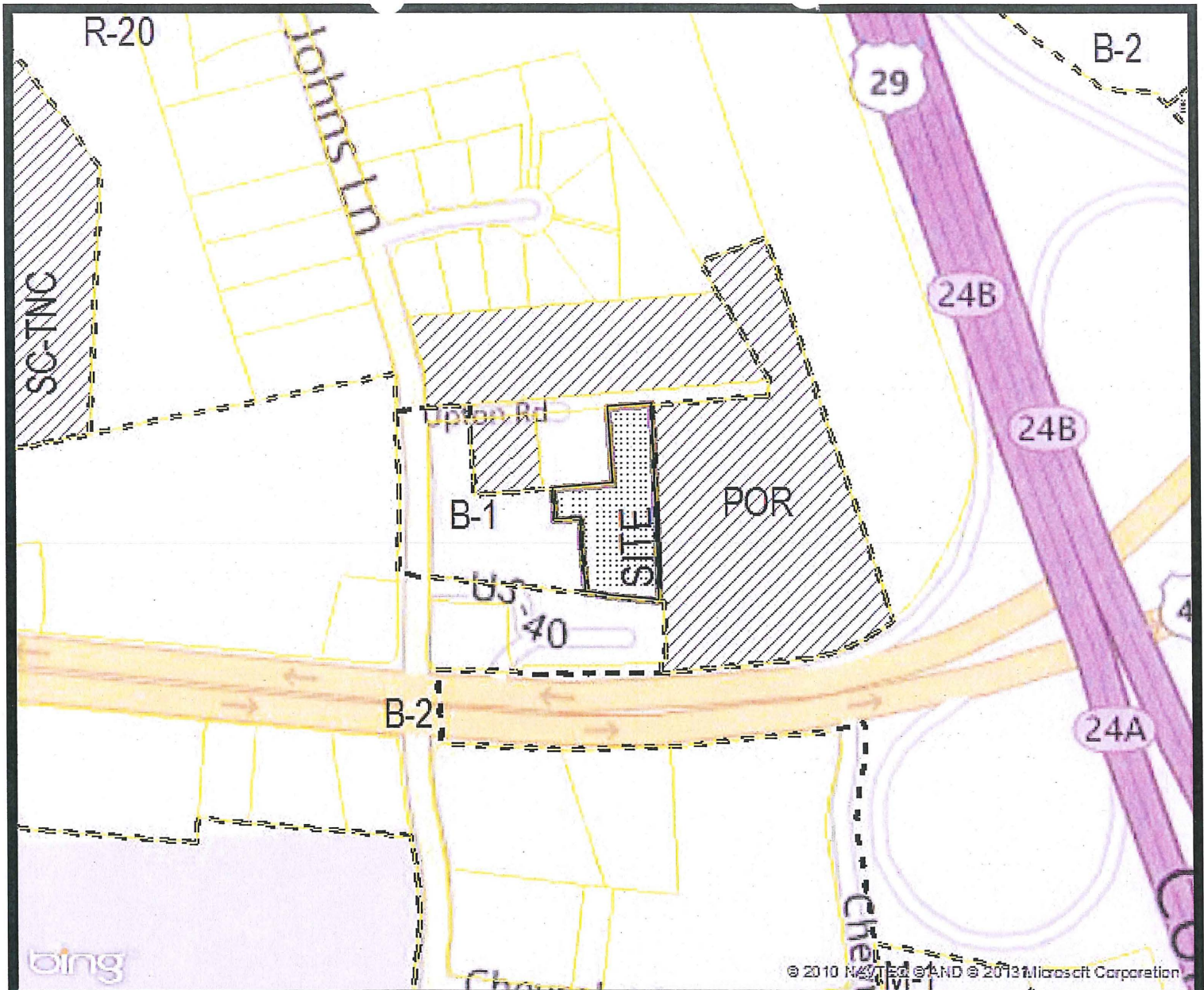
Please be advised that on March 7, 2013, the Howard County Ethics Commission determined that the Zoning Map Request Form needs to be accompanied by certain affidavits and disclosures. The Commission also determined that the Zoning Regulation Amendment Form needs to be accompanied by certain affidavits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

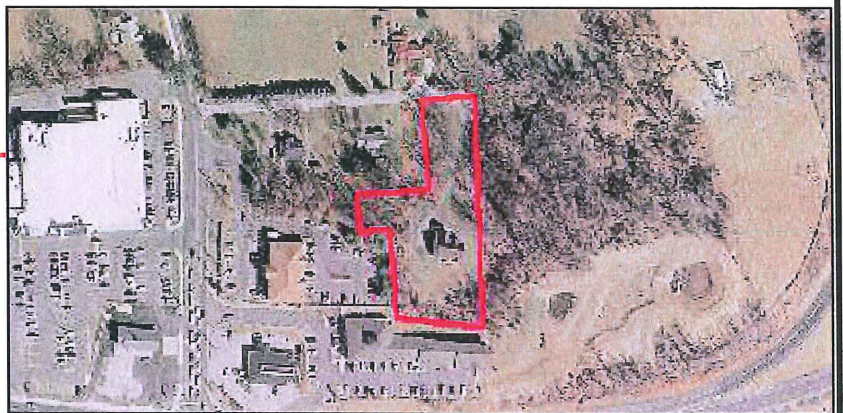
Very truly yours,

Stephen M. LeGendre
Administrator



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12	13	14	15	16	17	18
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	33	34	35	36	37	38
	39	40	41	42	43	44
		45	46	47	48	
				50		



Zoning Map General Plan Amendment: 24.001 Tax ID: 1402245523
 Current Zoning: R-20 Council District: 1
 Tax Map: 24 Grid: 5 Parcel: 455 Lot: N/A
 Address: 9061 UPTON RD

ADJOINING PROPERTY OWNERS FOR 9060 UPTON ROAD

Leonard Baldwin
9071 Upton Road
Ellicott City, MD 21042-2607
(24.002)

Richard Brame
Jessica Woofter
9081 Upton Road
Ellicott City, MD 21042-2607
(24.002)

RP LLC
5300 Dorsey Hall Dr., Suite 102
Ellicott City, MD 21042-7819
(24.002)

Upton Properties, LLC
11024 Gaither Farm Road
Ellicott City, MD 21042-6125
(24.002)

Sonya Beall
3300 Ambra Court
Ellicott City, MD 21042-2624
(24.002)

Alvaro & Sandra Ramos
3304 Ambra Court
Ellicott City, MD 21042-2624
(24.002)

Won Joon Kim
Ok Ja Kim
3316 Amrba Court
Ellicott City, MD 21042-2624
(24.002)

Cove Wood Association, Inc.
c/o Nathan Greene
8361 Court Avenue
Ellicott City, MD 21043-4505
(24.002)

Emicon LLC
c/o Security Development
P.O. Box 417
Ellicott City, MD 21041-0417
(24.002)

Le Kiet Hoano
Le Mai Ngoc
3308 Ambra Court
Ellicott City, MD 21042-2624
(24.002)

"
"

Requested Zoning

Search Street:

UPTON RD

Property Information:

Amendment No.: 24.002

Current Zoning: R-20

Requested Zoning: R-SC

Tax Account ID.: 1402227517

Map: 24

Grid: 5

Parcel: 41

Lot:

Acres: 2.99

Address: 9060 UPTON RD

City/State/Zip: ELLICOTT CITY, MD 21042

Owner:

Name: MANAHAN CHRISTINE L

Email: chriscat@therosebudsociety.com

Phone: 858-551-7574

Mailing Address: 6098 LA JOLLA MESA DR

City/State/Zip: LA JOLLA, CA 92037

Representative:

Name: David A. Carney

Email: dac@carneykelehan.com

Phone: 410-740-4600

Mailing Address: 10715 Charter Drive, Suite 200

City/State/Zip: Columbia, MD 21044

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) 9060 Upton Road
2 Tax Map Number 24 Grid 5
3 Parcel(s) 0041
4 Lot(s)
5 Tax Account Data: District 02 Account # 227517
6 Size of Property: Acres 2.993 Square feet

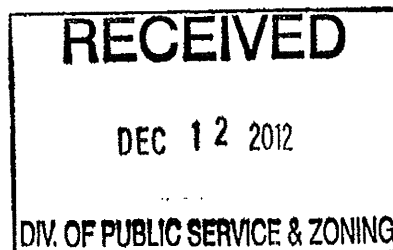
7 The Property is currently zoned: R-20
I request that the Property be rezoned to: RSC or alternatively R-12

B. Owner Information

8 Owner Name Christine Manahan and Charles Manahan, T/C
9 Mailing street address or Post Office Box 6098 La Jolla Mesa Drive 6176 Rosecommon
City, State La Jolla, CA Norcross, GA 30092
ZIP Code 92037-7853
Telephone (Main) 858-551-7574 770-449-7891
Telephone (Secondary)
Fax
10 E-Mail Chriscat@therosebudsociety.com charles.manahan@cingular.com

C. Representative Information

11 Name David A. Carney; Kelehan Bresler Bennett & Scherr, LLP
Mailing street address or Post Office Box 10715 Charter Drive, Suite 200
City, State Columbia, MD
ZIP 21044
Telephone (Main) 410-740-4600



C. Representative Information

Telephone (Secondary)

Fax 410-730-7729

E Mail dac@carneykelehan.com dac@carneykelehan.com

12 Association with Owner Attorney

D. Alternate Contact [If Any]

Name

Telephone

E-Mail

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

13 The Manahan property needs a transitional residential zoning district between R 20 and POR/B-1 See Supplement

The Manahan property needs a transitional residential zoning district between R-20 and POR/B-1. See Supplement.

F. List of Attachments/Exhibits

14 See Supplement
Exhibit 1: Extract from HC GIS System; Exhibit 2: Extract of zoning map;
Exhibit 3: Extract of Tax Maps 17 and 24; Exhibit 4: Plans for Hoenes parcel;
Exhibit 5: Subdivision Plan for Ambra Court; Exhibit 6: Photographs;
Exhibit 7: ADC Maps 11 and 12; Exhibit 8: Extract pages 5 & 7 from Route 40
Enhancement Study and Characterization Report; Exhibit 9: Maps from Route 40 Manual.

G. Signatures

15 Owner Christine L. Manahan Owner (2)

Christine L. Manahan

Date 12/10/12

Date

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

16 Representative Signature David A. Carney David A. Carney

David A. Carney
Attorney

Date 12/11/12

DPZ Use Only	JR	Amendment No.	24.002
Notes			

C. Representative Information

Telephone (Secondary)	
Fax	410-730-7729
E-Mail	dac@carneykelehan.com
12 Association with Owner	Attorney

D. Alternate Contact [If Any]

Name	
Telephone	
E-Mail	

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

13	The Manahan property needs a transitional residential zoning district between R-20 and POR/B-1. See Supplement
----	--

F. List of Attachments/Exhibits

14	See Supplement
----	----------------

G. Signatures

15	Owner	Owner (2)	<i>Charles O Manahan</i>
	Date	Date	12/11/12
			Charles O. Manahan

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

16	Representative Signature	
	Date	

DPZ Use Only		Amendment No.	
Notes			

Zoning Map Amendment Request Form
Christine Manahan and Charles Manahan
9060 Upton Road, Ellicott City, MD 21042

The Petitioners are the adult children of Dorothy Manahan who died on April 28, 2007 at the age of 90. The Manahans have owned the property since 1950. The Manahan property (Property) consists of 2.993 acres on Upton Road which has a length of approximately 1800 feet. It is the only property on the north side of Upton Road and the other properties on Upton Road consist of three residentially zoned properties and the Hoenes parcel which is zoned POR. The Property is near the intersection of Route 40 and Route 29, and the zoning is R-20, B-2, B-1 and POR around the parcel. In the 2004 Comprehensive Rezoning, the Hoenes parcel was the only parcel within the quadrant of Routes 29 and 40 that was not zoned commercial, and was rezoned to POR. Surrounding the Property are 6 homes, 4 of which have lots of 1400 square feet, and 50% is zoned commercial.

The Property necessitates a *transitional* zoning between the R-20 lots and the commercial lots. The appropriate zoning would be RSC which could be developed at four houses per net acre. The two families across Upton Road would consider similar zoning to a transitional use. The other residential owner of Parcel 455 (See Exhibit 1) which is adjacent to the Hoenes parcel, is allegedly seeking a commercial rezoning. That owner has access through a narrow access strip from Upton Road, but the developable portion of his property has commercial zoning on three sides. (See Exhibit 1 and Exhibits 6(a), (b) and (c).)

A review of all the properties bound by Route 40 to the south, Route 29 to the east and I-70 to the north, encompassing a 1½ mile radius from Route 29, has been developed, except for the Hoenes parcel and the Manahan parcel. The Hoenes parcel has development plans as shown

on Exhibit 4. Resurrection Church and School are depicted approximately 3000 feet to the northwest, Baltimore First Adventist Church and Bethel Korean Presbyterian Church is on the other side of Amber Court to the north and east a distance of approximately 1500 feet. Route 29 is located to the east of the property.

By reason of the build out of every parcel, the traffic condition at Route 40 and St. John's Lane would have minimal impact by the development of those undeveloped parcels.

In essence, the Route 40 Enhancement Study dated December 2004 deals with the view shed on both sides of Route 40 and the improvements that are necessary along the commercial corridor. The goals of the Enhancement Study were:

- Create vibrant, mixed use, pedestrian-oriented centers.
- Promote transit to increase mobility and offer an alternative to the private automobile.
- Improve the design of commercial areas.
- Coordinate with other Community Enhancement Programs.

Most of the residential commercial development in the immediate area occurred more than 40 years ago. The Characterization Study examined the Route 40 Corridor Task Force Strategic Plan distilled their study into the following goals:

- Recognize the economic vitality of this commercial corridor.
- Develop a sense of identity for the corridor.
- Use the highway infrastructure wisely.
- Balance development with transportation capacity.
- Prioritize and spend transportation dollars strategically.
- Make pedestrian movement possible.

The Route 40 Design Manual dated July 2010 implemented the previous Route 40 studies. The emphasis of the 2010 study is on proposed land uses, new zoning initiatives to the old shopping centers and the streetscape and improved road improvements. As you can see from the photographs of Exhibit 6 there are many revisions to Commercial properties on both sides of

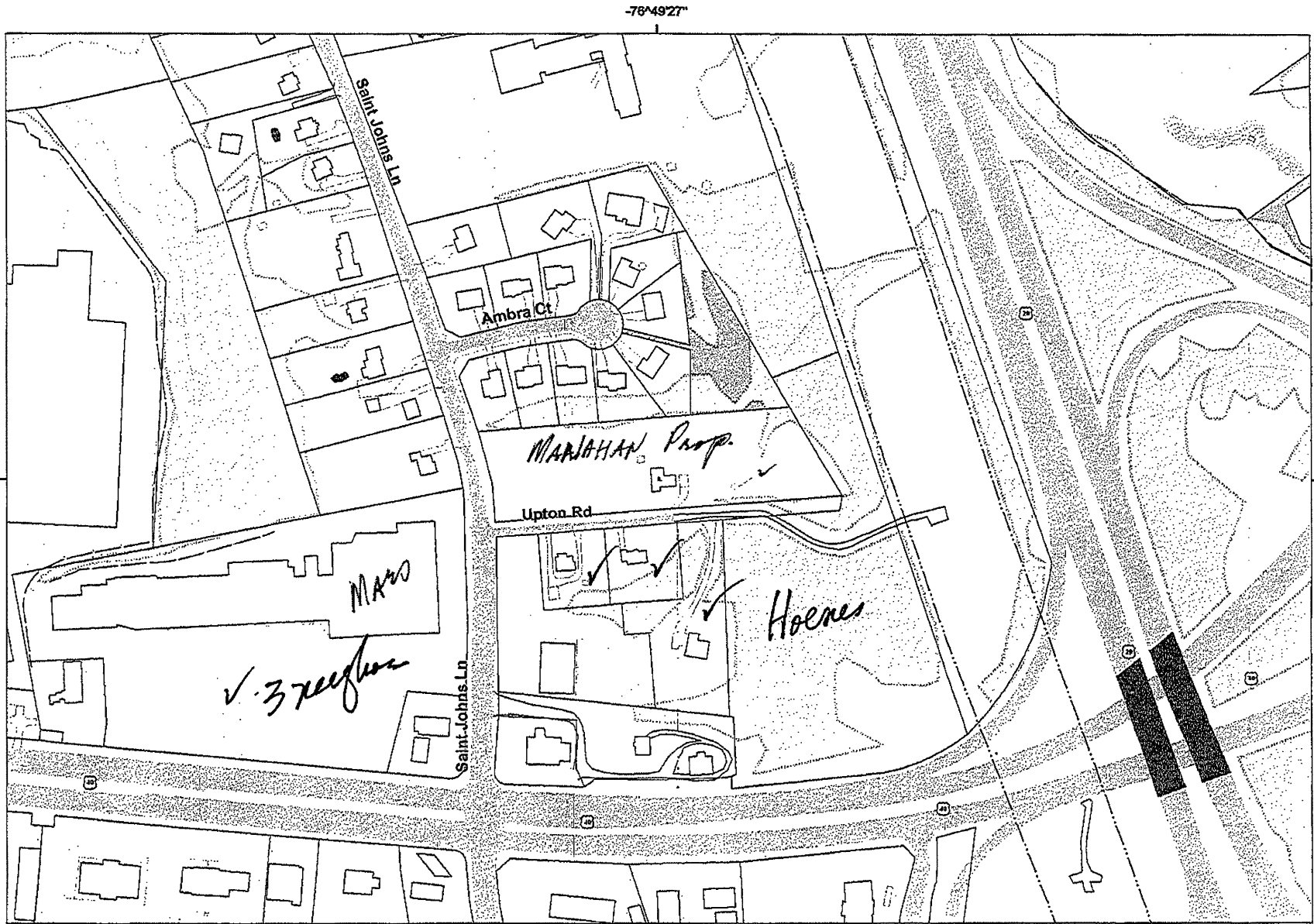
North St. John's Lane. The Manahan property should be protected on their views of St. John's Shopping Center and have a residential district in keeping with the remainder of the Route 40 Study and Design Manual.

