



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350
Lynda D. Eisenberg, AICP, Director FAX 410-313-3467

TECHNICAL STAFF REPORT

Hearing Examiner Hearing of October 18, 2023

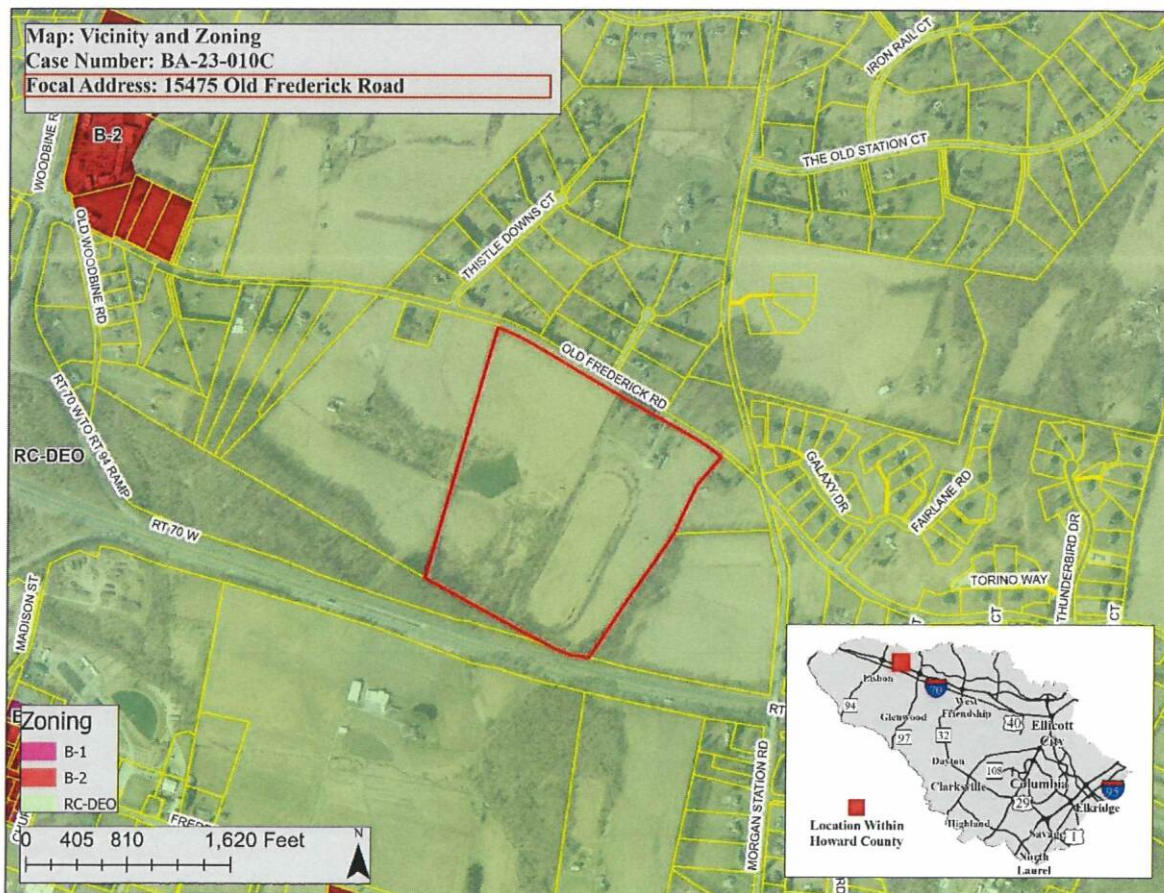
Case No./Petitioner: BA-23-010C – The Kennard Warfield Jr. Family, LLLP

Request: Conditional Use for Limited Social Assembly (Section 131.0.N.33)

Location: 15475 Old Frederick Road
Tax Map 8, Grid 1, Parcel 249
(the "Property")

Conditional Use Area: 78.35-acres

Zoning RC-DEO (Rural Conservation – Density Exchange Option overlay)



I. CONDITIONAL USE PROPOSAL

The Petitioner is proposing a 0.89-acre limited social assembly use consisting of a temporary 6,600 square foot tent over an existing concrete pad to be used for picnics, reunions, weddings, anniversary/retirement parties, bridal/baby showers, banquets, rehearsal dinners, and other similar events. The proposed operating hours are 9:00 am to 10:00 pm Monday through Thursday; 12:00 pm to 12:00 am on Friday/Saturday; and 12:00 pm to 10:00 pm on Sunday. Events at the Property will be limited to 25 per year and have a maximum of no more than 150 attendees. Additionally, a parking lot with 69 spaces is proposed south of the tent location.

