

**ADJOINING PROPERTY OWNERS FOR 13325 CLARKSVILLE PIKE**

Westerlund Family, LLC  
6285 Linkythorn Lane  
Clarksville, MD 21029-1320  
(40.004)

Highland Crossing, LLC  
14190 Twisting Lane  
Dayton, Maryland 21036-1229  
(40.004)

Richard & Eileen Listrani  
23200 Howard Chapel RD  
Brookeville, MD 20833-1318  
(40.004)

"  
"

## Requested Zoning

**Search Street:**

CLARKSVILLE PK

**Property Information:**

Amendment No.: 40.004  
Current Zoning: RR-DEO  
Requested Zoning: B-1  
Tax Account ID.: 1405363314  
Map: 40  
Grid: 5  
Parcel: 74  
Lot:  
Acres: 3.07  
Address: 13325 CLARKSVILLE PK  
City/State/Zip: CLARKSVILLE, MD 21029

**Owner:**

Name: BOLDUC JOHN PAUL  
Email: mjkalinock@jpbe.com  
Phone: 410-884-1960  
Mailing Address: 13237 WESTMEATH LN  
City/State/Zip: CLARKSVILLE, MD 21029

**Representative:**

Name: William E. Erskine  
Email: WErskine@offittkurman.com  
Phone: 443-864-8844  
Mailing Address: 8171 Maple Lawn Blvd, Suite 200  
City/State/Zip: Fulton, MD 20759

**Decision:**

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

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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.

RECEIVED

DEC 14 2012

**A. Property Information**

1	Address / Street (Only)	13325	Clarksville Pike
2	Tax Map Number	40	Grid 5
3	Parcel(s)	74	
4	Lot(s)	N/A	
5	Tax Account Data	District 05	Account # 403251 and 363314

DIV. OF PUBLIC SERVICE & ZONING

6	Size of Property	Acres 6.27	Square feet
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7	The Property is currently zoned:	RR-DEO
	I request that the Property be rezoned to:	B-1

**B. Owner Information**

8	Owner Name	JP Bolduc ✓
9	Mailing street address or Post Office Box	13237 Westmeath Lane ✓
	City, State	Clarksville, Maryland
	Zip Code	21029
	Telephone (Main)	410-884-1960
	Telephone (Secondary)	
	Fax	
10	E-Mail	mjkalinock@jpbe.com

**C. Representative Information**

11	Name	William E. Erskine, Esq.
	Mailing street address or Post Office Box	8171 Maple Lawn Boulevard, Suite 200
	City, State	Fulton, Maryland
	Zip	20759
	Telephone (Main)	301-575-0363

Receipt # 147444

**C. Representative Information**

Telephone (Secondary)	443-864-8844
Fax	301-575-0335
E-Mail	WErskine@offitkurman.com
12 Association With Owner	Zoning Attorney

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

Name	
Telephone	
E-Mail	

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

13	Subject property is located in the Highland Commercial Crossroads. Environmental features on the property require development to be situated very close to MD Route 108 and the existing commercial development on the opposite side of MD Route 108. These conditions make the property ill suited for single family detached residential uses. The Petitioner would like to develop the property in a manner that is consistent with the permitted uses in the B-1 district such as office, retail and restaurant uses by way of example.
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**F. List of Attachments/Exhibits**

14	1. Aerial view of subject property and surrounding area. 2. Current Zoning Map of subject property. 3. SDAT Parcel Tax Map of subject property.
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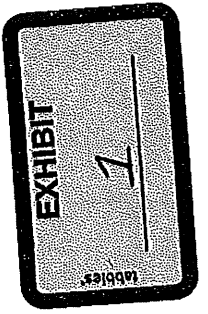
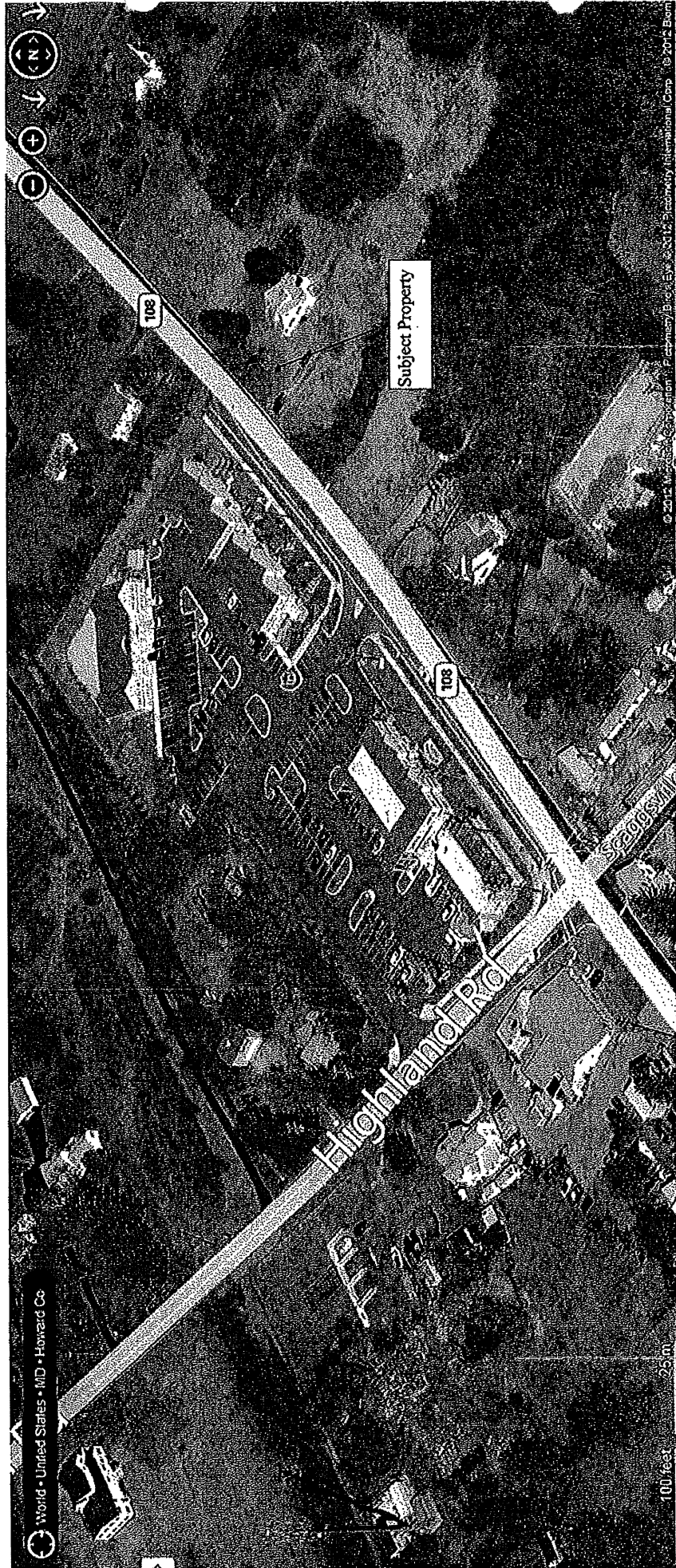
**G. Signatures**