No other undeveloped parcel located on the proposed land use changes of Route 40 Manual has residences on a collector adjacent to commercial zoning except the Manahan parcel. It makes the Manahan parcel truly unique in that the parcel is within a commercial area. For that reason the Manahan parcel needs a transitional zoning change. The Manahans are seeking a reclassification to RSC and alternatively R-12. This petition will be supplemented with a site plan that will depict the lots.

Exhibits:

- Exhibit 1: Extract from Howard County GIS System which shows the uses around the Property.
- Exhibit 2: Extract of the zoning map showing existing zoning for the property.
- Exhibit 3: Extract of the Tax Maps 17 and 24.
- Exhibit 4: Plans for the Hoenes Parcel
- Exhibit 5: Subdivision Plan for the houses that access through Ambra Court.
- Exhibit 6(a) thru (m): Photographs depicting the site and the uses around the site.
- Exhibit 7: ADC Maps 11 and 12
- Exhibit 8: Extract of page 5 of the Route 40 Enhancement Study and the goals of Route 40 Characterization Report on page 7
- Exhibit 9: Relevant maps from Route 40 Manual.

EXHIBIT I
12/13 parcel

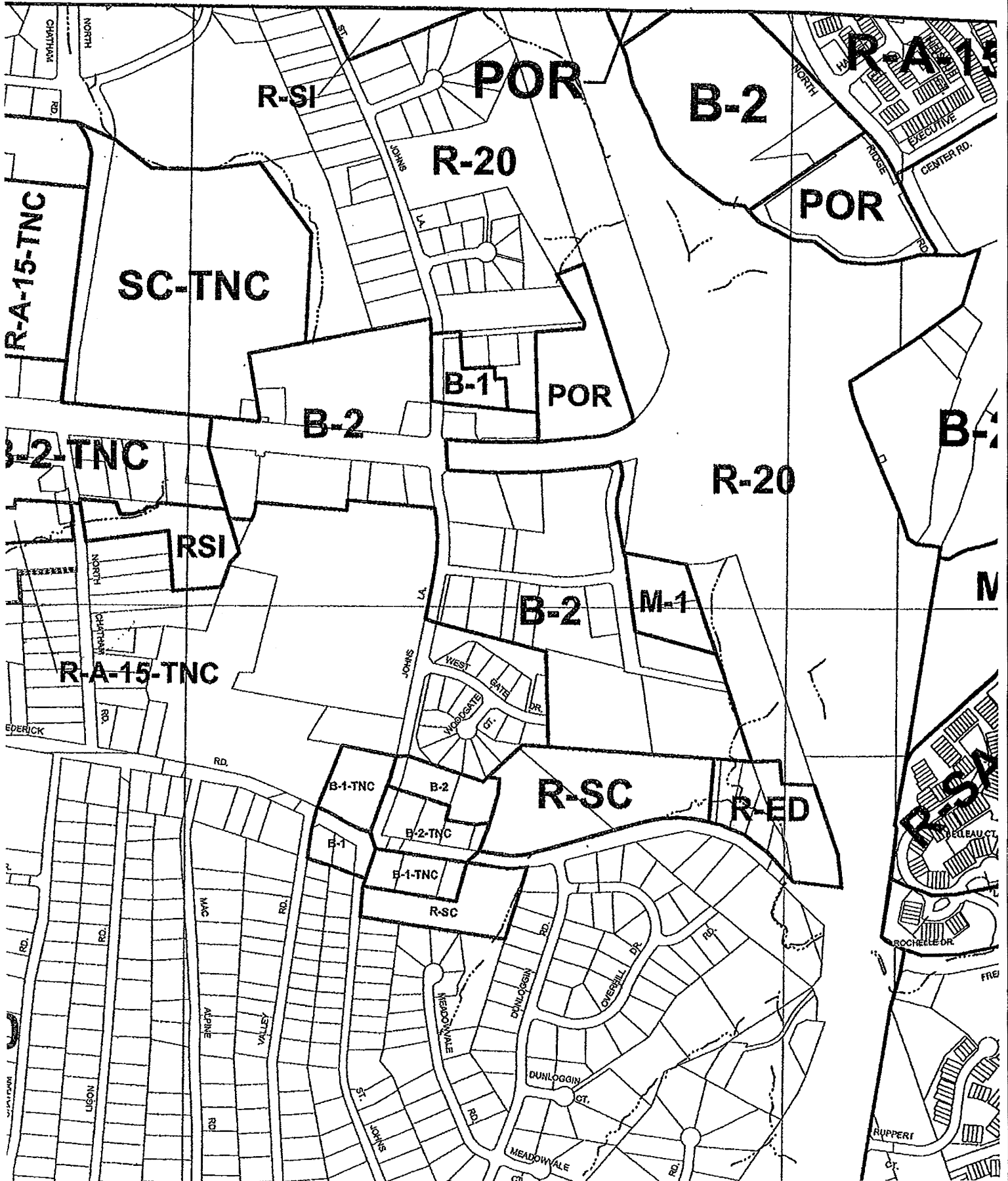


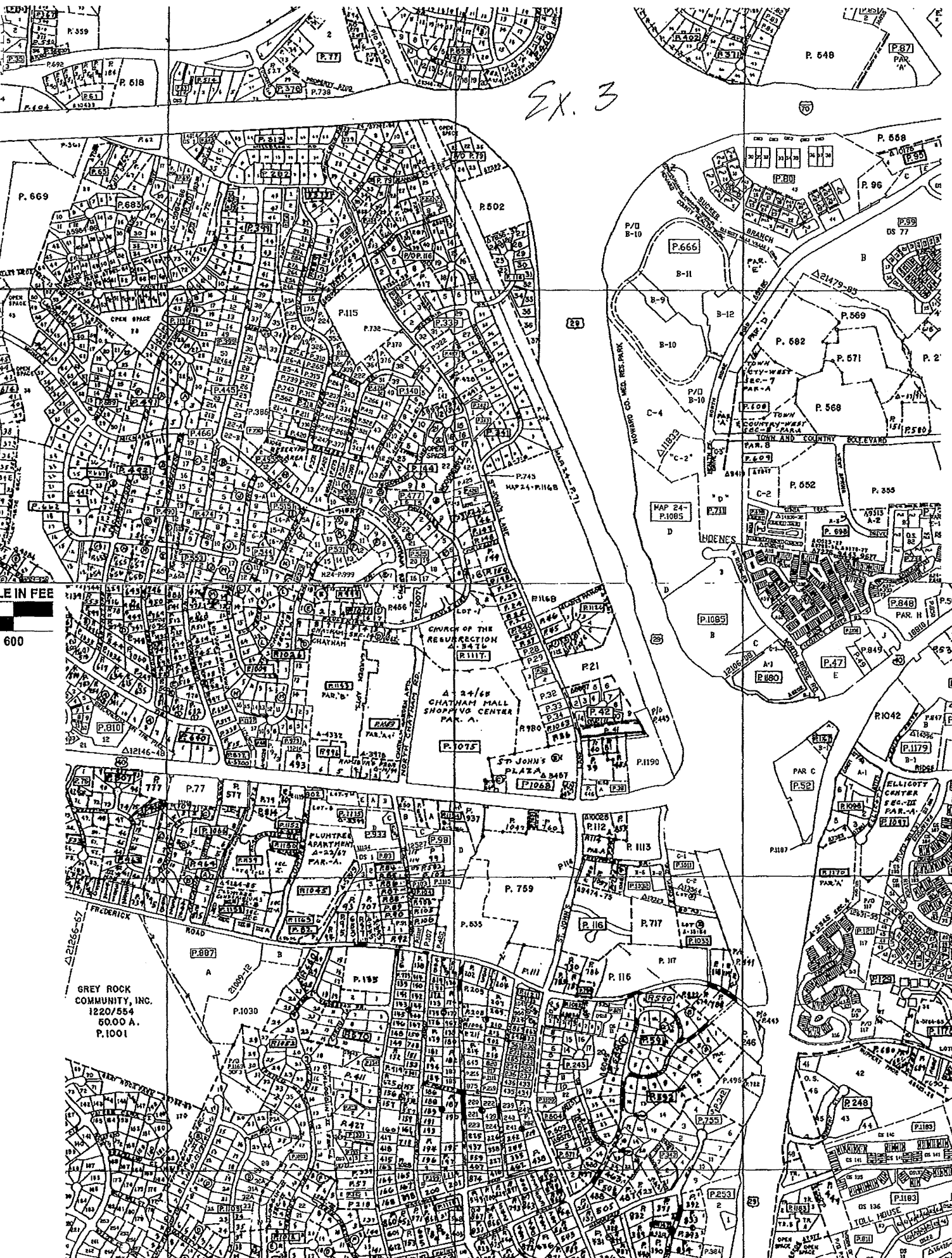
Disclaimer: Howard County, Maryland assumes no responsibility for the accuracy of this report or the information contained herein or derived therefrom. The user assumes all risks and liabilities whatsoever resulting from or arising out of the use of this information. There are no oral agreements or warranties relating to the use of this report.

-76°49'27"



Map 24 7/28/2006 Ex 2





EX. 3

LE IN FEE
600

GREY ROCK COMMUNITY, INC.
1220/554
50.00 A.
P.1001

CHURCH OF THE RESURRECTION
CHATHAM MALL SHOPPING CENTER
PAR. A.

ST. JOHN'S PLAZA
P.1068

TOWN OF WEST
SEC. 7
PAR. A

TOWN AND COUNTRY
BOULEVARD

FREDERICK ROAD

HUNTERDODD ROAD

W. 11TH ST.

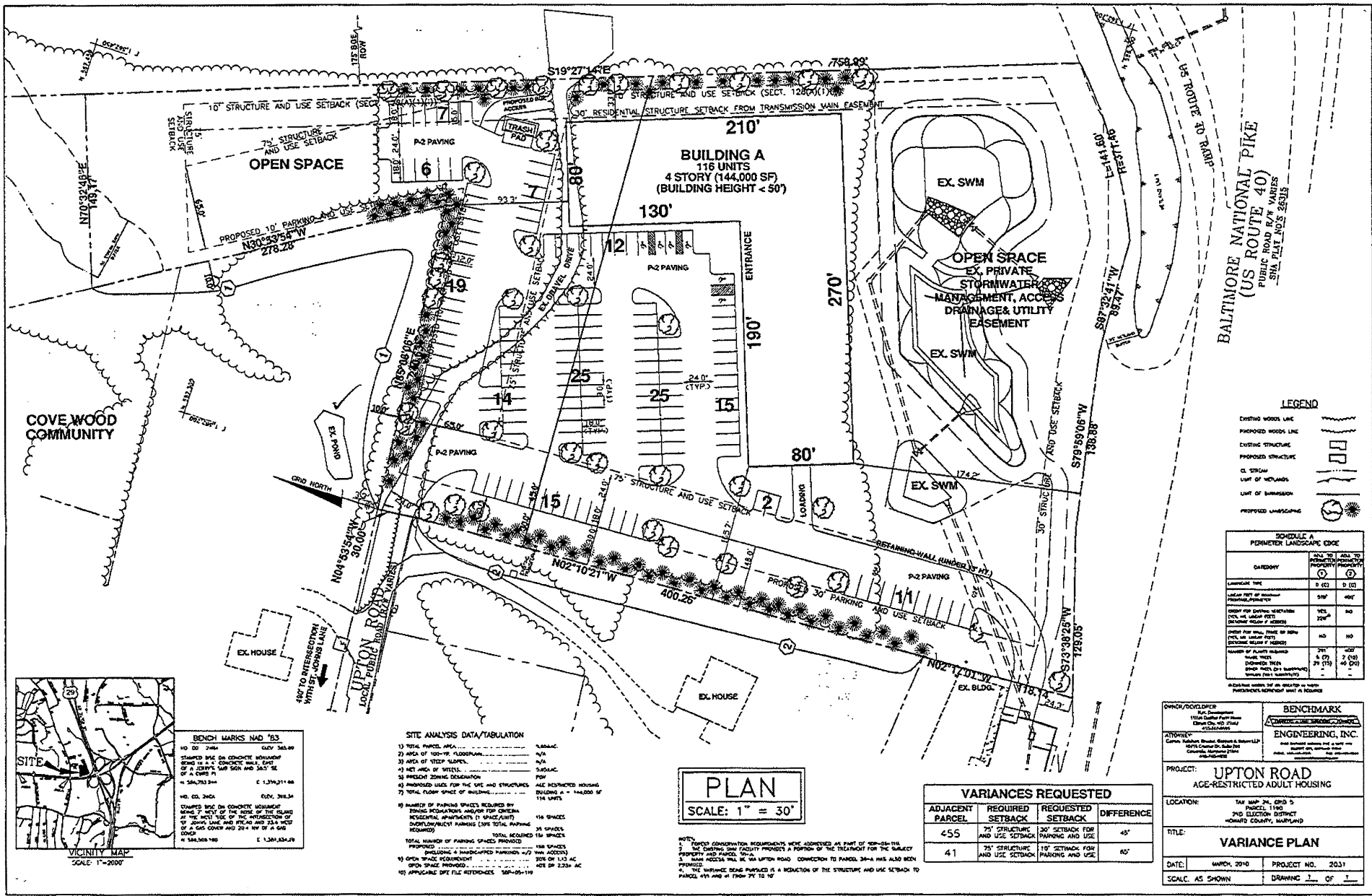
W. 10TH ST.

W. 9TH ST.

W. 8TH ST.

W. 7TH ST.

Ex 4.



