

HOWARD COUNTY COUNCIL

PETITION TO AMEND THE ZONING REGULATIONS OF HOWARD COUNTY

(19 copies of this petition must be submitted to the County Council office)

(attach additional pages if necessary)

HOWARD COUNTY COUNCIL
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FOR OFFICE USE ONLY:

Case No. ZRA-96 Date Filed: _____

Date Accepted for Scheduling _____

Planning Board Meeting Date _____

County Council Prefile Date _____

Fee Collected: \$ _____ Receipt No. _____

(Make Checks Payable to "Director of Finance")

1. I (we), the undersigned, hereby petition the County Council of Howard County to amend the Zoning Regulations of Howard County as follows:

Amendments to Section 108.D of the R-20 District Bulk Regulations and to amend Section 109.D. of the R-12 District regulations establishing new special bulk requirements for density and for minimum lot size applicable to Neighborhood Infill Subdivisions and Neighborhood Infill Resubdivisions, which are new subdivision and resubdivision requirements for infill development concurrently being added to the Subdivision and Land Development Regulations.

2. Petitioner's Name: Marsha S. McLaughlin., Director, Department of Planning and Zoning

Address: 3430 Courthouse Drive, Ellicott City, Maryland 21043

Phone No.: (W) (410) 313-2350 (H) N/A

3. Counsel for Petitioner: Paul Johnson, Deputy County Solicitor

Counsel's Address: 3430 Courthouse Drive, Ellicott City, Maryland 21043

Counsel's Phone No.: (410) 313-2101

4. The text of proposed amendment(s) to the regulations together with the text of the present regulations showing the proposed amendment(s):

See attached exhibits for ZRA-96 – R-20 District Section 108.D. and ZRA-96 R-12 District Section 109.D.

5. The reason(s) for the requested amendment(s) to the Zoning Regulations:

The Department of Planning and Zoning has prepared a significant amendment proposal to the Subdivision and Land Development Regulations in order to establish much needed requirements that would be applicable to infill development within the R-20 and R-12 District neighborhoods. In association with that more complex proposal, it is necessary to also add two minor amendments to the bulk regulation sections of the R-20 and R-12 Districts, to establish density requirements based on net acres, and to set the minimum lot sizes that are not subject to lot size reductions based on the provision of additional open space.

6. A statement as to whether or not such amendment will be in harmony with the General Plan for Howard County:

The proposed amendments are in full harmony with the Community Conservation and Enhancement Policy No. 5.7 to "Ensure infill development will be compatible with existing neighborhoods." Additional statements on this issue are to be presented at the public hearing on this petition and in the Technical Staff Report to be produced for this petition.

7. Any other factors which the petitioner desires the Council to consider including copies of any written reports intended to be introduced at the hearing and a written summary of verbal evidence of any expert which will be proffered at the hearing (if such hearing is necessary):
To be presented at the public hearing on this petition and in the Technical Staff Report to be produced for this petition.

8. FEES:

The Petitioner agrees to pay all fees as follows:

- a. Filing fee including first hearing: \$695.00*
- Each additional hearing night \$510.00

- b. In addition, if the petition is approved, the following fees will be assessed:
Per every 200 words of text, or fraction thereof,
for each separate textually continuous amendment to the Zoning Regulations \$ 40.00*
Minimum Zoning Regulations revision fee \$ 40.00*
Maximum Zoning Regulations revision fee \$ 85.00*

- *1. The County Council may refund or waive all or part of the filing fee where the Petitioner demonstrates to the satisfaction of the County Council that the payment of the fee would work an extraordinary hardship on the petitioner.
- 2. The County Council may refund part of the filing fee for withdrawn petitions.
- 3. The County Council shall waive all fees for petitions filed in the performance of governmental duties by an official, board or agency of the Howard County government.

9. The Petitioner agrees to furnish such data as may be required by the County Council and/or the Department of Planning and Zoning.

10. The undersigned hereby affirms that all of the statements and information contained in, or filed with this petition are true and correct. The undersigned has read the instructions on this form, filing herewith all of the required accompanying information.