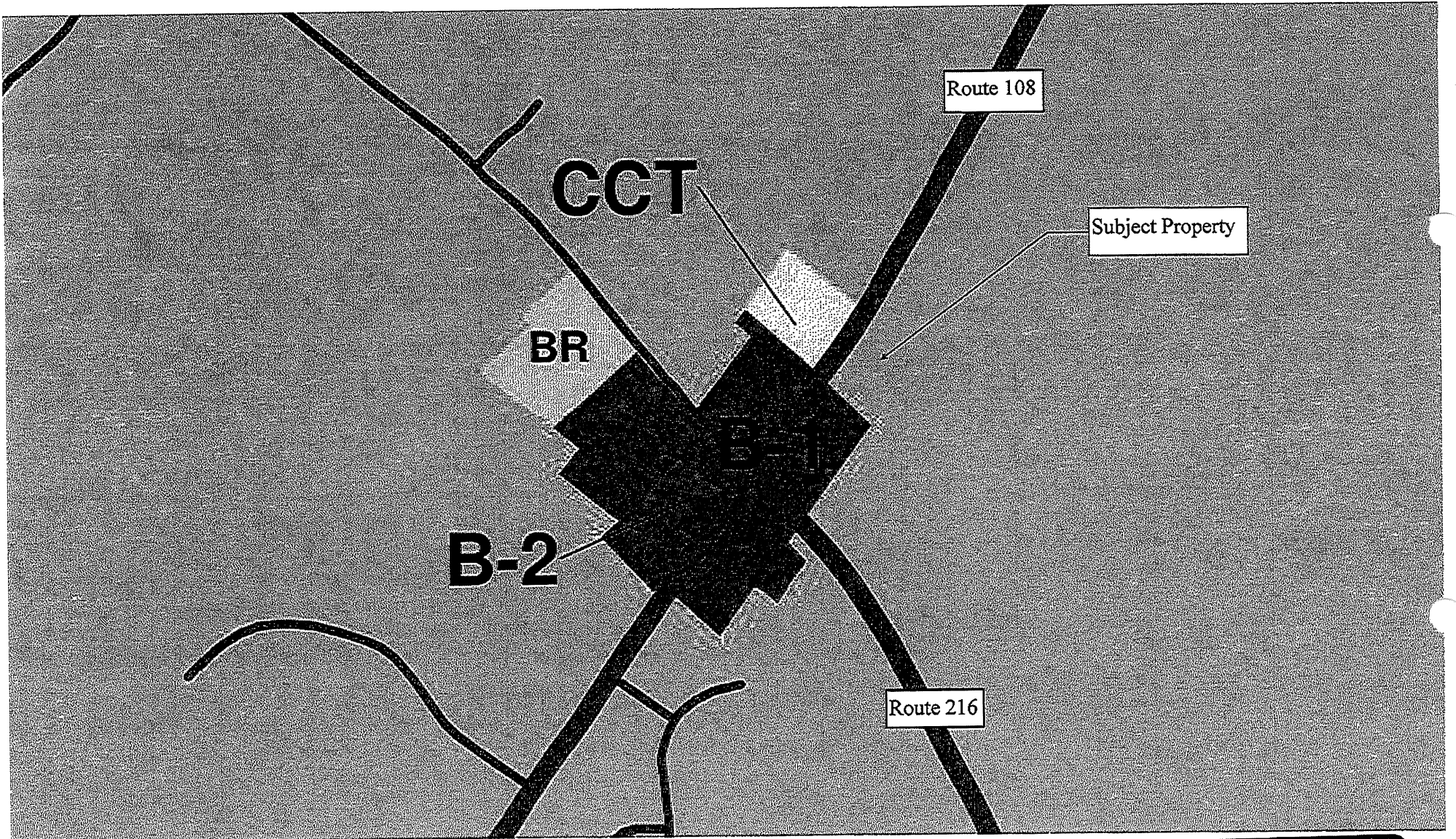
15	Owner	<i>J.P. BOLDUC</i>	Owner (2)	
	Date	<i>12/13/12</i>	Date	
Additional owner signatures? <input checked="" type="checkbox"/> the box to the left and attach a separate signature page.				