COVE WOOD COMMUNITY

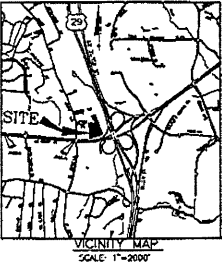
BALTIMORE NATIONAL PIKE
(US ROUTE 40)
PUBLIC ROAD R/W VARIES
SHA PLAT NOS 28315

LEGEND

- EXISTING WOODS LINE
- PROPOSED WOODS LINE
- EXISTING STRUCTURE
- PROPOSED STRUCTURE
- CL STRICH
- LIMIT OF NEIGHBOR
- LIMIT OF JURISDICTION
- PROPOSED LANDSCAPING

SCHEDULE A PERIMETER LANDSCAPE CODE

CATEGORY	ADD TO PERIMETER PROPERTY	ADD TO INTERIOR PROPERTY
Landmark tree	①	②
Landmark tree	③	④
Landmark tree	⑤	⑥
Landmark tree	⑦	⑧
Landmark tree	⑨	⑩
Landmark tree	⑪	⑫
Landmark tree	⑬	⑭
Landmark tree	⑮	⑯
Landmark tree	⑰	⑱
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- SITE ANALYSIS DATA/TABULATION**
- 1) TOTAL PARCEL AREA 2.86 AC
 - 2) AREA OF 100'-TR. FLOORPLAN N/A
 - 3) AREA OF STEEP SLOPE N/A
 - 4) NET AREA OF STREET 2.86 AC
 - 5) PRESENT ZONING DESIGNATION R-10
 - 6) PROPOSED USES FOR THE SITE AND STRUCTURES AGE RESTRICTED HOUSING
 - 7) TOTAL TOWER SPACE OF HOUSING BUILDING A = 144,000 SF
 - 8) NUMBER OF PARKING SPACES REQUIRED BY ZONING REGULATIONS AND/OR FOR CRITERIA 116 SPACES
 - 9) TOTAL NUMBER OF PARKING SPACES PROVIDED 116 SPACES
 - 10) TOTAL NUMBER OF PARKING SPACES PROVIDED BY UNDERGROUND PARKING (LESS TOTAL PARKING REQUIRED) 24 SPACES
 - 11) TOTAL NUMBER OF PARKING SPACES PROVIDED BY UNDERGROUND PARKING (LESS TOTAL PARKING REQUIRED) 92 SPACES
 - 12) TOTAL NUMBER OF PARKING SPACES PROVIDED BY UNDERGROUND PARKING (LESS TOTAL PARKING REQUIRED) 148 SPACES
 - 13) OPEN SPACE PROVIDED 27% OF 1.13 AC
 - 14) OPEN SPACE PROVIDED 27% OF 2.28 AC
 - 15) PROVIDING OPEN SPACE WITHIN 300'-RADIUS

PLAN
SCALE: 1" = 30'

VARIANCES REQUESTED

ADJACENT PARCEL	REQUIRED SETBACK	REQUESTED SETBACK	DIFFERENCE
455	75' STRUCTURE AND USE SETBACK	30' SETBACK FOR PARKING AND USE	45'
41	75' STRUCTURE AND USE SETBACK	10' SETBACK FOR PARKING AND USE	45'

BENCHMARK ENGINEERING, INC.
 1100 Center Point Plaza
 Ellicott City, MD 21043
 410.326.8888

PROJECT: UPTON ROAD AGE-RESTRICTED ADULT HOUSING

LOCATION: TAY MAP 24, GRID D
 PARCEL 116
 2ND ELECTION DISTRICT
 HOWARD COUNTY, MARYLAND

TITLE: VARIANCE PLAN

DATE: MARCH 2010 **PROJECT NO.:** 2031

SCALE: AS SHOWN **DRAWING NO.:** OF 1

NOTES:

1. FORCED CONVERSION REQUIREMENTS WERE ADDRESSED AS PART OF SUB-001-116.
2. THE EXISTING ONE FACILITY PROVIDES A PORTION OF THE TREATMENT FOR THE SUBJECT PROPERTY AND PARCEL 20.
3. UNDERGROUND PARKING IS AN UPTON ROAD CONNECTION TO PARCEL 20-A HAS ALSO BEEN PROVIDED.
4. THE VARIANCE BEING PURSUED IS A REDUCTION OF THE STRUCTURE AND USE SETBACK TO PARCEL 415 AND 41 FROM 75' TO 10'.

Ex 5

APPLICATE PRESBYTERIAN CHURCH, INC. 245/275

PLAT-C.M.P. NO. 8887

COORDINATES

NO.	NORTH	EAST
1	420951.24	600088.741
2	420951.24	600088.741
3	420951.24	600088.741
4	420951.24	600088.741
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6	420951.24	600088.741
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32	420951.24	600088.741
33	420951.24	600088.741
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44	420951.24	600088.741
45	420951.24	600088.741
46	420951.24	600088.741
47	420951.24	600088.741
48	420951.24	600088.741
49	420951.24	600088.741
50	420951.24	600088.741

LEGEND

NOTES

TABULATION - ENTIRE TRACT

No.	Acres	Area	Per Cent	Area	Per Cent	Area	Per Cent
1	1025.00	12'52" 6"	230.18	115.20	274.70	178'28" 13'6"	
2	25.00	48'11" 20"	21.03	11.14	26.41	100'48" 24"	
3	26.00	276'00" 48"	241.10	44.72	68.87	5' 3" 4" 20"	
4	25.00	48'11" 20"	21.03	11.14	26.41	100'48" 24"	
5	275.00	12'52" 20"	238.27	109.21	718.31	278'20" 12'4"	

APPROVED FOR PUBLIC WATER AND PUBLIC SEWERAGE SYSTEMS, IN CONFORMANCE WITH THE MASTER PLAN OF WATER AND SEWERAGE FOR HOWARD COUNTY.

[Signature] 8/12/89
DATE

APPROVED, HOWARD COUNTY DEPT. OF PLANNING AND ZONING.

[Signature] 8/20/89
DATE

APPROVED FOR PUBLIC WATER AND PUBLIC SEWERAGE SYSTEMS, STORM DRAINAGE SYSTEMS HOWARD COUNTY DEPARTMENT OF PUBLIC WORKS

[Signature] 9/10/89
DATE

SURVEYOR'S CERTIFICATE

I hereby certify that the plat shown hereon is correct, that it is a subdivision of all of the lands observed by Cove Construction Company, a Maryland corporation, to be subdivided into a Maryland corporation by deed dated August 22, 1988 and recorded among the land records of Howard County, Maryland in Liber 1075 at page 550 and that all documents are in place or will be in place prior to acceptance of the plat by the subdivision of Howard County, as shown in accordance with the annotated code of Maryland, as amended.

THOMAS L. WELBY
REGISTERED PROFESSIONAL LAND SURVEYOR
MARYLAND REGISTRATION NO. 333

DATE

OWNER'S CERTIFICATE

WE, COVE CONSTRUCTION CO., INC., a Maryland corporation, by COVE CONSTRUCTION CO., INC., a Maryland corporation, do hereby certify that the plat shown hereon is correct, that it is a subdivision of all of the lands observed by Cove Construction Company, a Maryland corporation, to be subdivided into a Maryland corporation by deed dated August 22, 1988 and recorded among the land records of Howard County, Maryland in Liber 1075 at page 550 and that all documents are in place or will be in place prior to acceptance of the plat by the subdivision of Howard County, as shown in accordance with the annotated code of Maryland, as amended.

WITNESS OUR HAND THIS 24th DAY OF AUGUST, 1989

COVE CONSTRUCTION CO., INC.
BY: *[Signature]*
CHIEF ENGINEER

RECORDED AS PLAT ON THE LAND RECORDS OF HOWARD COUNTY, MARYLAND

COVE WOOD SECTION ONE

LOTS 1-14

TAX MAP NO. 24 PARCELS 42, 43

2ND ELECTION DISTRICT

HOWARD COUNTY, MARYLAND

SCALE: 1"=200' DATE: AUG. 1988

DEWBERRY & DAVIS

ARCHITECTS-ENGINEERS-PLANNERS-SURVEYORS

3300 NORTH RIDGE ROAD

SUITE 100

ELLCOTT CITY, MARYLAND 21043

(301) 461-7478

COMPILED BY: [Signature] DATE: 8/12/89

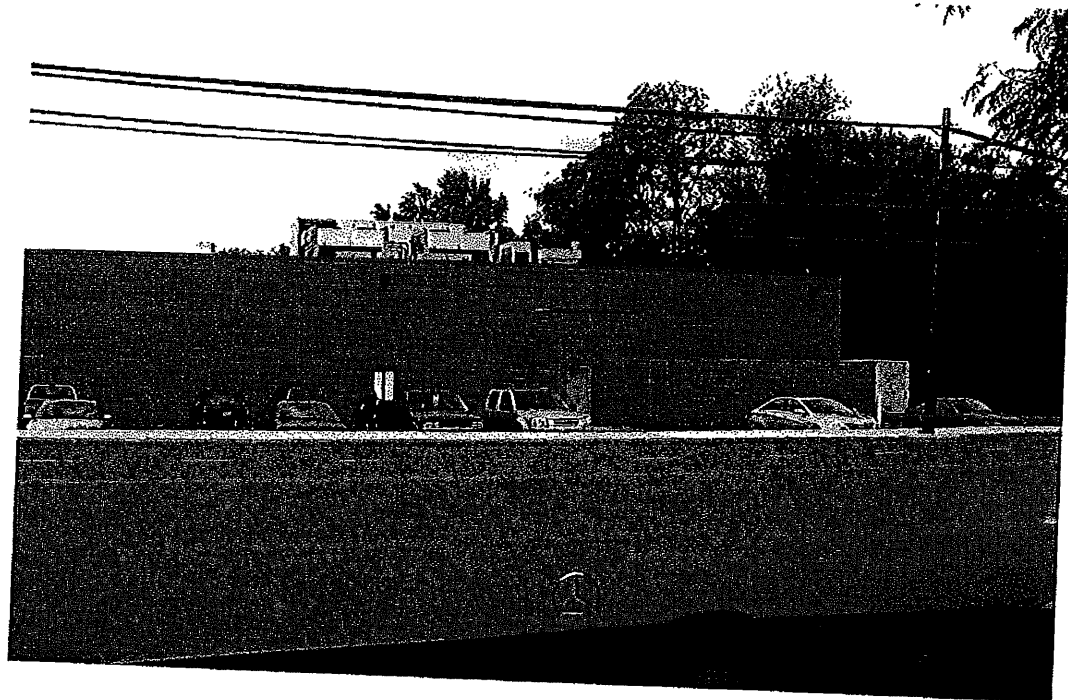
Maryland State Archives

EXHIBIT 6
(a)



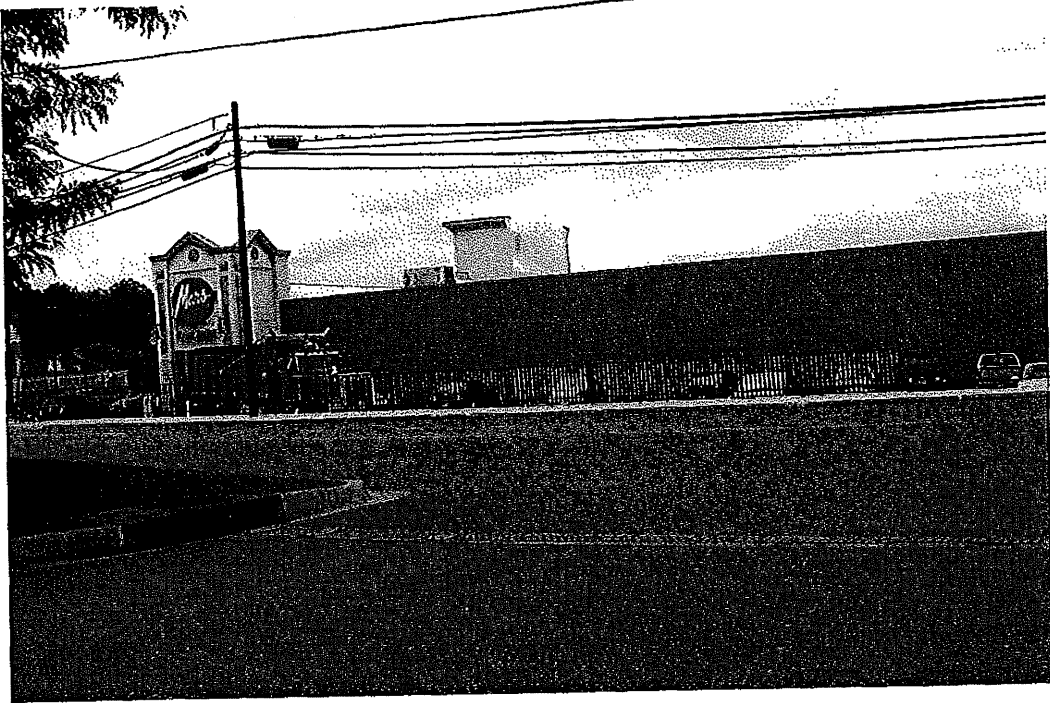
Looking across Upon Road toward
St. John's Shopping Center

(b)



Looking across Upton Road toward
St. John's Shopping Center

(4)



Looking across Upon Road toward
St. John's Shopping Center

(d1)



Looking east across the Property at the
Manahan residence

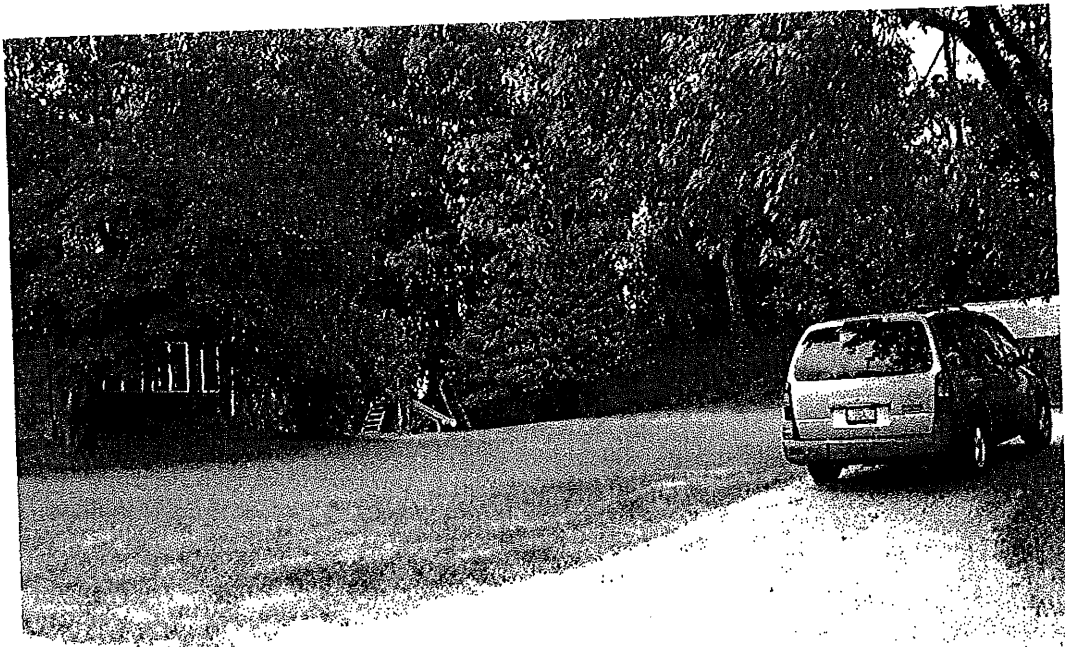
DATE 12

(e)



Looking southeast from Upton Road at Baldwin residence

(f)



Looking south across Upton Road at Brame residence

(9)



Looking east across Manahan property

(h)



Looking east from Upton and St. John's Lane

(i)



Looking west across Manahan property

(f)



Looking northwest across Manahan property

(12)



Looking northeast across Manahan property

(127)

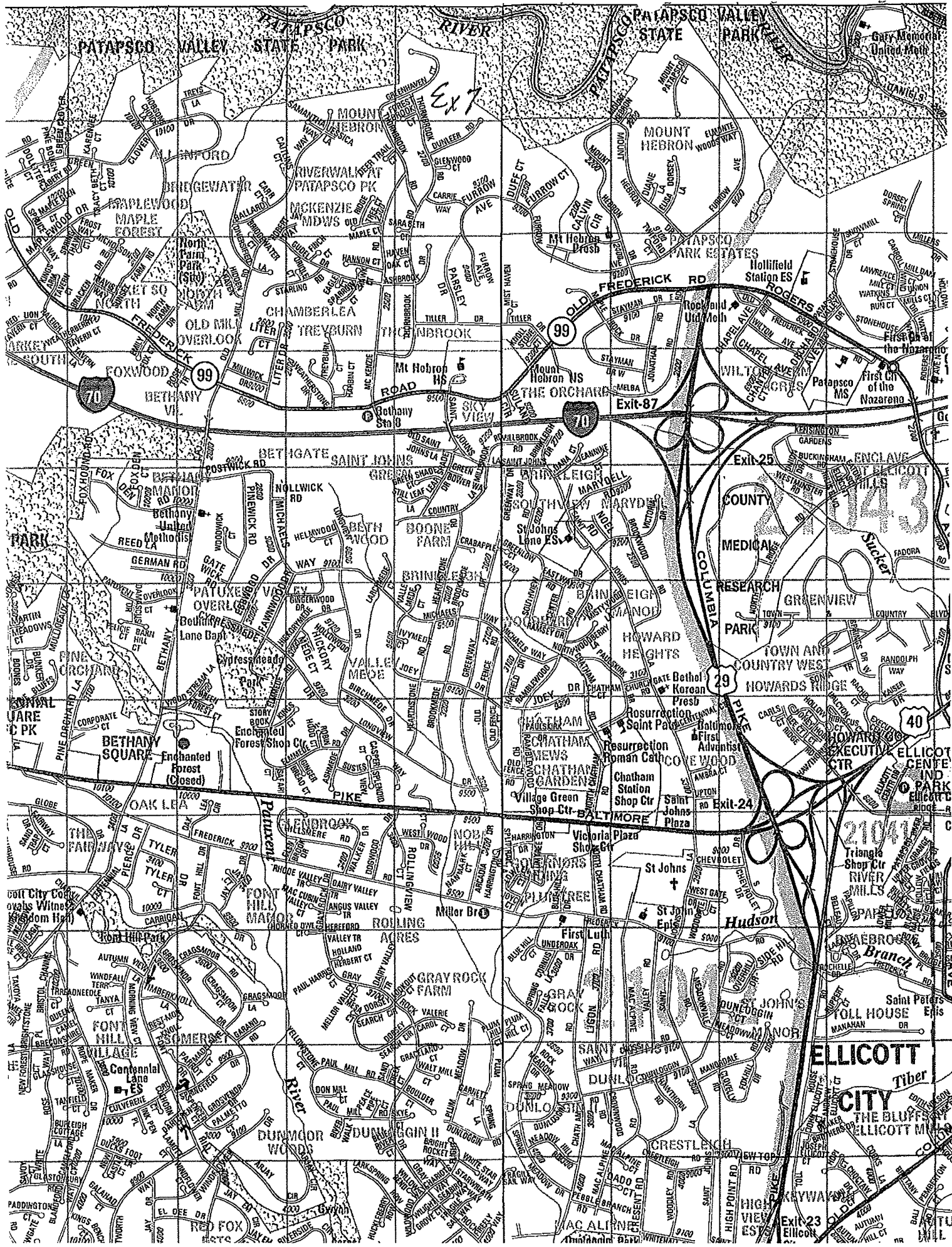


Looking up the driveway of
Choi residence on Upton Road

(M)



Looking east across St. John's Lane
from Ambra Court



Ext 7

99

70

29

40

143

2104

ELLICOTT CITY

THE BLUFFS

ELLICOTT

Tiber

Chapter 2: Vision for the Future

The Route 40 Task Force used the the policies in General Plan 2000, the facts from the Route 40 Characterization Report, the outcomes from a strategic planning exercise, and the findings of the Route 40 Market Study to develop goals for the future of the corridor. The Vision for Route 40, based on the Task Force goals, is an economically vibrant corridor that is accessible by many modes of transportation and that has identifiable centers reflective of the corridor's historic context and landscape.