Paul T. Johnson 1/30/08
Attorney's Signature Date
Paul T. Johnson

Marsha S. McLaughlin, Director
Petitioner's Name

Petitioner's Signature Date

Marsha S. McLaughlin 1/25/08
Petitioner's Signature Date

ZRA 96 – R-20 District Section 108.D.

D. Bulk Regulations

(Also see Section 128.A, Supplementary Bulk Regulations.)

1. The following maximum height limitations shall apply:
 - a. Principal structure 34 feet
 - b. Accessory structure 15 feet
2. Minimum lot size (except as provided in Section 108.E of these regulations for mandatory open space) 20,000 sq. ft.
3. Minimum lot width at building restriction line 60 feet
4. Minimum setback requirements
 - a. From arterial or collector public street right-of-way
 - (1) Structures
 - (a) Front or side
 - (i) Lots recorded after October 18, 1993 that do not have frontage on a public street constructed before that date, or an extension of such a street 40 feet
 - (ii) All other lots 50 feet
 - (b) Rear
 - (i) Principal structure 50 feet
 - (ii) Accessory structure 10 feet
 - (2) Uses (other than structures) in all development projects except single-family detached 20 feet
 - b. From other public street right-of-way
 - (1) Structures
 - (a) Front or side
 - (i) Lots recorded after October 18, 1993, that do not have frontage on a public street constructed before that date, or an extension of such a street 30 feet
 - (ii) All other lots 50 feet
 - (b) Rear
 - (i) Principal structure 30 feet
 - (ii) Accessory structure 10 feet
 - (2) Uses (other than structures) in all development projects except single-family detached 20 feet
 - c. From lot lines
 - (1) Structures
 - (a) Front 20 feet
 - except pipestem lots facing the project boundary 30 feet

- (b) Side 10 feet
- (c) Rear
 - (i) Principal structure 30 feet
 - (ii) Accessory structure..... 10 feet

- (2) Uses (other than structures) in all development projects except single-family detached 20 feet

5. SPECIAL REQUIREMENTS FOR NEIGHBORHOOD INFILL SUBDIVISIONS OR RESUBDIVISIONS:

- 1. DENSITY..... 2 DWELLING UNITS PER NET ACRE
- 2. MINIMUM LOT SIZE..... 20,000 SQUARE FEET

ZRA 96 – R-12 District Section 109.D.

D. Bulk Regulations

(Also see Section 128.A Supplementary Bulk Regulations.)

1. The following maximum height limitations shall apply:
 - a. Principal structure34 feet
 - b. Accessory structure 15 feet

2. Minimum lot size (except as provided in Section 109.E of these regulations for mandatory open space)..... 12,000 sq. ft.

3. Minimum lot width at building restriction line60 feet

4. Minimum setback requirements
 - a. From arterial or collector public street right-of-way
 - (1) All structures
 - (a) Front or side30 feet
 - (b) Rear
 - (i) Principal structure50 feet
 - (ii) Accessory Structure 10 feet
 - (2) Uses (other than structures) in all development projects except single-family detached or semi-detached20 feet

 - b. From other public street right-of-way
 - (1) All structures
 - (a) Front or side20 feet
 - (b) Rear
 - (i) Principal structure30 feet
 - (ii) Accessory structure10 feet
 - (2) Uses (other than structures) in all development projects except single-family detached or semi-detached20 feet

 - c. From lot lines
 - (1) Principal structures
 - (a) Front20 feet
except pipestem lots facing the project boundary.....30 feet
 - (b) Side.....7.5 feet
Except:
 - (i) Zero lot line dwellings0 feet
At least 15 feet must be maintained between structures;
 - (ii) Single-family semi-detached dwelling.....15 feet one side
 - (c) Rear30 feet
 - (2) Accessory structures
 - (a) Front10 feet
 - (b) Side.....7.5 feet
 - (c) Rear10 feet
 - (3) Uses (other than structures) in all development projects except

single-family detached20 feet

5. SPECIAL REQUIREMENTS FOR RESIDENTIAL INFILL SUBDIVISIONS OR RESUBDIVISIONS:

1. DENSITY..... 3 DWELLING UNITS PER NET ACRE.
2. MINIMUM LOT SIZE..... 12,000 SQUARE FEET.