16	Representative Signature	<i>William E. Erskine</i>
	Date	<i>12/14/12</i>

DPZ Use Only	Amendment No.	<i>40.004</i>
Notes	<i>604 12/17/12</i>	







Route 108

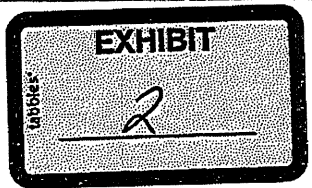
CCT


Subject Property

BR

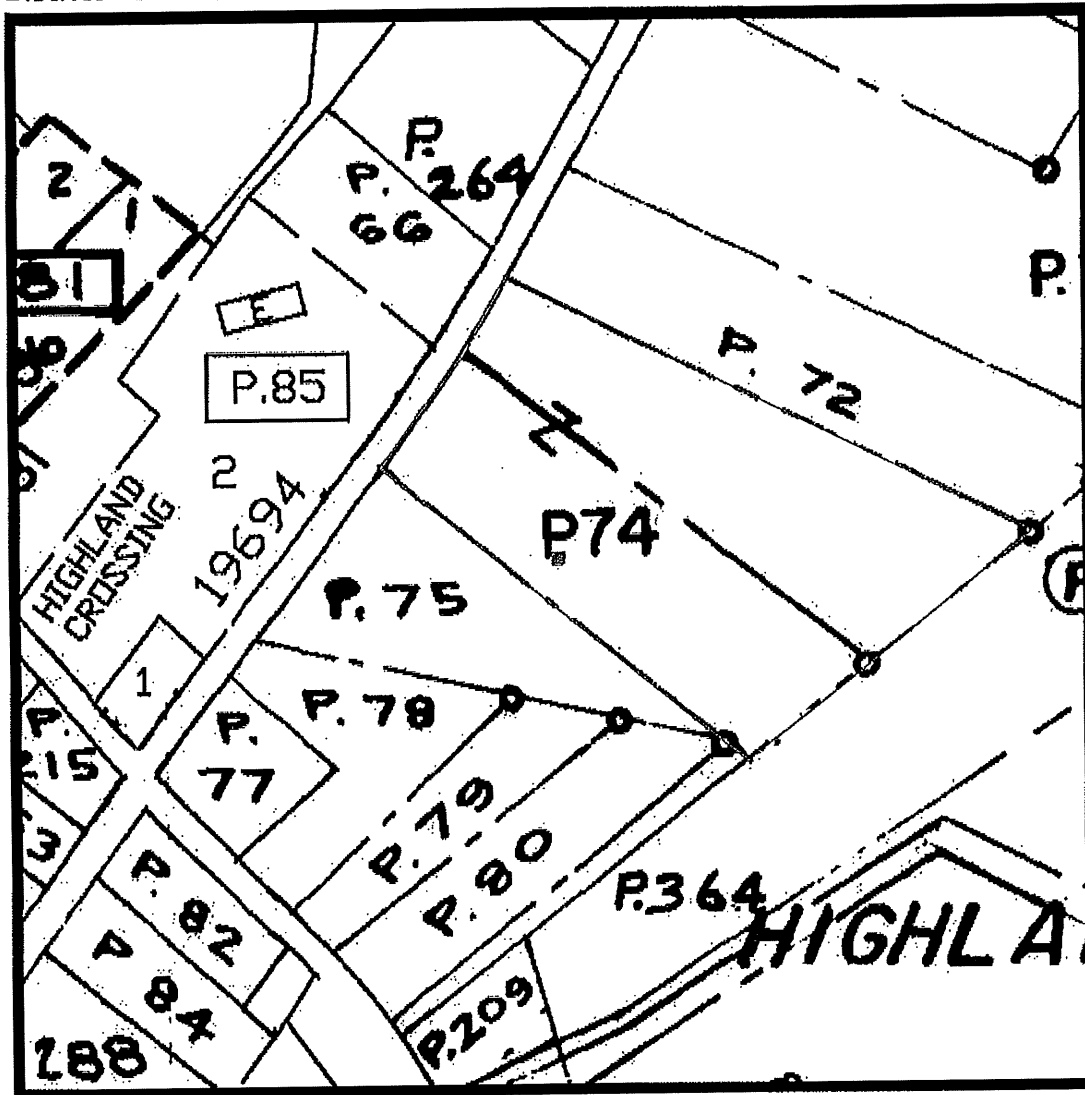
B-2

Route 216



	<b>Maryland Department of Assessments and Taxation</b> <b>HOWARD COUNTY</b> Real Property Data Search	<a href="#">Go Back</a> <a href="#">View Map</a> <a href="#">New Search</a>
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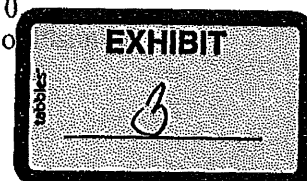
District - 05 Account Number - 403251



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at [www.plats.net](http://www.plats.net).

Property maps provided courtesy of the Maryland Department of Planning ©2010  
For more information on electronic mapping applications, visit the Maryland Department of  
web site at [www.mdp.state.md.us/OurProducts/OurProducts.shtml](http://www.mdp.state.md.us/OurProducts/OurProducts.shtml)





# Howard County Council

George Howard Building  
3502 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. John Paul Bolduc  
13237 Westmeath Lane  
Clarksville, MD 21029

Dear Mr. Bolduc:

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."

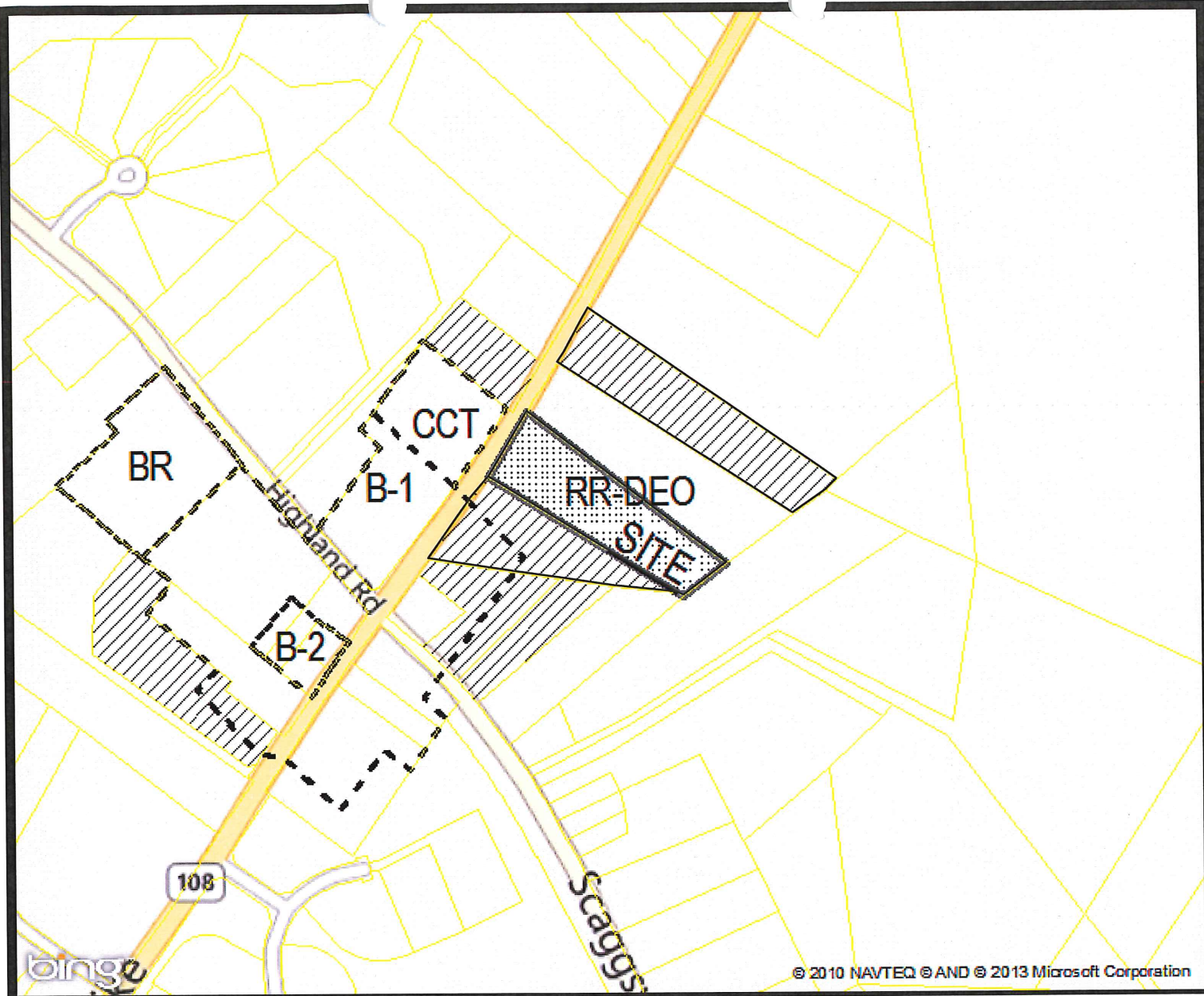
The Commission directed me to notify applicants of their obligation to file the affidavit and disclosure. The obligation is set forth in Md. Code Ann., St. Gov't, Sec. 15-849(b), which provides in part, "**the affidavit or disclosure shall be filed at least 30 calendar days prior to any consideration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