General Plan 2000

General Plan 2000 makes several specific recommendations about commercial areas in Howard County. These recommendations can be found in Chapter 5: Community Conservation and Enhancement. The policy statements from *General Plan 2000* related to commercial corridors helped provide a context for the Route 40 Task Force members as they worked to develop their vision for the corridor.

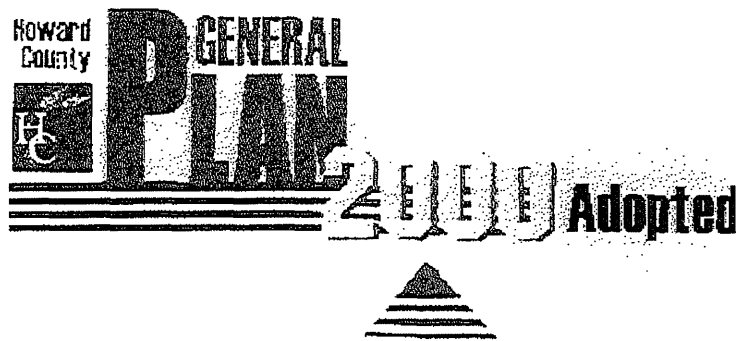


Figure 4: General Plan 2000 set the stage for this plan.

Goals

- Create vibrant, mixed use, pedestrian-oriented centers.
- Promote transit to increase mobility and offer an alternative to the private automobile.
- Improve the design of commercial areas.
- Coordinate with other Community Enhancement Programs.

Route 40 Characterization Report

To assist the Route 40 Task Force, Howard County Department of Planning and Zoning staff assembled existing data into the Route 40 Characterization Study. The Characterization Report, in combination with the Route 40 Corridor Market Analysis, provides a technical basis for the decisions and recommendations made by the Task Force. The Characterization Report offers in-depth information on many of the topics not covered in this report: demographic data on population, housing, and employment; past and current zoning and land use; environmental features such as natural resources, stormwater management and green spaces; and community facilities including parks, schools, police and fire and rescue services, and health and human services. This report is available on the

threats of the corridor. The vision created for the future of the Route 40 Corridor attempts to build on the identified strengths, overcome the weaknesses, take advantage of opportunities, and minimize the possible future threats.

The Task Force identified many strengths of the corridor. Task Force members agreed that the corridor was an economically healthy group of businesses that complemented one another. These businesses are often framed by a wooded background, exist within the greater historical context of the corridor, and benefit from the tremendous transportation infrastructure. A low crime rate and the relative proximity of businesses to residences were also identified as assets.

The weaknesses identified were not as varied. The primary weaknesses of the corridor centered on accessibility both by vehicle and by foot. The lack of connectivity among uses combined with growing concerns about traffic congestion made transportation a key issue for the future vision of the corridor.

These concerns about transportation lead to the identification of some opportunities to improve connectivity and accessibility, but the key opportunity identified by the Task Force was developing an identity or "sense of place" for the corridor. The Task Force indicated that the identity could be formed through improved site design standards, streetscaping, better connectivity and the addition of entertainment uses.

Threats to the corridor also reflected the importance of transportation issues. Task Force members identified the tenuous balance between accessibility of residences to businesses and potential nuisance impacts of businesses on proximate, stable

neighborhoods.

The findings of the Task Force strategic planning exercise were distilled into six key goals that help to form the vision of the corridor.

Goals

- Recognize the economic vitality of this commercial corridor.
- Develop a sense of identity for the corridor.
- Use the highway infrastructure wisely.
- Balance development with transportation capacity.
- Prioritize and spend transportation dollars strategically.
- Make pedestrian movement possible.



Figure 6: Task Force members discuss their vision for Route 40.

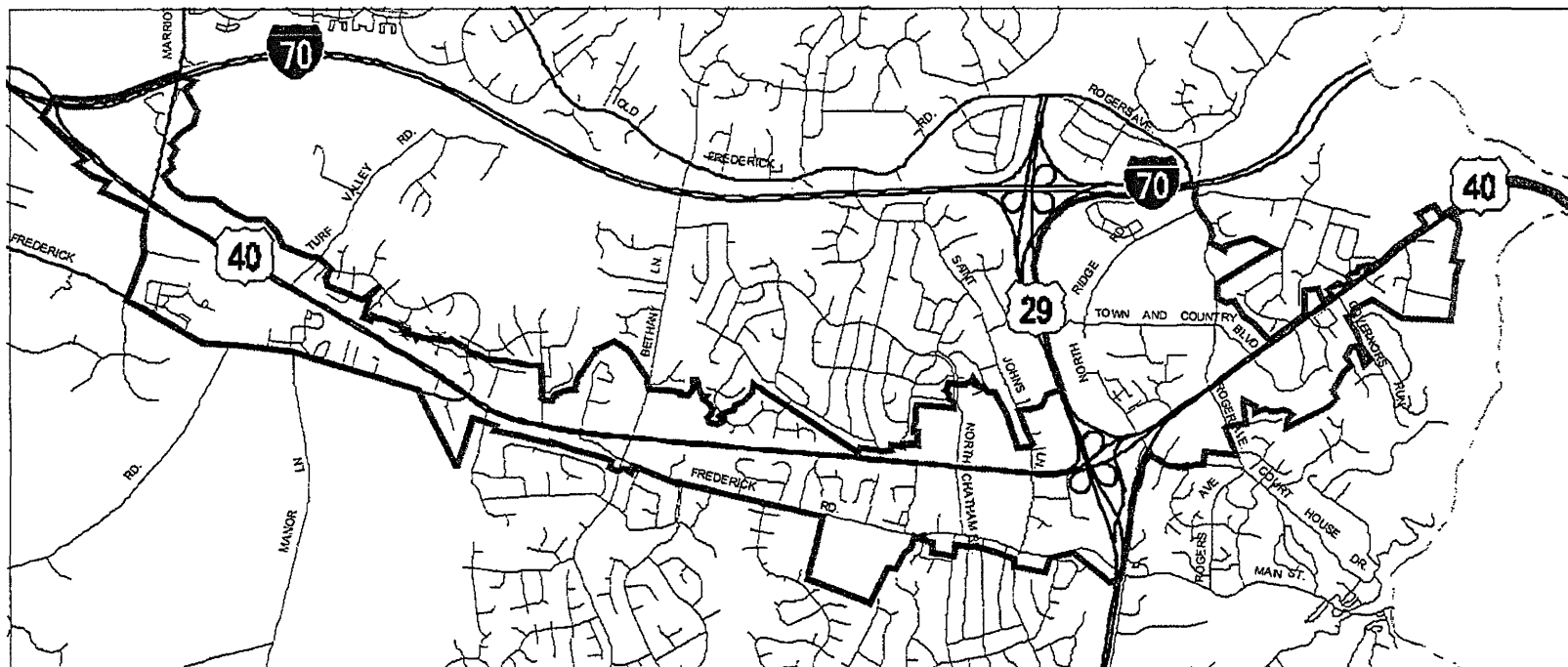
Ex 9

(1)



Route 40 Corridor Study

Map 1: Route 40 Enhancement Study Area



Legend

Route 40 Study Area



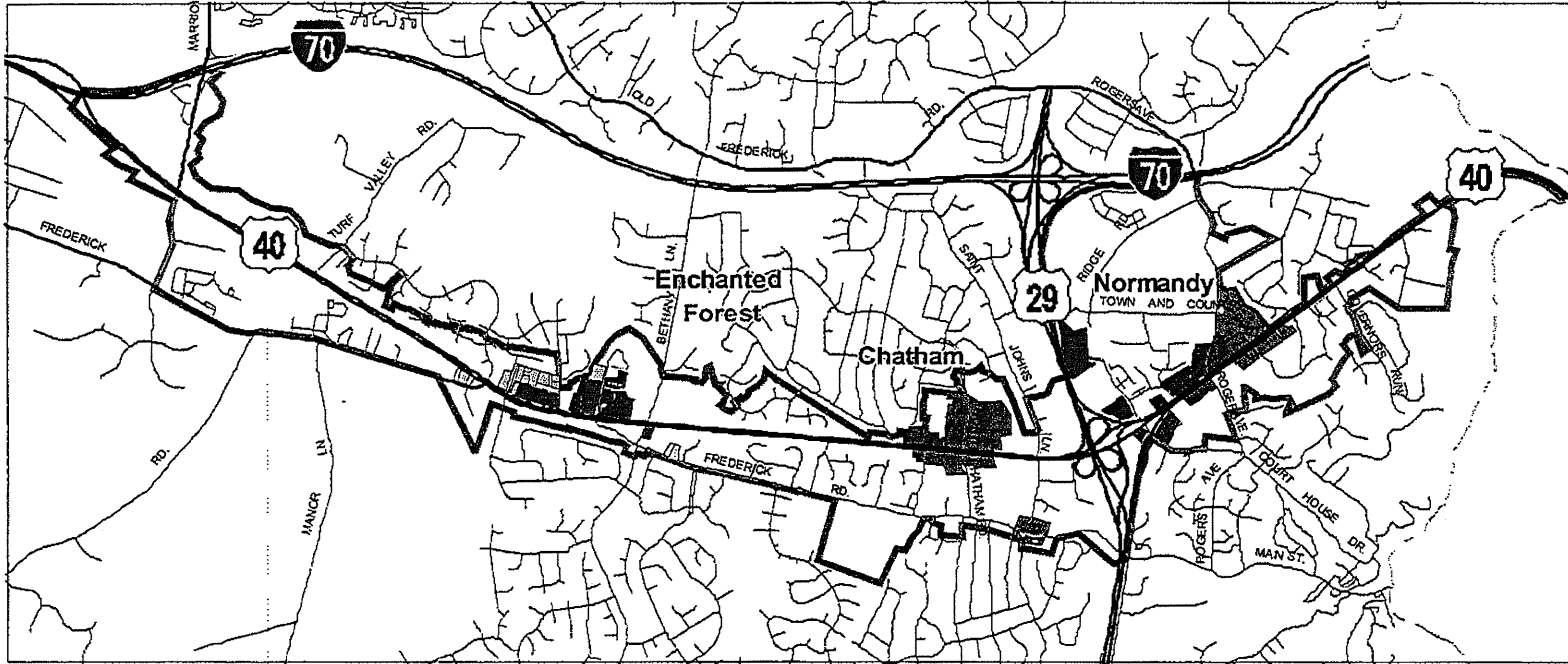
 
G:\MF_Dp2_Projects\DECP\Community Planning\1
Route 40 Study Area\Map\Map8r1-REV.WCR
SOURCE: DPZ
September 2004

EX 9 (2)



Route 40 Corridor Study

Map 2: Proposed Land Use Changes



Legend

Route 40 Study Area



Enhanced Retail



Employment



Neighborhood Center



Expanded Residential

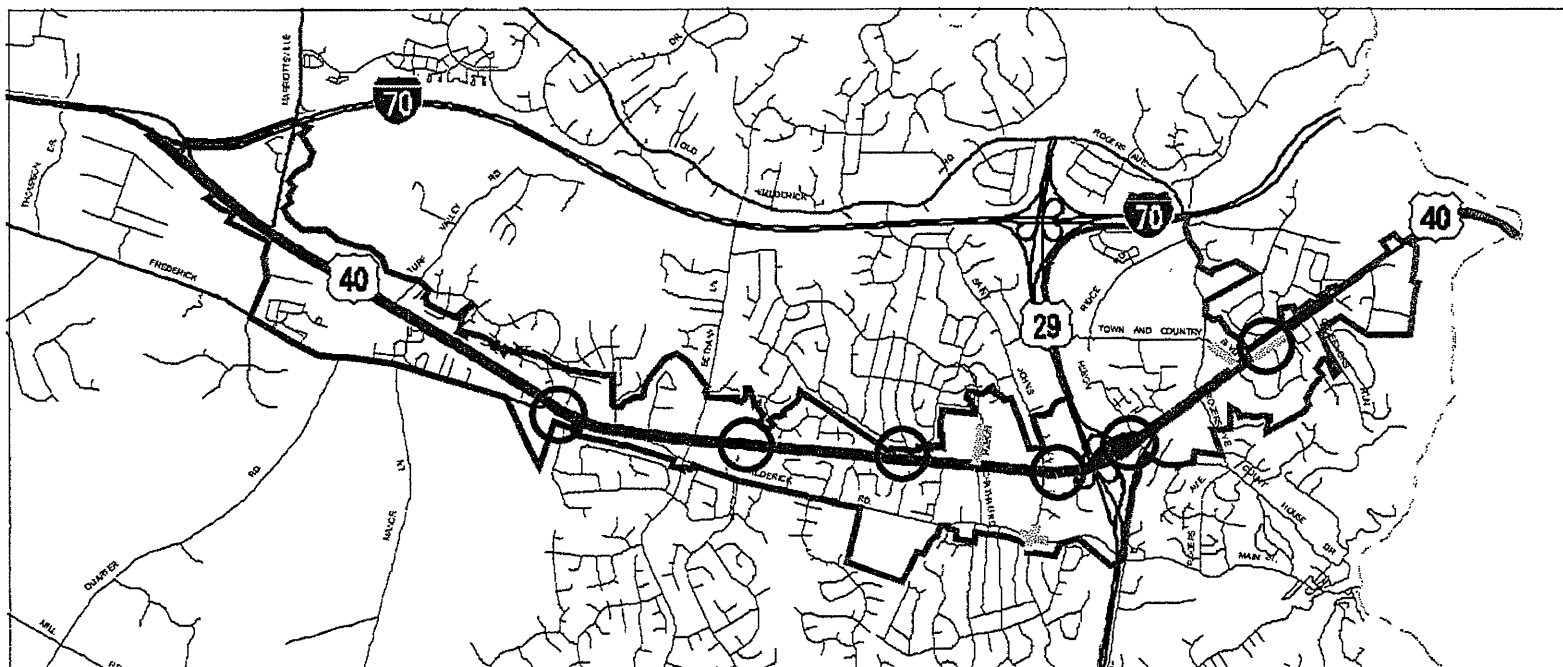


Howard County
NORTH
GMF Dept. Projects/DECP/Community Planning
Route 40 Study Area/RI40L/changes&11 WCR
SOURCE: DPZ
September 2004

EX9 (3)



Route 40 Corridor Study Map 4: Proposed Streetscape Plan



Legend

Route 40 Study Area		Neighborhood Center Street	
Parkway		Super Boulevard	
Suburban Boulevard		Gateway/Transition Areas	

Howard County
G:\MIF_Dp2A_Projects\DECPC\Community Planning
Route 40 Study Area\RI40S Streetscapes\Bxt11.WOR
SOURCE: DPZ
September 2004





Howard County Council

George Howard Building
3445 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

Ms. Christine Manahan
6098 La Jolla Mesa Drive
La Jolla, CA 92037

Dear Ms. Manahan:

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.