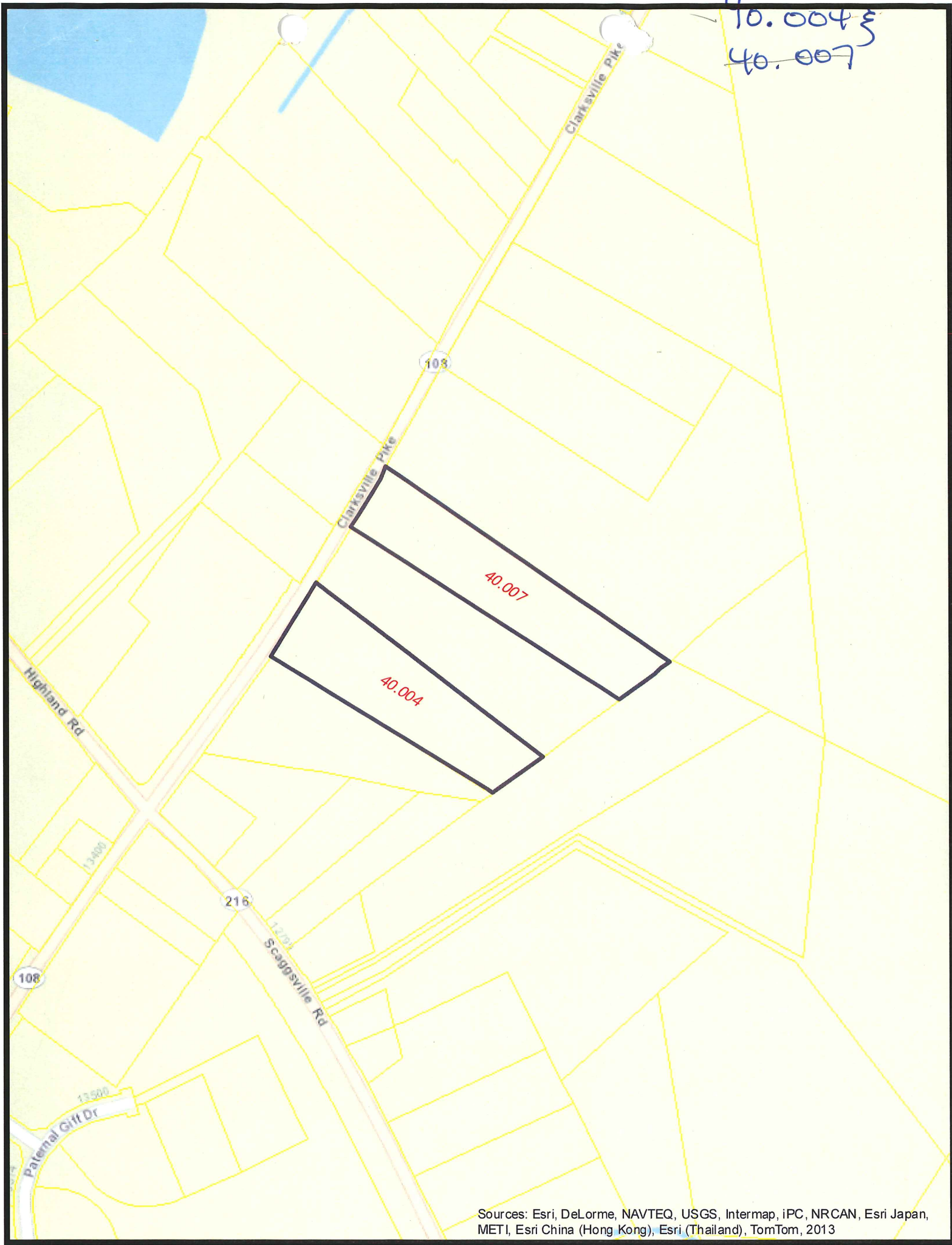


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	39	40	41	42	43	44
		45	46	47	48	
			49			



Zoning Map General Plan Amendment: 40.004 Tax ID: 1405363314  
 Current Zoning: RR-DEO Council District: 4  
 Tax Map: 40 Grid: 5 Parcel: 74 Lot: N/A  
 Address: 13325 CLARKSVILLE PK

40.004 &  
40.007





## Regner, Robin

---

**From:** Tolliver, Sheila  
**Sent:** Thursday, August 01, 2013 1:31 PM  
**To:** Regner, Robin  
**Subject:** FW: Letters to DPZ  
**Attachments:** Written Testimony for Amendment 40.004 - highlighted.pdf; JPB Highland Comp Zoning Request.pdf; Highland Exhibits.pdf

---

From: Sigaty, Mary Kay  
Sent: Wednesday, July 31, 2013 3:33 PM  
To: Tolliver, Sheila  
Subject: FW: Letters to DPZ

On 7/1/13 7:46 AM, "Erskine, William" <[werskine@offitkurman.com](mailto:werskine@offitkurman.com)> wrote:

>Mary Kay,  
>  
>Please see attached correspondence. I have highlighted the relevant  
>reference to the parcel size, etc. I may have some additional emails  
>on the topic. I will continue to look and will send them over if I am  
>able to locate them. I have also attached a copy of the Application  
>for Rezoning (with Exhibits) filed on December 14, 2012. You will note  
>that on Exhibit 3 that I carefully outlined the entirety of Parcel 74  
>in red to make it clear that the Applicant was seeking to rezone all 6.27 acres.

>  
>I am available this morning if you would like to discuss.

>  
>William E. Erskine  
>Principal  
>Offit | Kurman  
>Attorneys At Law

>  
>  
>  
>-----Original Message-----

>From: Sigaty, Mary Kay [<mailto:mksigaty@howardcountymd.gov>]  
>Sent: Monday, July 01, 2013 6:23 AM  
>To: Erskine, William  
>Subject: Letters to DPZ

>  
>Bill,

>  
>Would you please send me copies of the letters you sent DPZ requesting  
>the site correction for the Highland property?

>  
>Thanks.

>  
>Mary Kay Sigaty  
>Howard County Council, District 4

>3430 Court House Drive  
>Ellicott City, MD 21043  
>410-313-2001  
>





William E. Erskine, Esquire  
 Tel: 443-738-1563  
 WErskine@offitkurman.com

April 12, 2013

Howard County Planning Board  
 3430 Courthouse Drive  
 Ellicott City, MD 21043

Re: Comprehensive Zoning Map Amendment Request No. 40.004

Dear Chairman Grabowski and Distinguished Members of the Planning Board:

Thank you for your consideration of zoning map amendment request No. 40.004. As stated in the Application for Rezoning filed in this matter, the Property owner does not feel that the current RR-DEO zoning of the subject property is the most appropriate zoning for this property given its close proximity to surrounding commercial uses within the Highland commercial crossroads. The Applicant feels strongly that B-1 zoning is the most appropriate zoning classification for this property. Having said that, the Applicant has recently had an opportunity to review the proposed text amendments prepared by DPZ that would create a new zoning category known as BRX. In the event that this new zoning category were to be approved by the Council, the Applicant would welcome the opportunity to apply for this exciting new zoning category. With this purpose in mind, the Applicant urges the Planning Board to resist any proposed amendments to the new BRX district that would effectively exclude the Applicant (and other similarly situated property owners) from having at least the opportunity to apply for this new zoning category. Whether the Zoning Board decides to grant the application or not will depend on the merits of the particular application. (See, DPZ recommendation set forth immediately below).

40.004	40	5	74	13325 Clarksville Pike	Bolduc John Paul	3.07	RR- DEO	B-1	RR- DEO	Residential Use; BRX option
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**I would also like to clarify the fact that Amendment No. 40.004 actually seeks to rezone the entirety of Parcel 74 (consisting of 6.27 acres. Not 3.07 as reported by DPZ).** Having said this, roughly half of the property is unsuitable for development because of wet site conditions existing on the rear of the property so the actual usable area of property sought to be rezoned is very close to that which has been reported by DPZ.

**Offit | Kurman**  
Attorneys At Law

Thank you for your consideration of this important amendment request.

Sincerely,



William E. Erskine

William E. Erskine

WEE/lmk

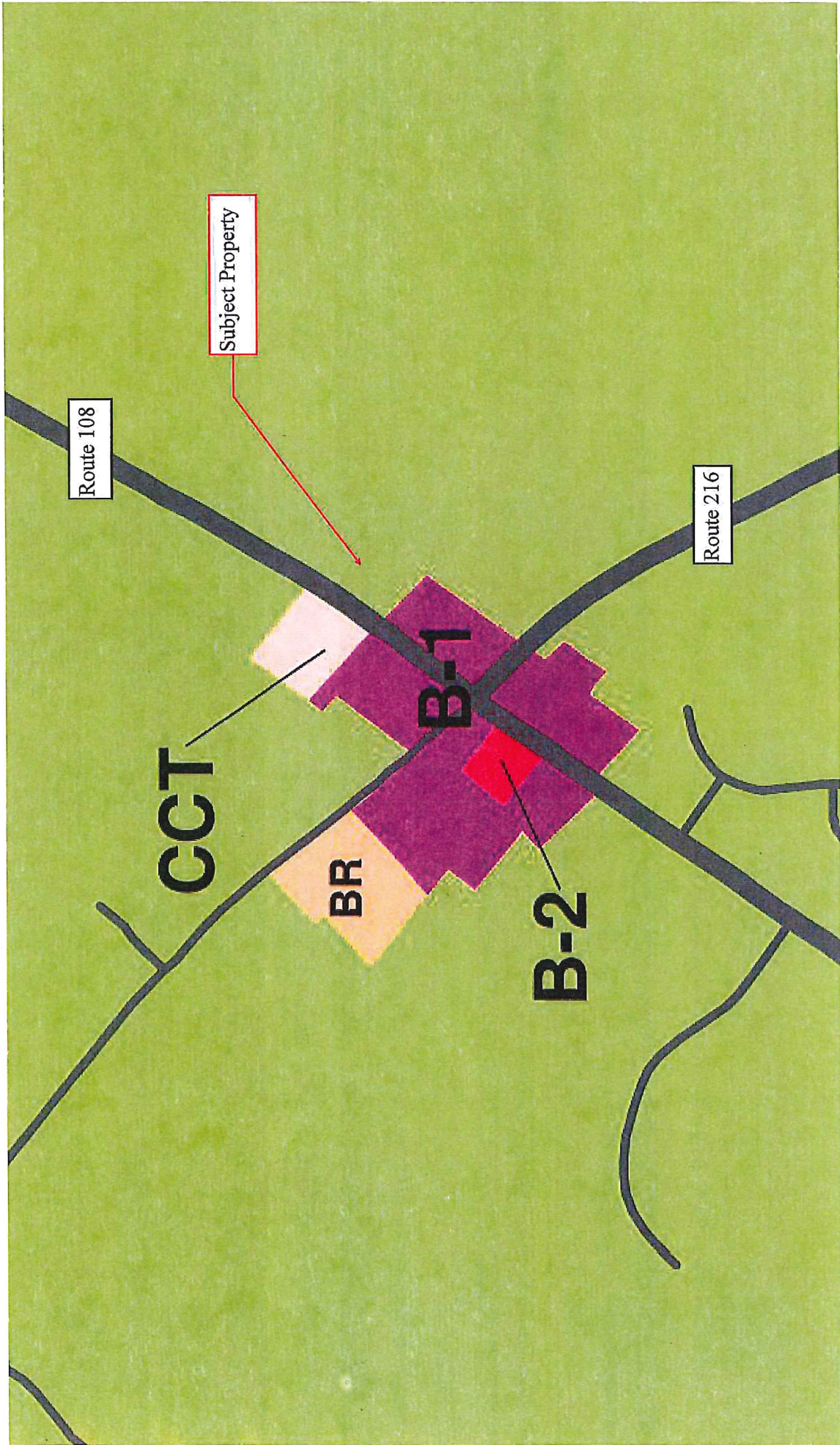
4834-6737-3331, v. 1





tabbles®  
**EXHIBIT**  
1





Route 108

Route 216

Subject Property

CCT

BR

B-1

B-2

EXHIBIT

2

tabbles®

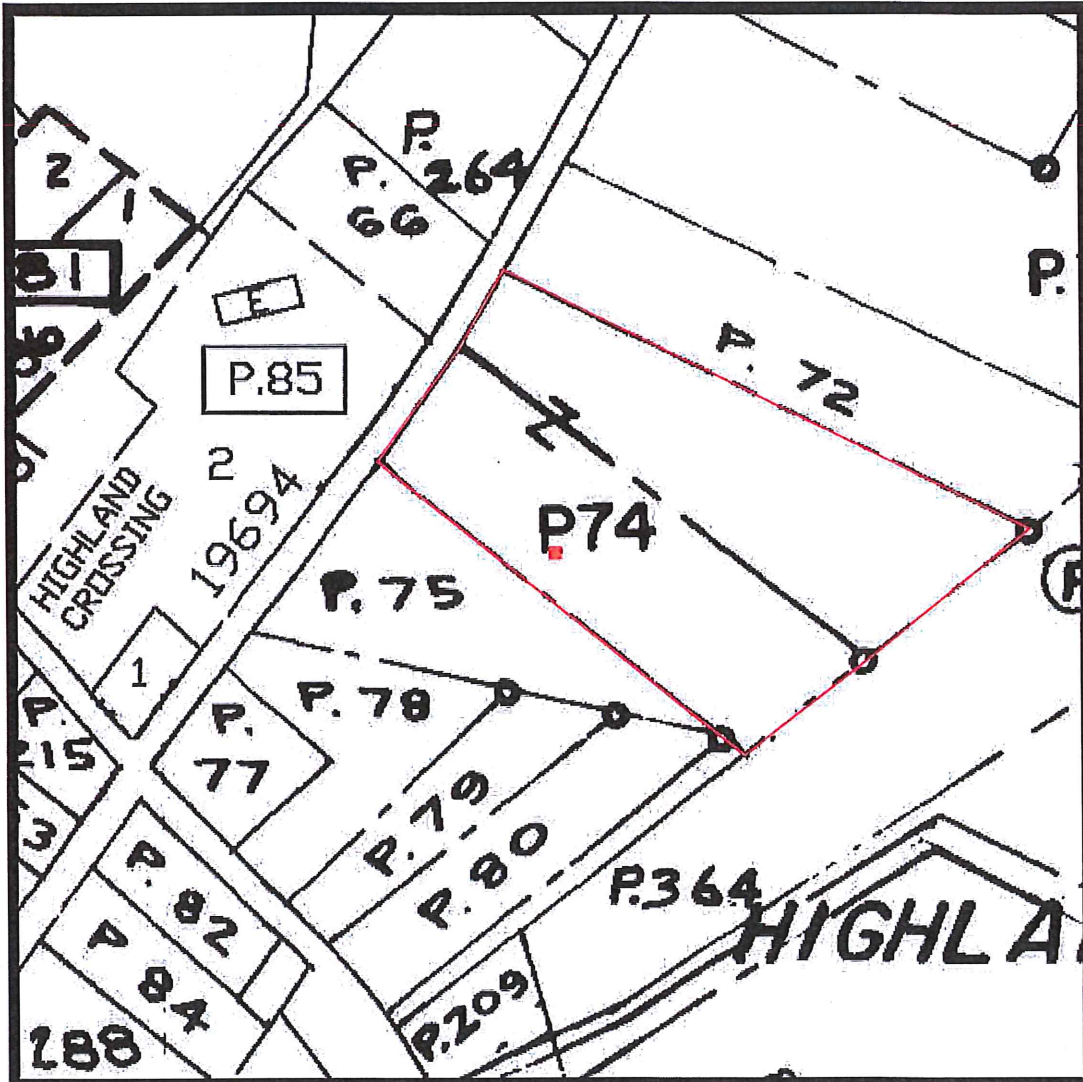




Maryland Department of Assessments and Taxation  
HOWARD COUNTY  
Real Property Data Search

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District - 05 Account Number - 403251



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Property maps provided courtesy of the Maryland Department of Planning ©2010  
For more information on electronic mapping applications, visit the Maryland Department of  
web site at [www.mdp.state.md.us/OurProducts/OurProducts.shtml](http://www.mdp.state.md.us/OurProducts/OurProducts.shtml)



**Regner, Robin**

---

**From:** Tolliver, Sheila  
**Sent:** Thursday, June 20, 2013 11:17 AM  
**To:** Regner, Robin  
**Subject:** FW: Highland Map Amendments and The Expanded PSA  
**Attachments:** BRX Map GHCA 130326.pdf

---

**From:** [DanielOL@aol.com](mailto:DanielOL@aol.com) [<mailto:DanielOL@aol.com>]  
**Sent:** Thursday, June 20, 2013 10:26 AM  
**To:** CouncilMail; Knight, Karen  
**Subject:** Highland Map Amendments and The Expanded PSA



June 20, 2013

Dear Council Members:

Thank you for your attention to my remarks last night. I hope you will find the following summary useful in your deliberations.