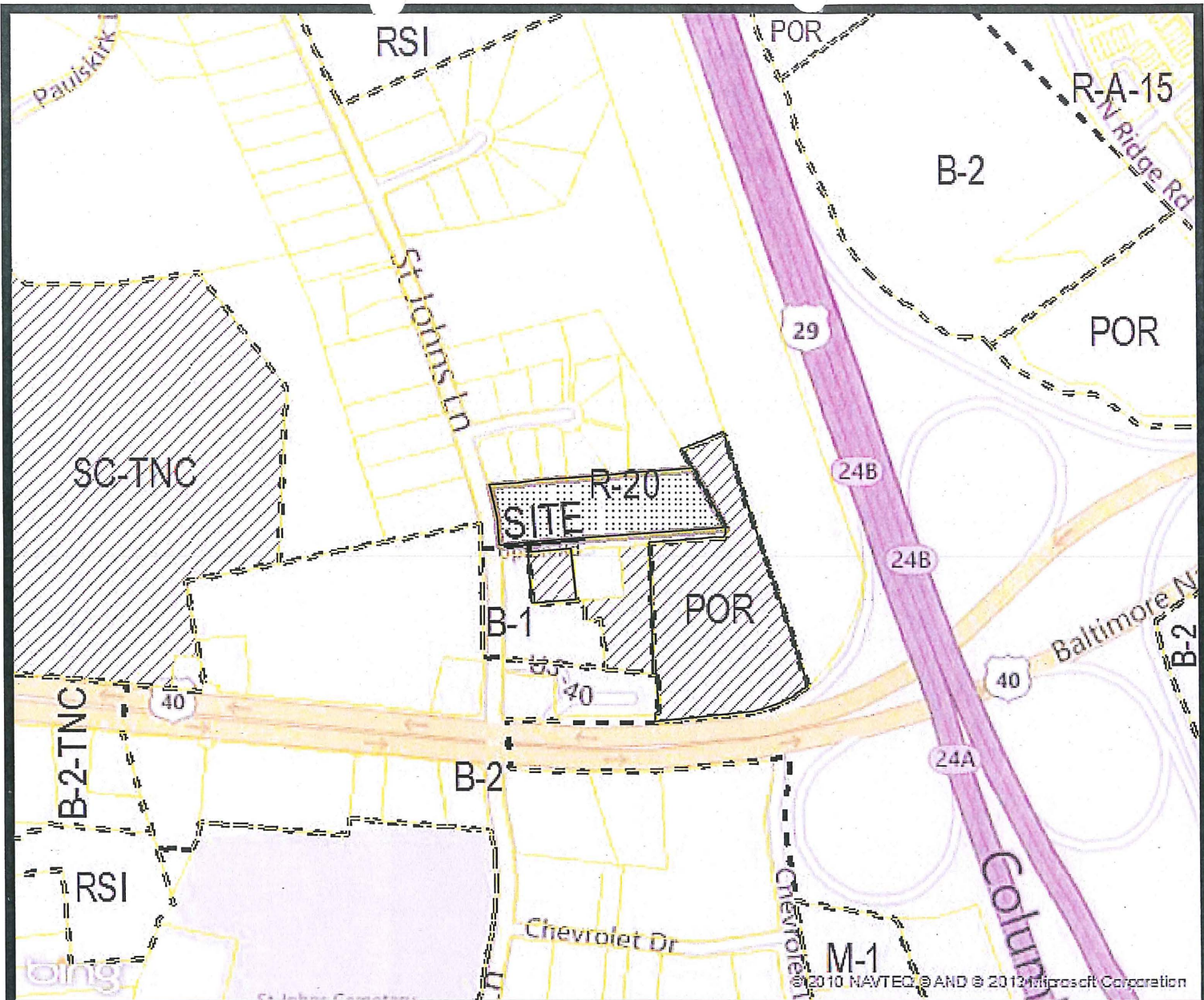
Please be advised that on March 7, 2013, the Howard County Ethics Commission determined that the Zoning Map Request Form needs to be accompanied by certain affidavits and disclosures. The Commission also determined that the Zoning Regulation Amendment Form needs to be accompanied by certain affidavits 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: 24.002 Tax ID: 1402227517
 Current Zoning: R-20 Council District: 1
 Tax Map: 24 Grid: 5 Parcel: 41 Lot: N/A
 Address: 9060 UPTON RD

24.002

Manahan Property
located at North St. Johns Lane and Upton Road

- DPZ Recommended a transition zone for the Manahan property consisting of three acres.
- The lots to the rear of the Manahan property are essentially the same size as Manahan's property.
- The shopping center is approximately 50 yards from the Manahan property.
- The residents on the opposite side of Upton Road agree with the R-12 zoning.

Enclosed are photographs of (1) site overviews of Manahan and surrounding properties; (2) proposed houses that are planned for the site; (3) photographs of the Manahan property; and (4) the side of the shopping center.

-76°49'27"



12/13 pages

EXHIBIT 1

39°16'43"

39°16'43"



Disclaimer: Howard County, Maryland assumes no responsibility for the accuracy of this report or the information contained herein or derived therefrom. The user assumes all risks and liabilities whatsoever resulting from or arising out of the use of this information. There are no oral agreements or warranties relating to the use of this report.

-76°49'27"





H A
HENNEMAN + ASSOCIATES
ARCHITECTS ■ PLANNERS

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01-09-13

CONCEPTUAL STREET ELEVATION
SINGLE FAMILY DETACHED SCHEME

Manahan Property
Subdivision
HOWARD COUNTY, MD





Regner, Robin

From: Tolliver, Sheila
Sent: Thursday, August 01, 2013 10:57 AM
To: Regner, Robin
Subject: Fwd: Comments on Manahan Property Item No. 24.002

Sent from my iPhone
Sheila Tolliver

Begin forwarded message:

From: "Sigaty, Mary Kay" <mksigaty@howardcountymd.gov>
Date: July 31, 2013, 3:39:03 PM EDT
To: "Tolliver, Sheila" <STolliver@howardcountymd.gov>
Subject: FW: Comments on Manahan Property Item No. 24.002

From: "David A. Carney" <dac@carneykelehan.com>
Date: Wed, 12 Jun 2013 09:14:23 -0400
To: Jen Terrasa <jterrasa@howardcountymd.gov>, Courtney Watson <cwatson@howardcountymd.gov>, Calvin Ball <cbball@howardcountymd.gov>, Mary Kay Sigaty <mksigaty@howardcountymd.gov>, Greg Fox <gfox@howardcountymd.gov>
Cc: Marsha McLaughlin <MMcLaughlin@howardcountymd.gov>
Subject: Comments on Manahan Property Item No. 24.002

On Monday night I understand my presentation in behalf of the Manahan family may have been misinterpreted on the issue of Item Nos. 24.001, 24.004 and 24.005. Mr. Brame, who lives on Upton Road, spoke against the three other items on Upton Road. Apparently I left the impression Mr. Brame was speaking in behalf of the Manahan property. He did comment that he agreed with the R-12 zoning for the Manahan property. He was speaking in opposition to the request of the other three Item Nos. 24.001, 24.004 and 24.005.

I was asked by one of the Council members whether I had talked to the owners of the four properties, and I said that I had spoken to all the property owners directly. In the case of the Hoenes parcel, I talked to Tom Meachum, my partner who represents Rick Hoenes. I spoke to the other three owners.

David A. Carney

**Carney, Kelehan
Bresler, Bennett
& Scherr LLP**

ATTORNEYS AT LAW

10715 Charter Drive, Suite 200
Columbia, Maryland 21044
Direct 410-884-1100
Office 410-740-4600 x200
Fax 410-730-7729

Mobile: (410) 627-4338

Please respond to:

dac@CarneyKelehan.com

www.carneykelehan.com

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IRS CIRCULAR 230 NOTICE: To ensure compliance with requirements imposed by the Internal Revenue Service, we inform you that the Federal tax advice contained in this communication (or in any attachment) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing, or recommending to another party any transaction or matter addressed in this communication. We provide this disclosure on all outbound emails to assure compliance with new standards of professional practice, pursuant to which certain tax advice must satisfy requirements as to form and substance.

ADJOINING PROPERTY OWNERS FOR 9071 UPTON ROAD

Richard Brame
Jessica Woofter
9081 Upton Road
Ellicott City, MD 21042-2607
(24.002)(24.001)(24.004)

RP LLC
5300 Dorsey Hall Dr., Suite 102
Ellicott City, MD 21042-7819
(24.002)(24.001)(24.004)

"
"

Requested Zoning

Search Street:

UPTON RD

Property Information:

Amendment No.: 24.004

Current Zoning: R-20

Requested Zoning: R-SA-8

Tax Account ID.: 1402243199

Map: 24

Grid: 5

Parcel: 40

Lot:

Acres: 0.491

Address: 9071 UPTON RD

City/State/Zip: ELLICOTT CITY, MD 21042

Owner:

Name: BALDWIN LEONARD RYAN JR

Email: lrb21474@yahoo.com

Phone: 410-203-1378

Mailing Address: 9071 UPTON RD

City/State/Zip: ELLICOTT CITY, MD 21042

Representative:

Name:

Email:

Phone:

Mailing Address:

City/State/Zip:

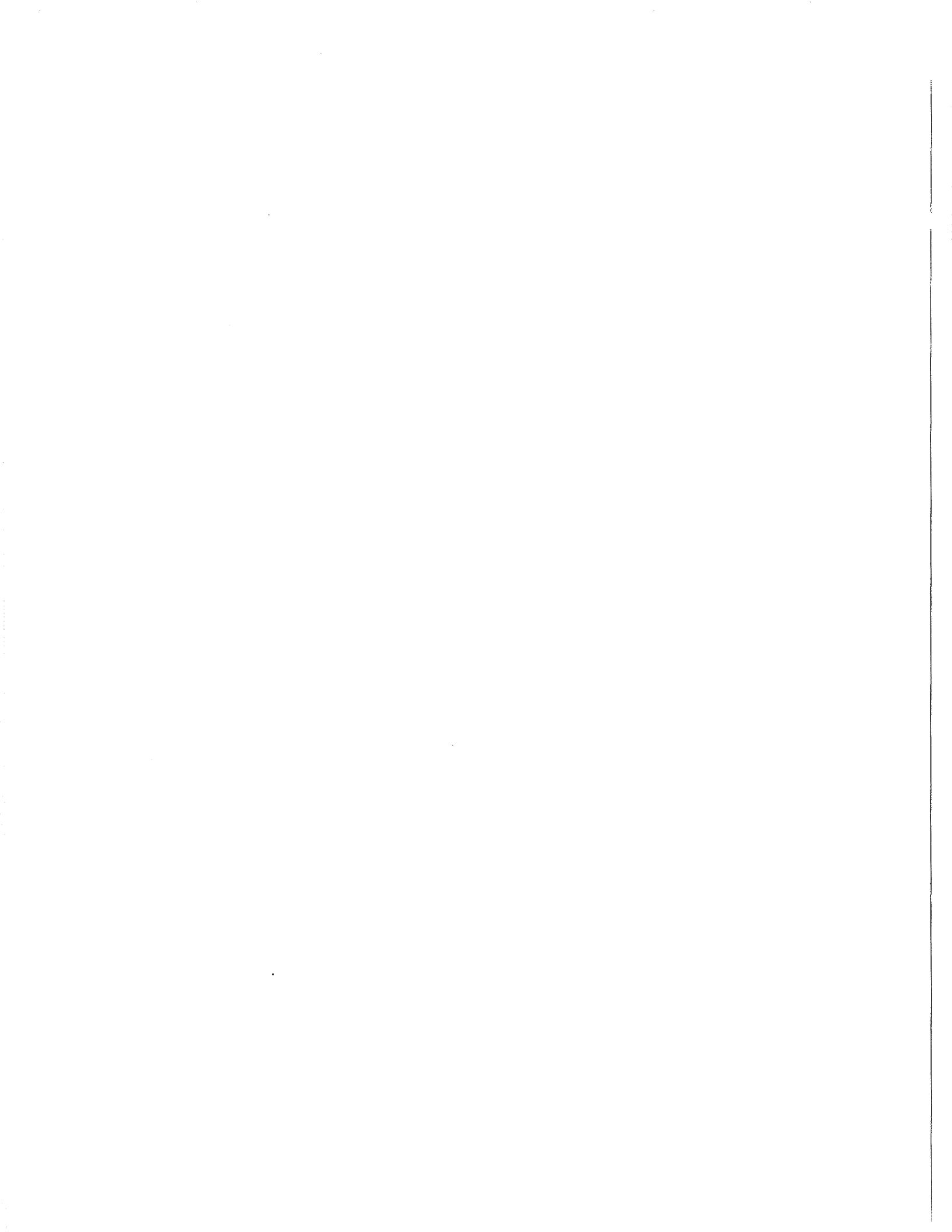
Decision:

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

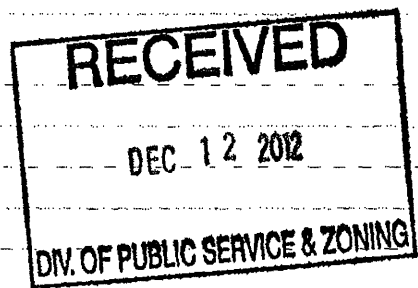
[Word 2007 Version]
 Before filling out this form, please read the
 Instructions section at the end of the form.

A. Property Information

1	Address / Street (Only)	9071	Upton Road	
2	Tax Map Number	24	Grid	5
3	Parcel(s)	0040		
4	Lot(s)			
5	Tax Account Data:	District	02	Account # 243199
6	Size of Property:	Acres	.491	Square feet
7	The Property is currently zoned:	R-20		
	I request that the Property be rezoned to:	RSA8 or alternatively RSC		

B. Owner Information

8	Owner Name	Leonard Baldwin		
9	Mailing street address or Post Office Box	9071 Upton Road		
	City, State	Ellicott City, MD		
	ZIP Code	21042-2607		
	Telephone (Main)	410-203-1378		
	Telephone (Secondary)	410-220-7729		
	Fax			
10	E-Mail	Lrb21474@yahoo.com		



C. Representative Information

11	Name	N/A		
	Mailing street address or Post Office Box			
	City, State			
	ZIP			
	Telephone (Main)			

C. Representative Information

	Telephone (Secondary)
	Fax
	E-Mail
12	Association with Owner

D. Alternate Contact [If Any]

	Name
	Telephone
	E-Mail

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

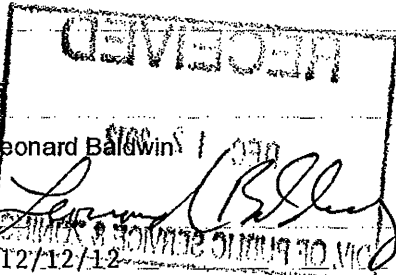
13	The Baldwin property needs a transitional residential zoning district between R-20 and POR/B-1. I adopt the Manahan submission except as follows: I request RSA-8 zoning or as an alternative RSC zoning.
----	---