Actually, GHCA supported a modified BRX with NO map amendments, which option we chose when queried by DPZ. We will address BRX Monday under text amendments in the West.

Map #s 40.001 thru 40.007, Highland Crossroads: We support only one of them in order to allow the adjoining property to be eligible for BRX rather than B-1. (See Exhibit 1 attached)

- 40.004, 005 & 007: All of these lots (actually 4 lots) are on the NE side of 108. We strongly support DPZ's recommendation for denial. There is no demand for commercial space in Highland. There are still vacancies in Highland Crossing across 108, and 40.005 ( Grey Pony) would still qualify for BRX.
- 40.001: This is a bald attempt to do an end-run around an existing BOA ruling against a nursing home proposal. The case is under judicial appeal. {According to Mr. Sun's testimony, there is no vested interest in this property because the BOA ruled against. Council is free act as it wishes, but a vote in favor of this amendment would be a vote to over-rule the BOA} Intervention by Council action is inappropriate and undermines a conditional use process that is already under heavy criticism.

- 40.002: This lot on the SW quadrant adjoins a lot by the same owner that was converted to B-1 in the last round. It is roughly 85% RR (see Exhibit 1). Only a tiny sliver of the old B-1 remains and should have been removed in 2004. Please read the letter to the Planning Board by the adjoining owners, the Messiers, about illegal commercial use. We strongly oppose it and recommend RR-DEO for the entire lot to clear up the issue. If expansion is needed it would qualify for BRX
- 40.008: We recommend adoption of B-1 to clear up the split zoning and to allow Ms. Caswell to apply for BRX status in lieu of the last amendment below: 40.003.
- 40.003: We would prefer to support a BRX proposal if 40.008 were granted.

Finally, we oppose map amendments 34.001-004, the Hoddinot property and 46.002, the Maple lawn property, both for the same reason: the PSA was improperly expanded under the General Plan. Even if it was legal, it was terrible public policy and procedure. It was never properly announced, explained or properly debated. We respectfully suggest the Council remove the PSA expansion from the GP, and take it up at a later date such as what was done in COMP LITE in 2004. It is too important an issue to have been passed under questionable procedures, Please correct this mistake.

Dan O'Leary, President  
301 854 9424

ADJOINING PROPERTY OWNERS FOR 13303 CLARKSVILLE PIKE

Bolduc JP  
13237 Westmeath Lane  
Clarksville, MD 21029-1349  
(40.001) (40.004) (40.005)  
(40.007)

Tracy Bonsol  
Glen Price T/E  
13290 Route 108  
Highland, MD 20777-9703  
(40.007)

Louanne Collison  
13211 Clarksville Pike  
Highland, MD 20777-6004  
(40.007)

Brian & Deborah Gunter  
12760 Route 216  
Highland, MD 20777-9733  
(40.007)



"  
"

## Requested Zoning

**Search Street:**

CLARKSVILLE PK

**Property Information:**

Amendment No.: 40.007  
Current Zoning: RR-DEO  
Requested Zoning: B-1  
Tax Account ID.: 1405364035  
Map: 40  
Grid: 5  
Parcel: 72  
Lot:  
Acres: 3.06  
Address: 13303 CLARKSVILLE PK  
City/State/Zip: CLARKSVILLE, MD 20777

**Owner:**

Name: HAUSCH JAMES T  
Email:  
Phone: 301-854-0052  
Mailing Address: 13303 CLARKSVILLE PIKE  
City/State/Zip: HIGHLAND, MD 20777

**Representative:**

Name: David A. Carney  
Email: dac@carneykelehan.com  
Phone: 410-730-7729  
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.

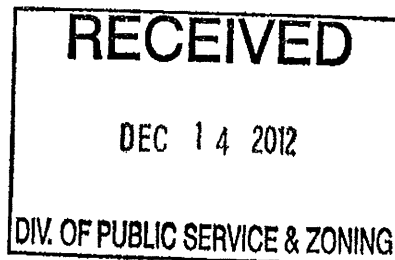
## A. Property Information

1 Address / Street (Only) 13303 Clarksville Pike ✓  
2 Tax Map Number 40 Grid 5 ✓  
3 Parcel(s) 0072  
4 Lot(s)  
5 Tax Account Data: District 05 Account # 364035 ✓  
6 Size of Property: Acres 3.06 ✓ 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 Annette R. Hausch (widow)  
9 Mailing street address 13303 Clarksville Pike  
or Post Office Box  
City, State Highland, MD  
ZIP Code 20777-9702  
Telephone (Main) 301-854-0052  
Telephone (Secondary)  
Fax  
10 E-Mail



REC # 14945

## C. Representative Information

11 Name David A. Carney; Carney Kelehan Bresler Bennett & Scherr, LLP  
Mailing street address 10715 Charter Drive, Suite 200  
or Post Office Box  
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

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

**F. List of Attachments/Exhibits**

14

**G. Signatures**

15 Owner Annette R. Hausch

Owner (2)

  
Date 12-14-12

Date

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

16 Representative  
Signature

Date

DPZ Use Only	Amendment No.	40.007
Notes	12/18/12	

**C. Representative Information**

Telephone (Secondary)

Fax 410-730-7729

E-Mail dac@carneykefehan.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 Ms. Annette Hausch, a widow, has resided in the home at 13303 Clarksville Pike since 1981. Because of heavy traffic on 108 during the past 20 years, she has had trouble selling her property zoned RR, for residential housing. The traffic counts are significant. Her home is located approx. 400' from Commercial Zoning. From her property it is approximately 600' from same side of Clarksville Pike and on the west side of Clarksville Pike it is approx. 400' between her property and the B-1 zoning. The owner of the property between the Hausch property and the B-1 zoned property is seeking B-1 zoning in the comprehensive rezoning. Across Clarksville Pike from the Hausch property is located the Community Bible Church of Highland. On Highland Road in the Village, B-1 zoning extends 600' west from the intersection and there are three non-residential uses, including a contractor's office, storage of construction vehicles and the Highland Post Office. Highland Village has a number of historic structures. If the B-1 zoning is granted, the owner would agree to a covenant to use the existing building as it now stands and uses the building for compatible B-1 uses. Any additional parking would be placed in the rear of the house. If the owner, her successors and assigns would wish to change the building, the owner would have the new structure compatible with the covenants. She would negotiate covenants with the Village president and if changes to the building or the replacement are needed, the owner will design a structure that will be compatible with the covenants, provided the Village board would not be unreasonable. The owner requests that the RR-DEO zoning be changed to B-1 to operate a personal service business.

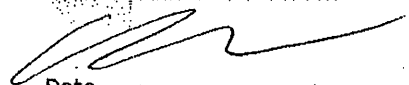
**F. List of Attachments/Exhibits**

- 14 1. Extract of Zoning Map No. 40
- 2. Extract of Tax Map No. 40
- 3. Aerial Maps of Highland
- 4. Photographs

**G. Signatures**

15 Owner Annette R. Hausch

Owner (2)



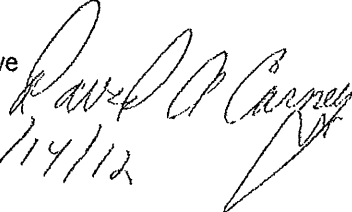
Date 12-14-12

Date

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

16 Representative Signature

Date



12/14/12

DPZ Use Only		Amendment No.	
Notes			

Maryland Department of Assessments and Taxation Real Property Data Search (sw1.1A) HOWARD COUNTY	<a href="#">Go Back</a> <a href="#">View Map</a> <a href="#">New Search</a> <a href="#">GroundRent Redemption</a> <a href="#">GroundRent Registration</a>
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Account Identifier: District - 05 Account Number - 364035

Owner Information			
Owner Name:	HAUSCH JAMES T HAUSCH ANNETTE R	Use: Principal Residence:	RESIDENTIAL YES
Mailing Address:	13303 CLARKSVILLE PIKE HIGHLAND MD 20777-9702	Deed Reference:	1) /01058/ 00338 2)

Location & Structure Information	
Premises Address 13303 CLARKSVILLE PIKE CLARKSVILLE 20777-0000	Legal Description 1 LOT 3.06 A 13303 CLARKSVILLE PIKE CLARKSVILLE

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
0040	0005	0072		0000				2	

Special Tax Areas	Town	NONE
	Ad Valorem	100
	Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1991	2,220 SF	3.0600 AC	

Stories	Basement	Type	Exterior
2.000000	YES	STANDARD UNIT	SIDING

Value Information				
	Base Value	Value As Of 01/01/2011	Phase-in Assessments As Of 07/01/2012	As Of 07/01/2013
Land	345,450	245,400		
Improvements:	266,680	203,800		
<b>Total:</b>	<b>612,130</b>	<b>449,200</b>	<b>449,200</b>	<b>449,200</b>
Preferential Land:	0			0

Transfer Information				
Seller:	SCOTT HELEN ELIZABETH	Date:	06/22/1981	Price: \$82,500
Type:	ARMS LENGTH IMPROVED	Deed1:	/01058/ 00338	Deed2:
Seller:		Date:		Price:
Type:		Deed1:		Deed2:
Seller:		Date:		Price:
Type:		Deed1:		Deed2:

Exemption Information			
Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information	
Homestead Application Status:	No Application



# Howard County Council

George Howard Building  
3504 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. James Hausch  
13303 Clarksville Pike  
Highland, MD 20777

Dear Mr. Hausch:

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.

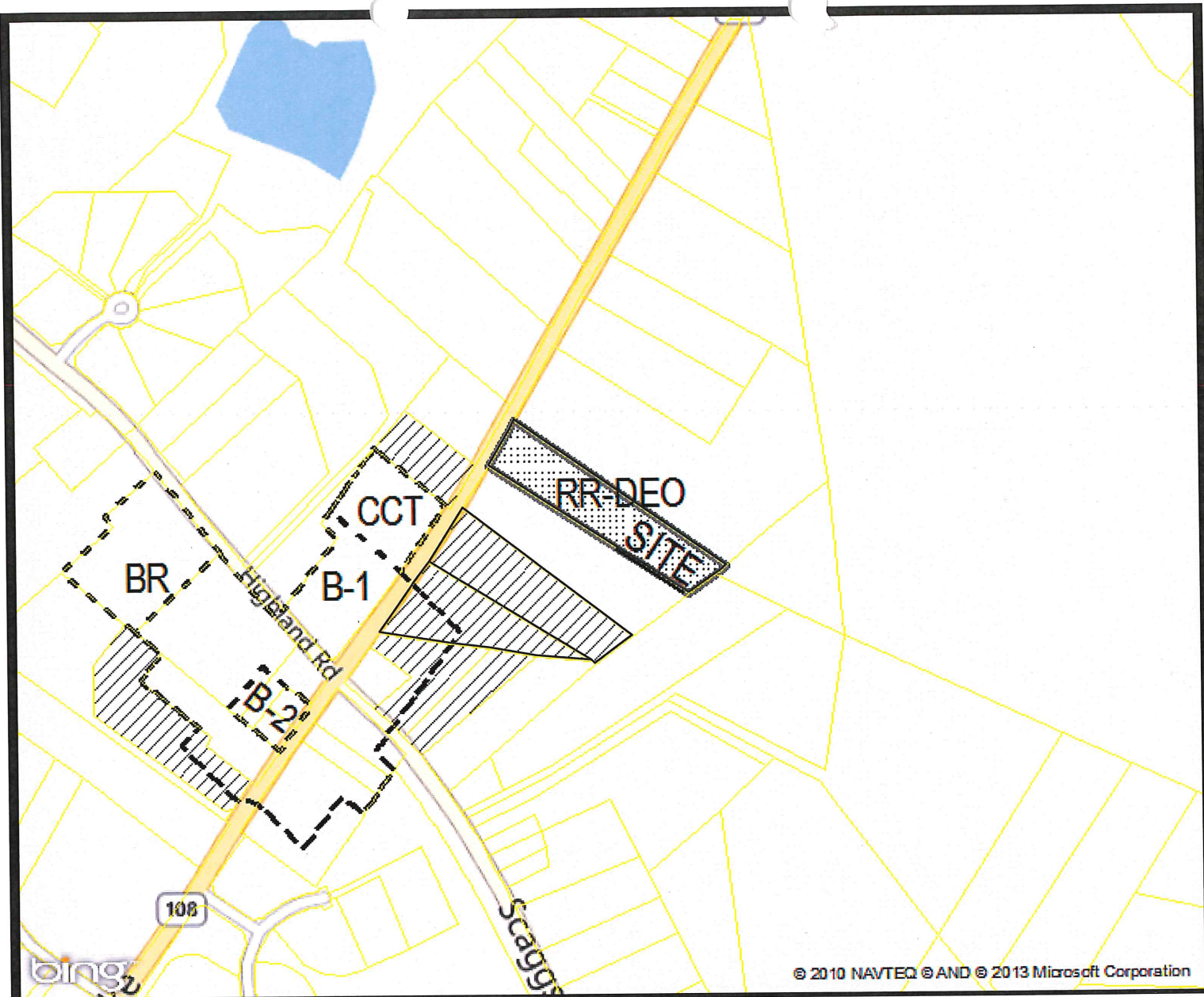
Please be advised that on March 7, 2013, the Howard County Ethics Commission determined that the Zoning Map Request Form needs to be accompanied by certain affidavits and disclosures. The Commission also determined that the Zoning Regulation Amendment Form needs to be accompanied by certain affidavits 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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Zoning Map General Plan Amendment: 40.007 Tax ID: 1405364035  
 Current Zoning: RR-DEO Council District: 4  
 Tax Map: 40 Grid: 5 Parcel: 72 Lot: N/A  
 Address: 13303 CLARKSVILLE PK



**Regner, Robin**

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**From:** Tolliver, Sheila  
**Sent:** Thursday, June 20, 2013 11:17 AM  
**To:** Regner, Robin  
**Subject:** FW: Highland Map Amendments and The Expanded PSA  
**Attachments:** BRX Map GHCA 130326.pdf

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**From:** [DanielOL@aol.com](mailto:DanielOL@aol.com) [mailto:DanielOL@aol.com]  
**Sent:** Thursday, June 20, 2013 10:26 AM  
**To:** CouncilMail; Knight, Karen  
**Subject:** Highland Map Amendments and The Expanded PSA



June 20, 2013

Dear Council Members:

Thank you for your attention to my remarks last night. I hope you will find the following summary useful in your deliberations.