F. List of Attachments/Exhibits

14	Exhibit 1 - Extract of Howard County GIS Map Exhibit 2 - Tax Map Exhibit 3 - Zoning Map
----	---

G. Signatures

15	Owner	Leonard Baldwin	Owner (2)
	Date	12/12/12	Date



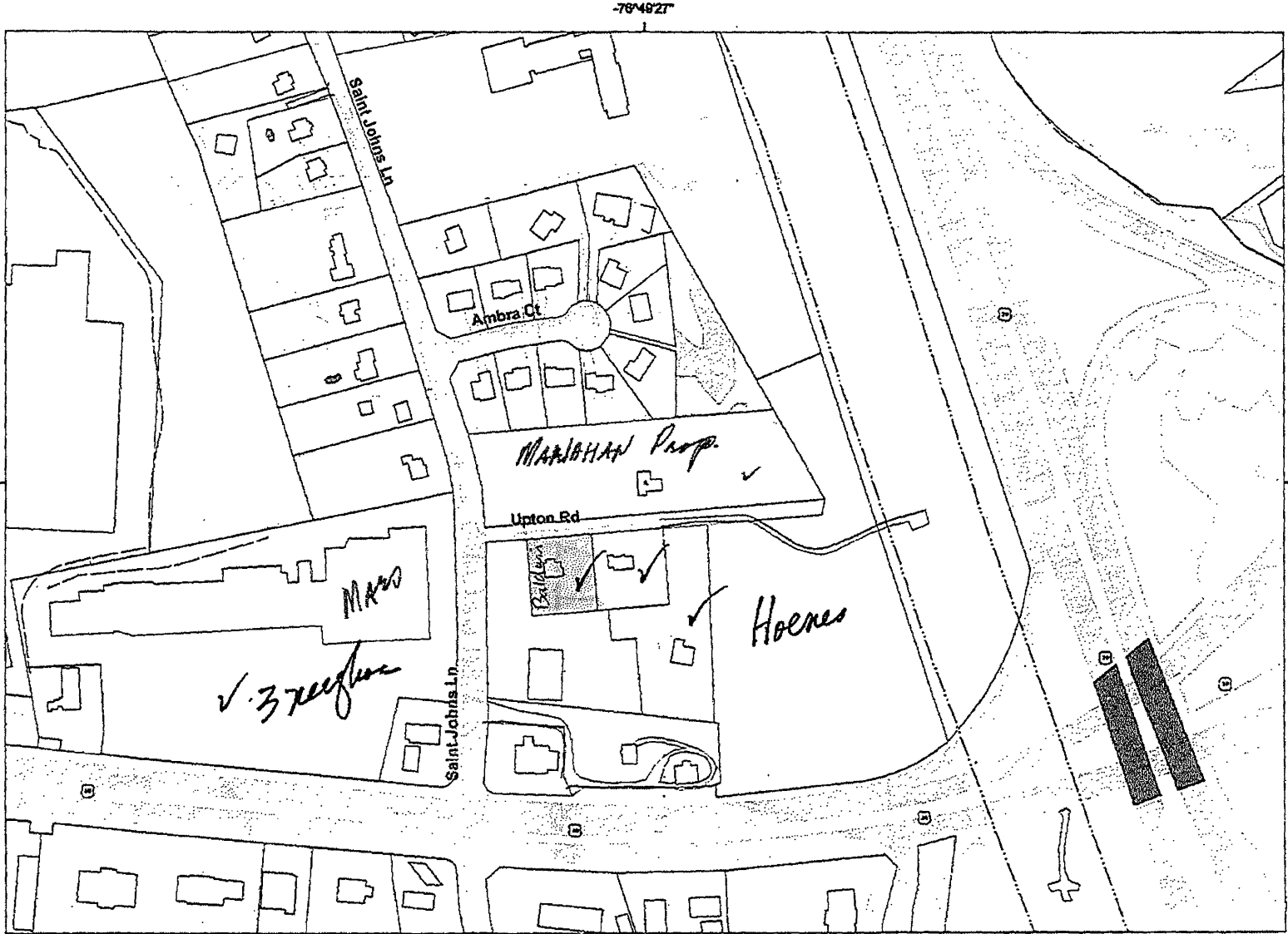
Additional owner signatures? **X** the box to the left and attach a separate signature page.

16	Representative Signature
	Date

DPZ Use Only	<i>JK</i>	Amendment No.	24.004
Notes			

72/13 parcel

EXHIBIT 1



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-76°48'27"

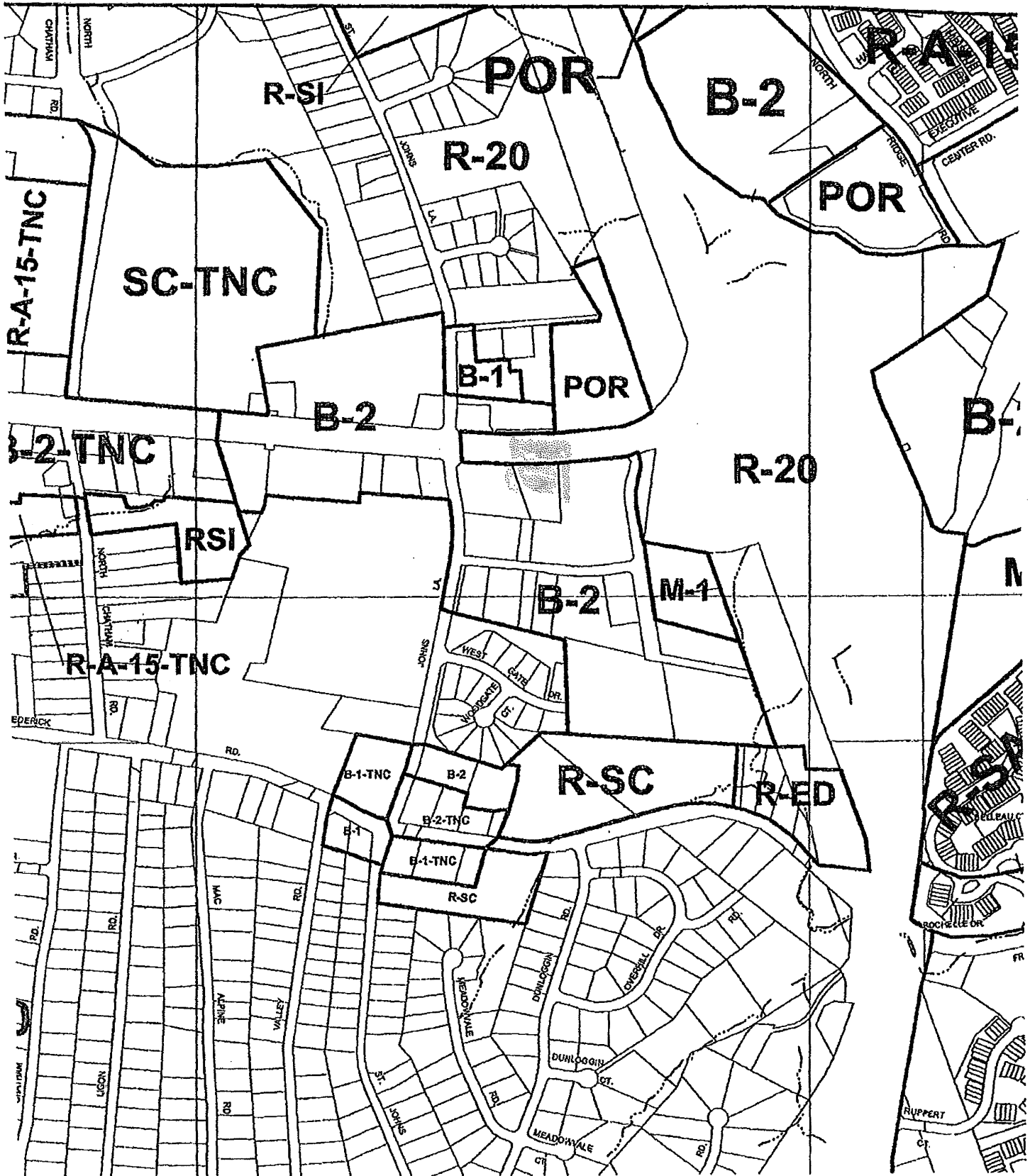


Howard County
M A R Y L A N D

Manahan

Name: Baldwin
Address: 9071 Upton Rd.
Map Width: 2,640.00 ft.
Print Date: 7/2/2009

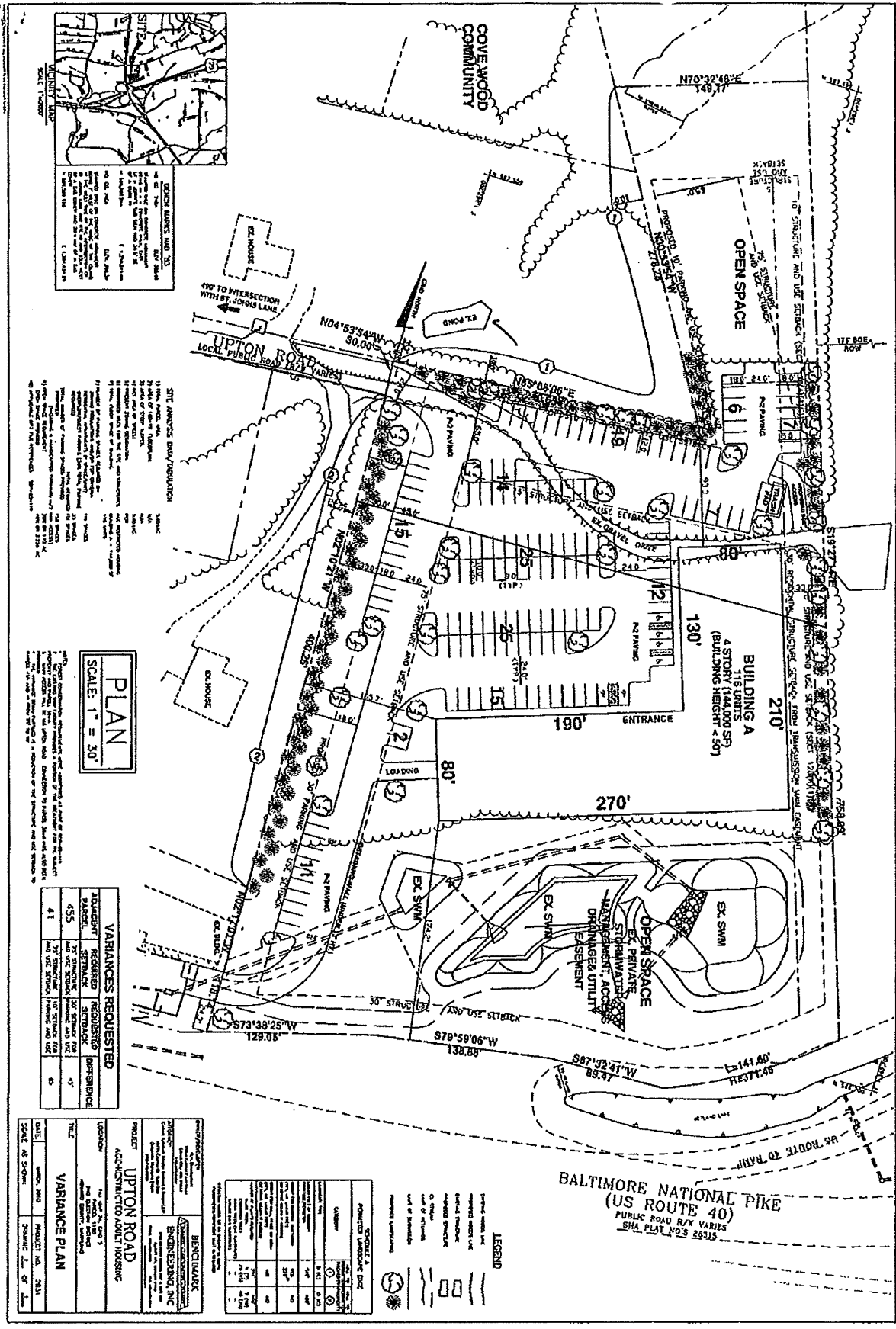
Map 24 7/28/2006 Ex 2



EX. 3



Ex 4.



NOTICE TO THE PUBLIC

THIS PLAN IS THE PROPERTY OF THE ENGINEER AND ARCHITECT AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF THE ENGINEER AND ARCHITECT.

DATE: 11/15/2011

SITE ANALYSIS DATA/REGULATION

1. ZONING: R-100
 2. DISTRICT: 100
 3. SETBACKS: 10' (FRONT), 10' (SIDE), 10' (REAR)
 4. MAXIMUM BUILDING HEIGHT: 50'
 5. MAXIMUM LOT COVERAGE: 40%
 6. MINIMUM LOT AREA: 10,000 SQ FT
 7. MINIMUM FRONT YARD SETBACK: 10'
 8. MINIMUM SIDE YARD SETBACK: 10'
 9. MINIMUM REAR YARD SETBACK: 10'
 10. MINIMUM OPEN SPACE: 10%
 11. MINIMUM PARKING: 1 SP/UNIT
 12. MINIMUM DRIVEWAY WIDTH: 10'
 13. MINIMUM DRIVEWAY SETBACK: 10'
 14. MINIMUM DRIVEWAY WIDTH: 10'
 15. MINIMUM DRIVEWAY SETBACK: 10'

PLAN

SCALE: 1" = 30'

VARIANCES REQUESTED			
ADJUSTMENT REQUESTED	REQUIRED SETBACK	REQUESTED SETBACK	PERMISSIBLE SETBACK
455	10' SIDE YARD SETBACK	5' SIDE YARD SETBACK	5'
41	10' SIDE YARD SETBACK	5' SIDE YARD SETBACK	5'

PROJECT	UPTON ROAD
CLIENT	ACT-RESTRICTED ADULT HOUSING
DATE	11/15/2011
SCALE	1" = 30'

NO.	DESCRIPTION	DATE	BY	CHKD BY
1	PRELIMINARY PLAN	11/15/2011	J. SMITH	M. JONES
2	FINAL PLAN	11/15/2011	J. SMITH	M. JONES

LEGEND

--- EXISTING LOT LINES
 --- PROPOSED LOT LINES
 --- PROPOSED DRIVEWAY
 --- PROPOSED DRIVEWAY SETBACK
 --- PROPOSED DRIVEWAY WIDTH
 --- PROPOSED DRIVEWAY SETBACK

(16)



Looking northeast across Manahan property

(17)



Looking up the driveway of
Choi residence on Upton Road

Looking east across St. John's Lane
from Ambra Court



(11)

(9)



Looking east across Manahan property

(h)



Looking east from Upton and St. John's Lane

(2)



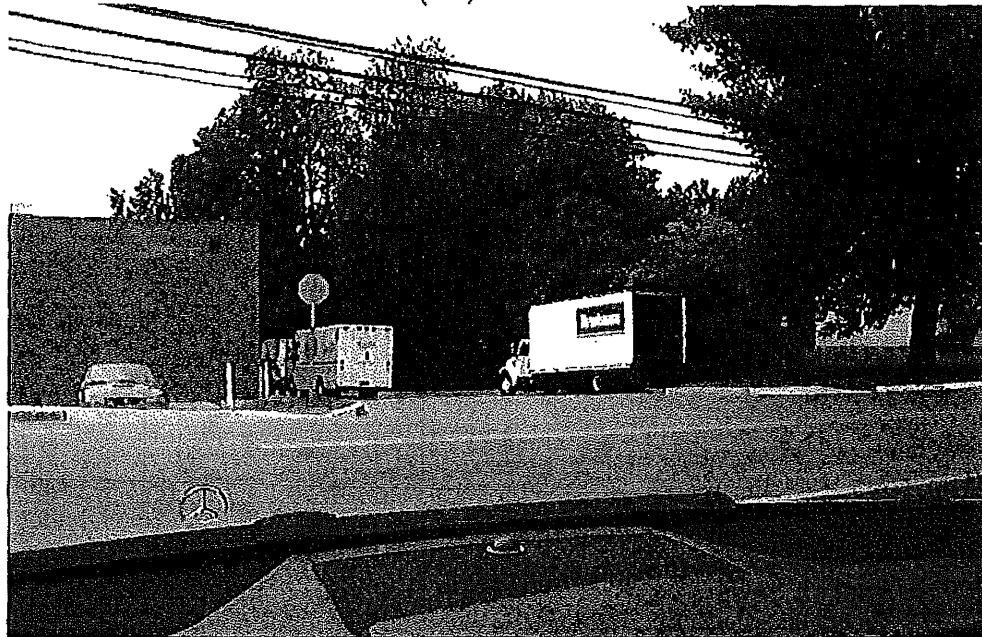
Looking southeast from Upton Road at Baldwin residence

(1)



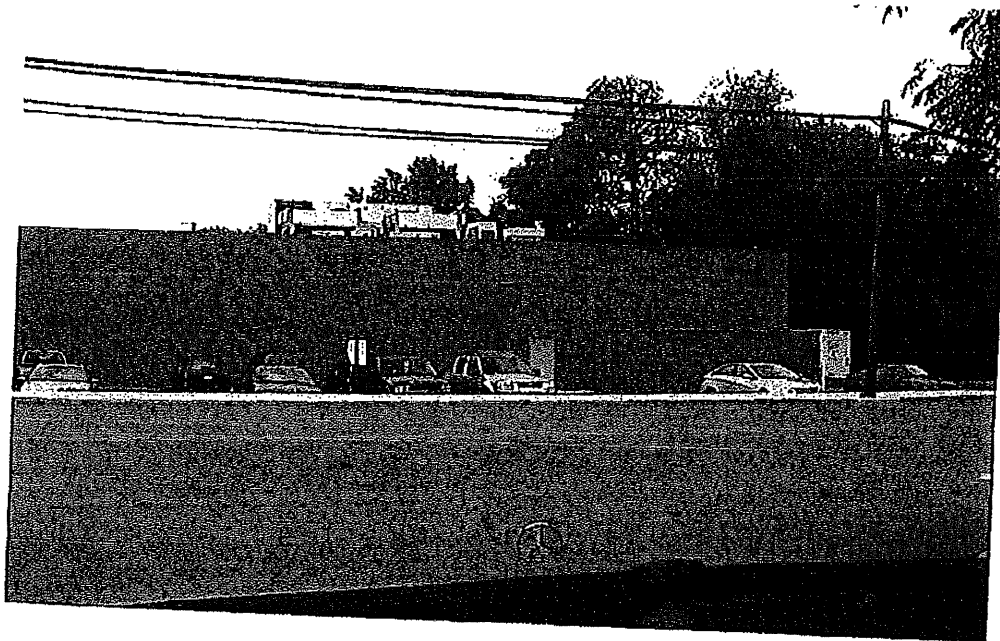
Looking south across Upton Road at Brame residence

SCHIBT 6
(a)



Looking across Upon Road toward
St. John's Shopping Center

(b)



Looking across Upton Road toward
St. John's Shopping Center

page 1



Chapter 2: Vision for the Future

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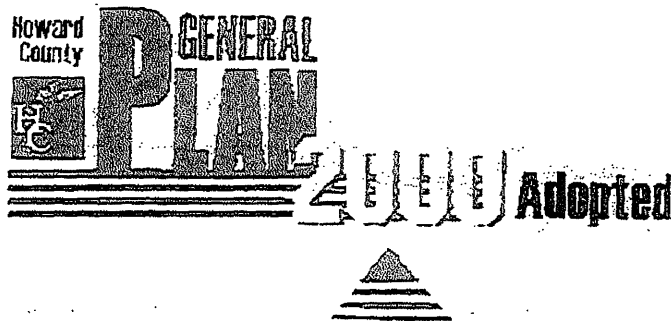


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- Coordinate with other Community Enhancement Programs.