Actually, GHCA supported a modified BRX with NO map amendments, which option we chose when queried by DPZ. We will address BRX Monday under text amendments in the West.

Map #s 40.001 thru 40.007, Highland Crossroads: We support only one of them in order to allow the adjoining property to be eligible for BRX rather than B-1. (See Exhibit 1 attached)

- 40.004, 005 & 007: All of these lots (actually 4 lots) are on the NE side of 108. We strongly support DPZ's recommendation for denial. There is no demand for commercial space in Highland. There are still vacancies in Highland Crossing across 108, and 40.005 ( Grey Pony) would still qualify for BRX.
- 40.001: This is a bald attempt to do an end-run around an existing BOA ruling against a nursing home proposal. The case is under judicial appeal. {According to Mr. Sun's testimony, there is no vested interest in this property because the BOA ruled against. Council is free act as it wishes, but a vote in favor of this amendment would be a vote to over-rule the BOA} Intervention by Council action is inappropriate and undermines a conditional use process that is already under heavy criticism.



- 40.002: This lot on the SW quadrant adjoins a lot by the same owner that was converted to B-1 in the last round. It is roughly 85% RR (see Exhibit 1). Only a tiny sliver of the old B-1 remains and should have been removed in 2004. Please read the letter to the Planning Board by the adjoining owners, the Messiers, about illegal commercial use. We strongly oppose it and recommend RR-DEO for the entire lot to clear up the issue. If expansion is needed it would qualify for BRX
- 40.008: We recommend adoption of B-1 to clear up the split zoning and to allow Ms. Caswell to apply for BRX status in lieu of the last amendment below: 40.003.
- 40.003: We would prefer to support a BRX proposal if 40.008 were granted.

Finally, we oppose map amendments 34.001-004, the Hoddinot property and 46.002, the Maple lawn property, both for the same reason: the PSA was improperly expanded under the General Plan. Even if it was legal, it was terrible public policy and procedure. It was never properly announced, explained or properly debated. We respectfully suggest the Council remove the PSA expansion from the GP, and take it up at a later date such as what was done in COMP LITE in 2004. It is too important an issue to have been passed under questionable procedures, Please correct this mistake.

Dan O'Leary, President  
301 854 9424

Regner, Robin

40.007

**From:** Sigaty, Mary Kay  
**Sent:** Thursday, June 06, 2013 1:51 PM  
**To:** Tolliver, Sheila  
**Cc:** Regner, Robin  
**Subject:** FW: Letter from Dr. John Cunningham

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**From:** hls845 <hls845@gmail.com>  
**Date:** Tue, 12 Feb 2013 10:10:22 -0500  
**To:** Mary Kay Sigaty <mksigaty@howardcountymd.gov>  
**Subject:** Letter from Dr. John Cunningham

To: Howard County Council 02/11/13  
3430 Court House Dr,  
Ellicott City, MD 21043

Attn: Greg Fox, Mary Kay Sigaty, Calvin Ball, Jen Terrasa, and Courtney Watson

I am a small business owner located directly at the intersection of Route 108 and Route 216 in Highland, MD; and the owner of the Highland Veterinary Hospital. I am proposing that the BRX not be adopted for any future zoning issues. I see several reasons for this:

- 1.) B1 zoning is the most practical and proven process for the county and has been for many years.
- 2.) I believe the county, with just B1 zoning, can evaluate all applicants' requests and provide appropriate decisions for or against. In addition, with reasonable requests, approval may be granted with appropriate improvements.
- 3.) BRX zoning may be increasingly costly over an extended period and very time consuming.
- 4.) BRX does not address many of the issues that small B1 lots have been looking forward to for an extended period. Specifically, a means to "enhance and improve our own smaller lots" without considerable costs, green space requirements, and set backs, etc.
- 5.) Adding an additional BRX class could create a confusing position for investment by interested parties including such issues as bank lending for upgrading current properties.
- 6.) Adding BRX & B1 will create two classes of commercial properties in Highland and could create negative current commercial property values.

In summary, I request not to add another zoning class as it may add more problems than solve.

Respectfully Yours,

Dr. John Cunningham

Highland Veterinary Hospital  
13405 Clarksville Pike  
Highland, MD 20777  
301-854-3372

**Regner, Robin**

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**From:** Sigaty, Mary Kay  
**Sent:** Thursday, June 06, 2013 1:51 PM  
**To:** Tolliver, Sheila  
**Cc:** Regner, Robin  
**Subject:** FW: Comprehensive Zoning for 40.007, 13303 Clarksville Pike Highland  
**Attachments:** rezone.doc

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**From:** Annette Hausch <[annettehausch@yahoo.com](mailto:annettehausch@yahoo.com)>  
**Reply-To:** Annette Hausch <[annettehausch@yahoo.com](mailto:annettehausch@yahoo.com)>  
**Date:** Thu, 11 Apr 2013 15:35:52 -0400  
**To:** Mary Kay Sigaty <[mksigaty@howardcountymd.gov](mailto:mksigaty@howardcountymd.gov)>, Greg Fox <[gfox@howardcountymd.gov](mailto:gfox@howardcountymd.gov)>  
**Subject:** Comprehensive Zoning for 40.007, 13303 Clarksville Pike Highland

To Mary Kay Sigaty and Greg Fox,

Please consider the attached letter to rezone my property at 13303 Clarksville Pike to B1.  
Thank you in advance for your time and consideration.

Sincerely,

Annette Hausch

April 10, 2013

RE: 13303 Clarksville Pike  
Highland, MD 20777  
Amendment 40.007

Dear Mary Kay Sigaty and Mr. Greg Fox,

I ask that you please read my thoughts on the Highland planning. My family has lived here for over 30 years and loved it. I lost my husband to pancreatic cancer and I recovered from breast cancer. I have waited for years for the opportunity to have my property rezoned to B1; it is a little over 3 acres. I live a short distance from the crossroads and I can see great opportunities for it to thrive if the properties on RT 108 were rezoned B1. I am not in favor of the BRX process because it has proven to be very costly and unpredictable where as B1 will offer more planning potentials and business opportunities. If you rezone the 108 properties B1 this will allow the Crossroads to remain competitive, modernize and become vibrant businesses. This will help make Highland a successful community and welcome newcomers. I ask that you please rezone my property B1. Thank you for your time and consideration. If you need to reach me my cell number is 301 938-5667.

Sincerely,  
Annette Hausch

40.007

April 10, 2013

RE: 13303 Clarksville Pike  
Highland, MD 20777  
Amendment 40.007

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Sincerely,  
Annette Hausch