Route 40 Characterization Report

To assist the Route 40 Task Force, Howard County Department of Planning and Zoning staff assembled existing data into the Route 40 Characterization Study. The Characterization Report, in combination with the Route 40 Corridor Market Analysis, provides a technical basis for the decisions and recommendations made by the Task Force. The Characterization Report offers in-depth information on many of the topics not covered in this report: demographic data on population, housing, and employment; past and current zoning and land use; environmental features such as natural resources, stormwater management and green spaces; and community facilities including parks, schools, police and fire and rescue services, and health and human services. This report is available on the

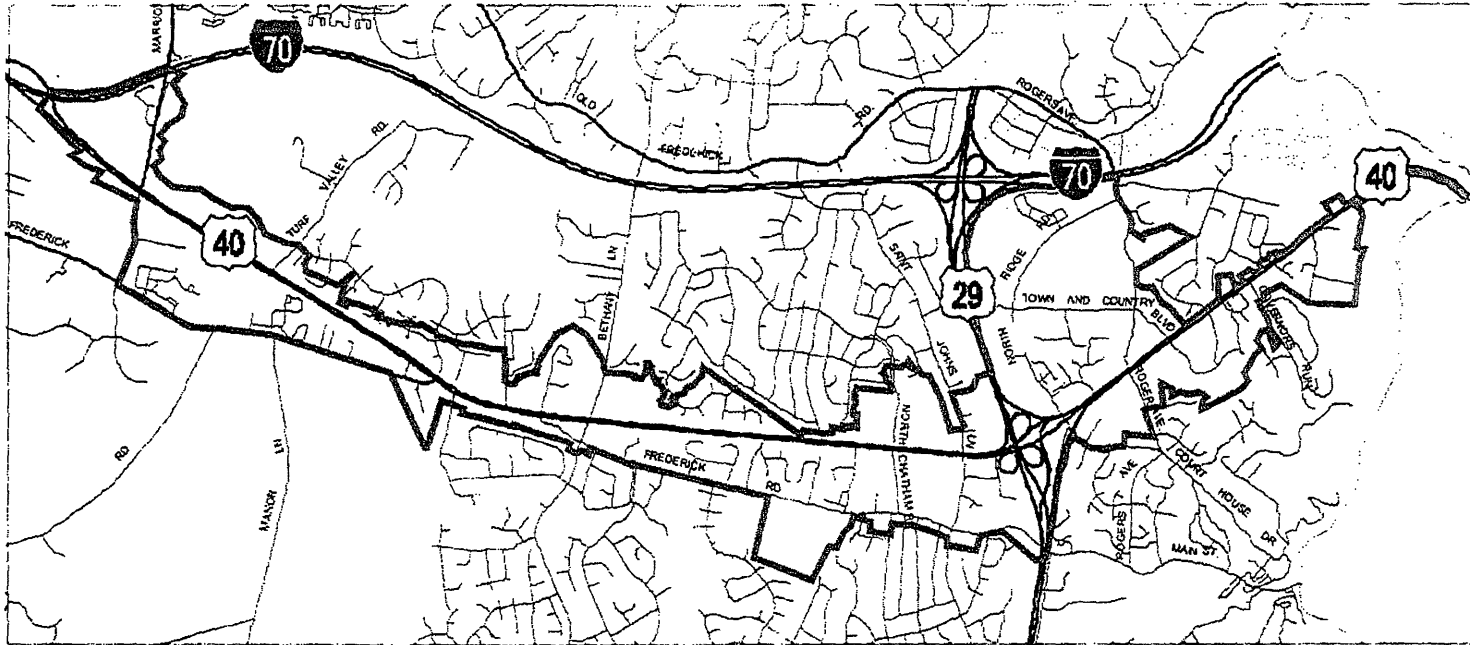
EX 9

(1)



Route 40 Corridor Study


Map 1: Route 40 Enhancement Study Area



Legend

Route 40 Study Area



 NORTH
G:\MP_Docs_P\Projects\DECP\Community Planning\Map 1\Map 1.dwg
Route 40 Study Area (Road Location)\Map 1.dwg
SOURCE: OPZ
September 2004

threats of the corridor. The vision created for the future of the Route 40 Corridor attempts to build on the identified strengths, overcome the weaknesses, take advantage of opportunities, and minimize the possible future threats.

The Task Force identified many strengths of the corridor. Task Force members agreed that the corridor was an economically healthy group of businesses that complemented one another. These businesses are often framed by a wooded background, exist within the greater historical context of the corridor, and benefit from the tremendous transportation infrastructure. A low crime rate and the relative proximity of businesses to residences were also identified as assets.

The weaknesses identified were not as varied. The primary weaknesses of the corridor centered on accessibility both by vehicle and by foot. The lack of connectivity among uses combined with growing concerns about traffic congestion made transportation a key issue for the future vision of the corridor.

These concerns about transportation lead to the identification of some opportunities to improve connectivity and accessibility, but the key opportunity identified by the Task Force was developing an identity or "sense of place" for the corridor. The Task Force indicated that the identity could be formed through improved site design standards, streetscaping, better connectivity and the addition of entertainment uses.

Threats to the corridor also reflected the importance of transportation issues. Task Force members identified the tenuous balance between accessibility of residences to businesses and potential nuisance impacts of businesses on proximate, stable

neighborhoods.

The findings of the Task Force strategic planning exercise were distilled into six key goals that help to form the vision of the corridor.

Goals

- Recognize the economic vitality of this commercial corridor.
- Develop a sense of identity for the corridor.
- Use the highway infrastructure wisely.
- Balance development with transportation capacity.
- Prioritize and spend transportation dollars strategically.
- Make pedestrian movement possible.

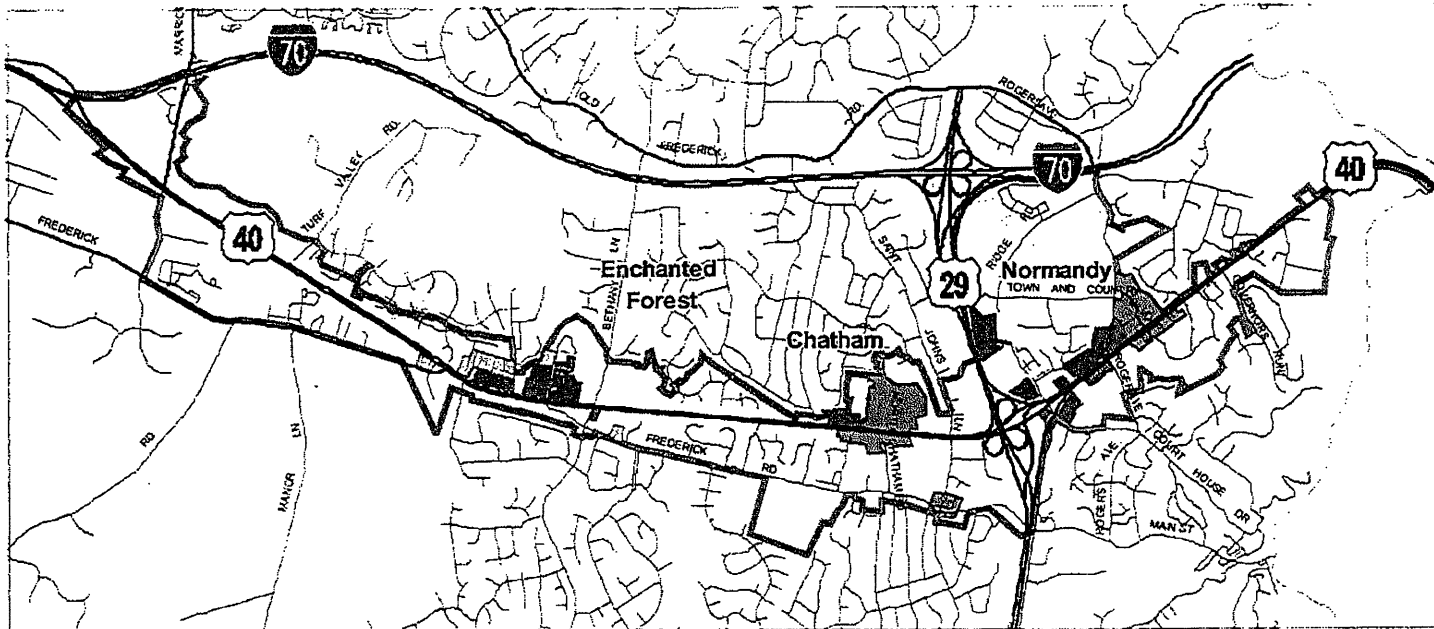


Figure 6: Task Force members discuss their vision for Route 40.

EX 9 (2)



Route 40 Corridor Study Map 2: Proposed Land Use Changes



Legend

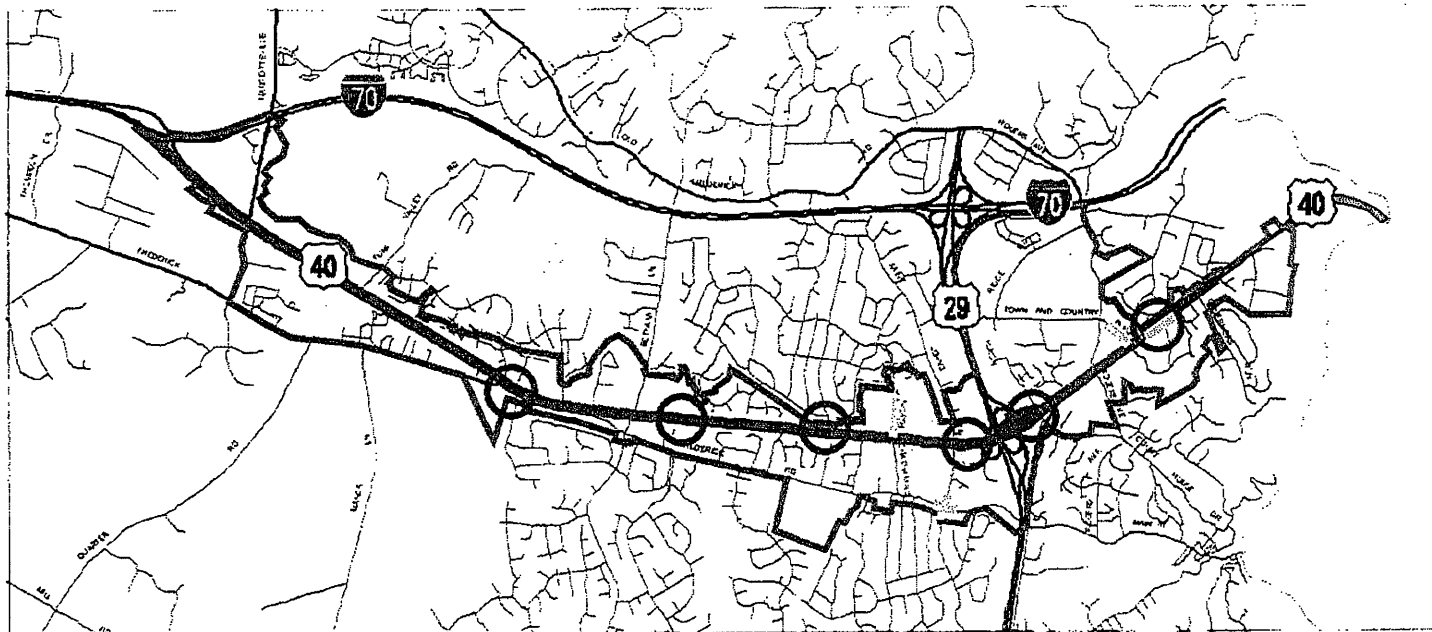
Route 40 Study Area		Enhanced Retail	
Neighborhood Center		Employment	
		Expanded Residential	

Howard County
C:\MP_DP1_Projects\DECP\Community Planning
Route 40 Study Area\RD\ULChanges\0411\WCS
SOURCE DPZ
September 2004

EX9 (3)



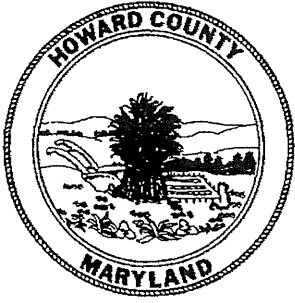
Route 40 Corridor Study Map 4: Proposed Streetscape Plan



Legend

Route 40 Study Area		Neighborhood Center Street	
Parkway		Super Boulevard	
Suburban Boulevard		Gateway/Transition Areas	

Howard County
NORTH
C:\MF\DP\A Projects\DECP\Community Planning
Route 40 Study Area\HWG\Streetscape\041111\WCR
SOURCE: DPZ
September 2004



Howard County Council

George Howard Building
3448 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. Leonard Baldwin
9071 Upton Road
Elkridge, MD 21042

Dear Mr. Baldwin:

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.

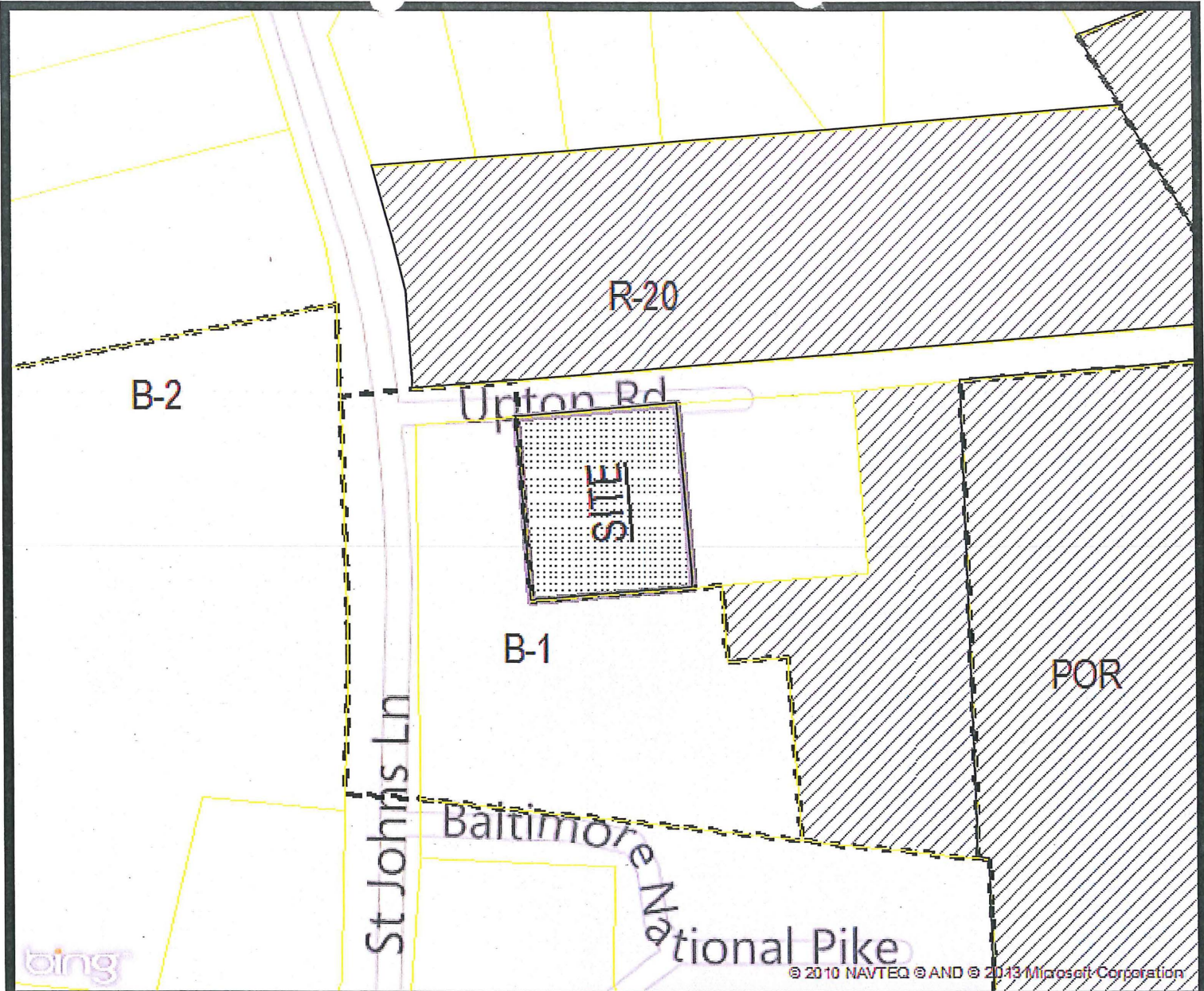
Please be advised that on March 7, 2013, the Howard County Ethics Commission determined that the Zoning Map Request Form needs to be accompanied by certain affidavits and disclosures. The Commission also determined that the Zoning Regulation Amendment Form needs to be accompanied by certain affidavits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



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		45	46	47	48	
				50		



Zoning Map General Plan Amendment: 24.004 Tax ID: 1402243199
 Current Zoning: R-20 Council District: 1
 Tax Map: 24 Grid: 5 Parcel: 40 Lot: N/A
 Address: 9071 UPTON RD

"
"

Requested Zoning

Search Street:

Property Information:

Amendment No.: 24.005
Current Zoning: POR
Requested Zoning: R-A-15
Tax Account ID.: 1402426447
Map: 24
Grid: 5
Parcel: 1190
Lot:
Acres: 5.67
Address: 9011 UPTON RD
City/State/Zip: ELLICOTT CITY, MD 21042

Owner:

Name: Upton Properties, LLC
Email: rickhoenes@verizon.net
Phone: 410-997-8986
Mailing Address: 11024 GAITHER FARM RD
City/State/Zip: ELLICOTT CITY, MD 21042

Representative:

Name: Thomas M. Meachum; Carney, Kelhan, Bresler, Bennett, and Scherr, LLP
Email: tmm@carneykelehan.com
Phone: 410-740-4600
Mailing Address: 10715 Charter Drive, Suite 200
City/State/Zip: Columbia, MD 21044

Decision:

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

24.005

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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)	9011	Upton Road
2	Tax Map Number	24 ✓	Grid 5 ✓
3	Parcel(s)	1190 ✓	
4	Lot(s)		
5	Tax Account Data:	District 02	Account # 426447 ✓

6	Size of Property:	Acres 5.6796 ✓	Square feet
---	-------------------	----------------	-------------

7	The Property is currently zoned:	POR
	I request that the Property be rezoned to:	R-A-15

B. Owner Information

8	Owner Name	Upton Properties, LLC ✓
9	Mailing street address or Post Office Box	11024 Gaither Farm Road
	City, State	Ellicott City, MD
	ZIP Code	21042-6125
	Telephone (Main)	410-977-8986
	Telephone (Secondary)	
	Fax	
10	E-Mail	rickhoenes@verizon.net

RECEIVED

DEC 14 2012

DIV. OF PUBLIC SERVICE & ZONING

C. Representative Information

11	Name	Thomas M. Meachum; Carney Kelehan Bresler Bennett & Scherr, LLP ✓
	Mailing street address or Post Office Box	10715 Charter Drive, Suite 200
	City, State	Columbia, MD
	ZIP	21044
	Telephone (Main)	410-740-4600

C. Representative Information

	Telephone (Secondary)	
	Fax	410-730-7729
	E-Mail	tmm@carneykelehan.com
12	Association with Owner	Attorney

D. Alternate Contact [If Any]

	Name	
	Telephone	
	E-Mail	

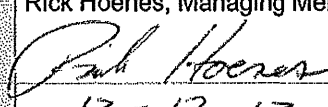
E. Explanation of the Basis / Justification for the Requested Rezoning

13	The property is bounded by Route 29; Route 40; a retail center; two residential lots; and a church. This would be the perfect location for apartments or townhouses which would serve the purpose of providing more affordable housing which has been the subject of constant discussion for the past 40 years.
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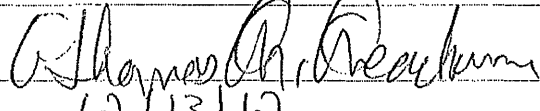
F. List of Attachments/Exhibits

14	Exhibit 1: Tax Map 24; Exhibit 2: Zoning Map 24; Exhibit 3: Aerial Photo
----	--

G. Signatures

15	Owner	Rick Hoenes, Managing Member	Owner (2)	
				
	Date	12-13-12	Date	

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

16	Representative Signature	
	Date	12/13/12

DPZ Use Only		Amendment No.	24.005
Notes			

17

#24

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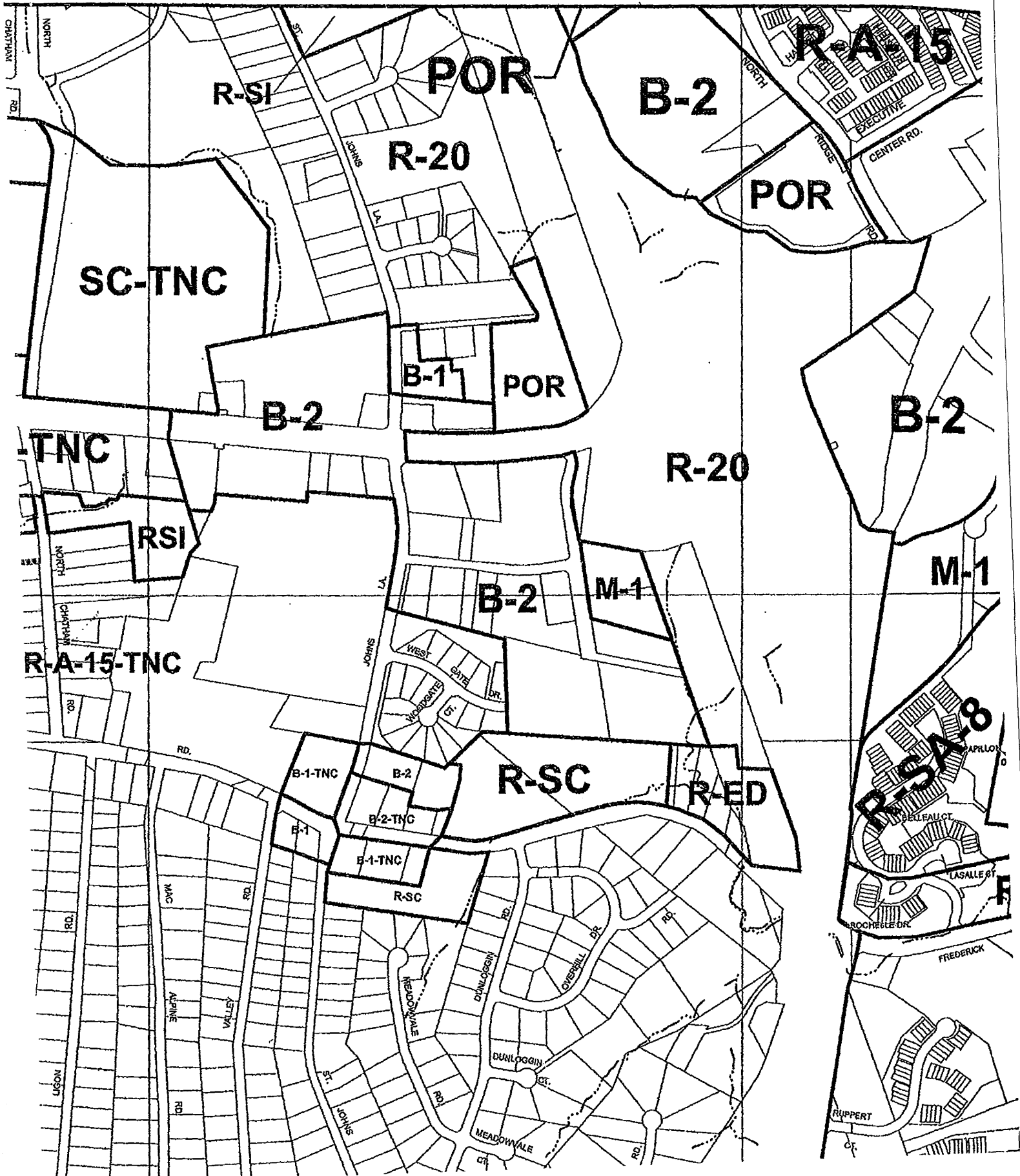


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R-SI

POR

B-2

R-A-15

R-20

POR

SC-TNC

B-1

POR

B-2

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TNC

R-20

RSI

B-2

M-1

M-1

R-A-15-TNC

JOHNS

WEST GATE DR

WOODGATE CT

R-SC

R-ED

R-5A-18

B-1-TNC

B-2

B-2-TNC

B-1

B-1-TNC

R-SC

MAC RD

ALPINE RD

VALLEY RD

ST. JOHNS

DUNLOGGIN CT

OVERHILL DR

MEADOWVALE CT

RUPPERT CT

FREDERICK

F

MAPLE

BELLEAU CT

LASALLE ST

ROCHELLE DR

LUGON RD

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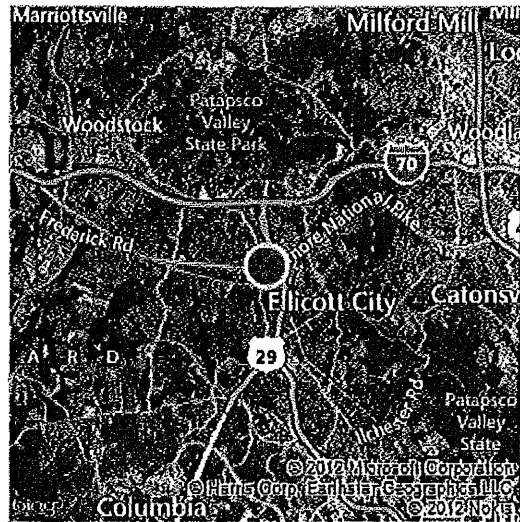
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bing Maps

Upton Rd, Ellicott City, MD 21042

My Notes

On the go? Use m.bing.com to find maps, directions, businesses, and more



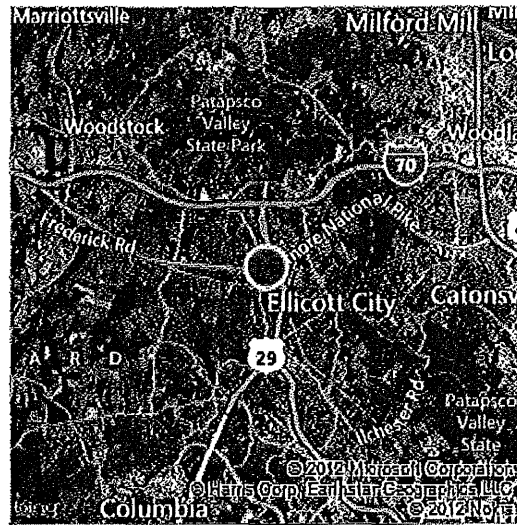
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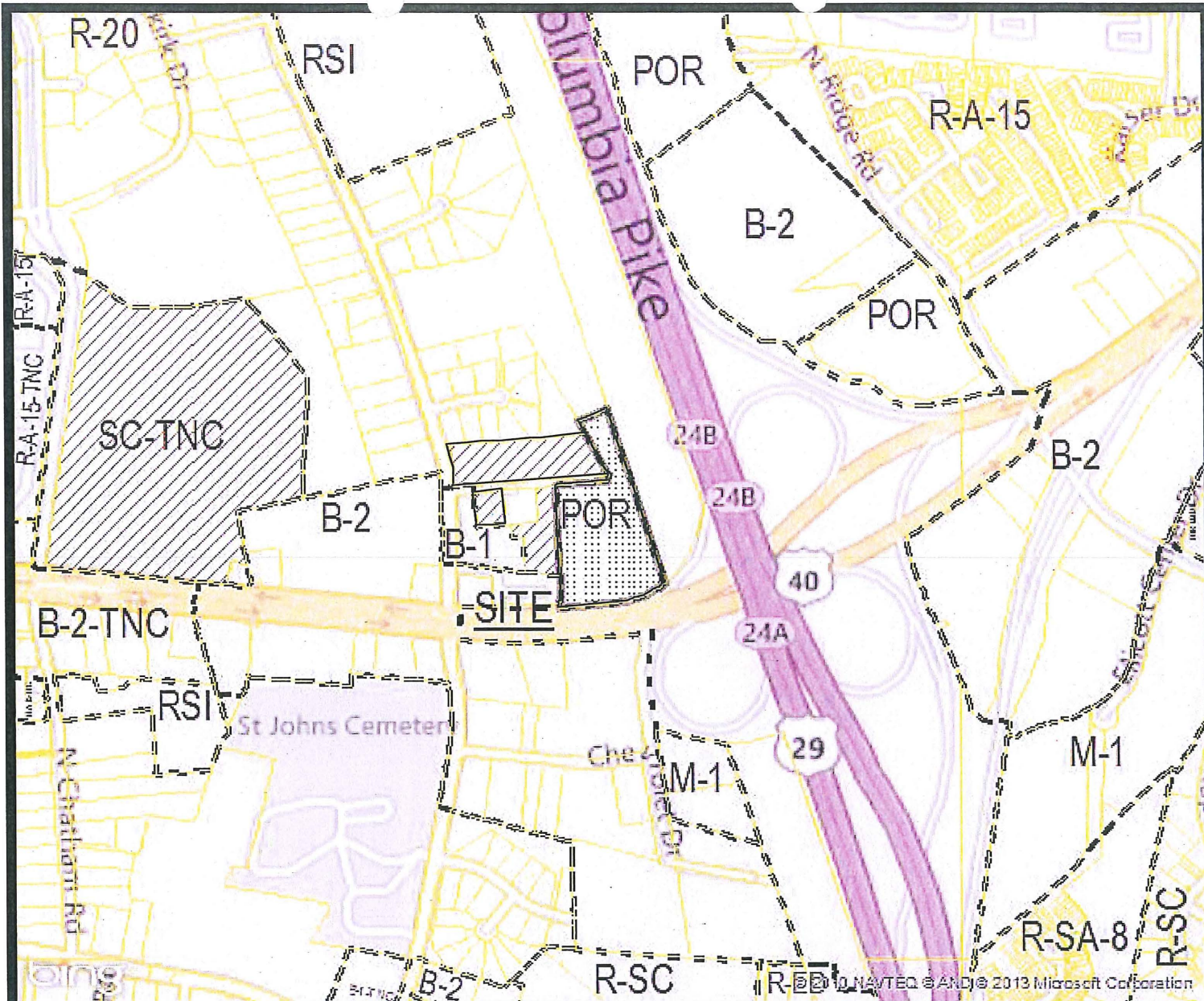
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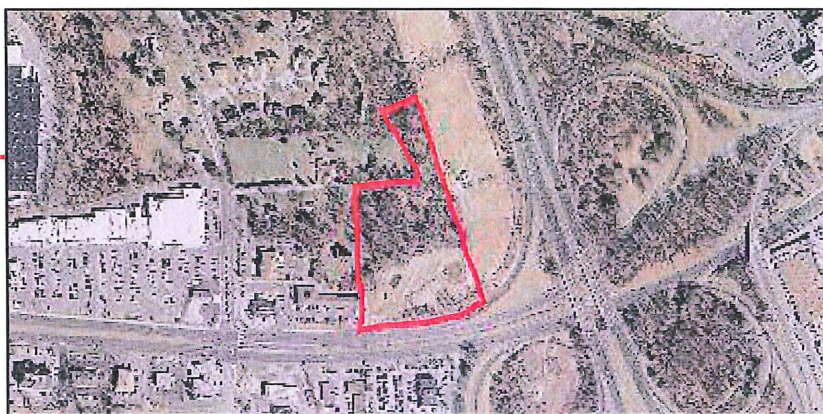
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