II. BACKGROUND INFORMATION

A. Site Description

The site consists of a farm, multiple agricultural structures, and a single-family residence. The topography changes throughout the Property, rising from an elevation of 540 feet along the western boundary line to 580 feet along the northern property line.

B. Vicinal Properties

Direction	Zoning	Land Use
North	RC-DEO	Single-Family Detached / Old Frederick Road
South	RC-DEO	MD Route 70 / Agricultural
East	RC-DEO	Single-Family Detached / Agricultural
West	RC-DEO	Single-Family Detached / Agricultural

C. Roads

Old Frederick Road has two travel lanes within an 80-foot right-of-way. The speed limit is 30 miles per hour.

Traffic count data is not available for this section of Old Frederick Road.

D. Water and Sewer Service

The Property is not within the Public Service Area for water and sewer. The Property is served by private well and septic facilities.

E. General Plan

The Property is designated Rural Resource on the Designated Place Types Map of *PlanHoward* 2030. Old Frederick Road is a Major Collector.

F. Agency Comments

Agency comments are attached.

III. ZONING HISTORY

The Department of Planning and Zoning does not have record of any prior zoning petitions for the Property.

IV. EVALUATION AND CONCLUSIONS

A. Evaluation of petition according to Section 131.0.B of the Zoning Regulations (general criteria for

Conditional Uses):

1. *The proposed Conditional Use plan will be in harmony with the land uses and policies in the Howard County General Plan which can be related to the proposed use.*

While *PlanHoward 2030* policies are not directly related to the Limited Social Assembly use, properly sited and scaled social assembly functions are generally compatible with rural residential areas.

2. *The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site are such that the overall intensity and scale of the use(s) are appropriate for the site.*

The 78.35-acre parcel exceeds the 5-acre minimum lot size and the 0.89-acre use area encumbers approximately 1.1% of the Property. The proposed location of the tent is over 400 feet from the closest dwelling on an adjacent property. Old Frederick Road is designated as a Major Collector and is appropriate for the type of vehicles associated with the proposed use.

Therefore, the nature and intensity of the use, the size of the Property in relation to the use, and the location of the site, with respect to streets that provide access, are such that the overall intensity and scale of the use are appropriate.

3. *The proposed use at the proposed location will not have adverse effects on vicinal properties above and beyond those ordinarily associated with such uses. In evaluating the proposed use under this standard, the Hearing Authority shall consider whether or not:*

- a. *The impact of adverse effects such as, but not limited to, noise, dust, fumes, odors, intensity of lighting, vibrations, hazards or other physical conditions will be greater at the proposed site than it would generally be elsewhere in the same zoning district or other similar zoning district.*

The Property is 78.35 acres and the proposed location of the tent/event area is over 400 feet from the single-family dwelling to the northwest and over 600 feet from single-family dwellings to the east/northeast. There are no adjacent residential properties to the west and south. The event areas will be screened from these residential properties by existing vegetation, sloping topography, and/or existing buildings on the Property.

The Petitioner did not indicate any proposed lighting for the events. The driveway and parking area will be gravel, which will mitigate dust from vehicles. The fumes and odors will consist of catered/prepared food and the events will be restricted to 10:00 pm Monday through Thursday and on Sunday.

Therefore, the adverse effects of the proposed social assembly events will not be greater at the proposed location than elsewhere in the RC zoning district.

- b. *The location, nature and height of structures, walls or fences, and the nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than it would generally elsewhere in the same zoning district or other similar zoning districts.*

No permanent structures are proposed and the temporary tent complies with all bulk requirements of Sec. 131.0.N.33 and the RC zoning district. The proposed use will be effectively screened from adjacent properties by existing vegetation/landscaping and distance.

Therefore, the use will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than generally elsewhere in the RC zoning district.

- c. *The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.*

Pursuant to Sec. 133.0 of the Regulations, the off-street parking requirement for the Limited Social Assembly use is one (1) space per three (3) fixed seats or ten (10) spaces per 1,000 square feet of assembly area if there are no fixed seats. The approximate size of the assembly area is 6,600 square feet which requires sixty-six (66) parking spaces and sixty-nine (69) spaces are provided.

There will be no dumpster style refuse containers/areas on the Property and all refuse will be placed in residential refuse bins.

All parking areas, driveways, and loading areas are appropriately located and screened from adjacent properties by existing vegetation, topography and existing structures.

- d. *The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate. For proposed Conditional Use sites which have driveway access that is shared with other residential properties, the proposed Conditional Use will not adversely impact the convenience or safety of shared use of the driveway.*

The ingress and egress for the Property is achieved via an existing driveway connecting to Old Frederick Road. The driveway is not shared with any other residential properties.

A sight distance analysis was conducted and indicates that location of the driveway intersecting with Old Frederick Road provides adequate intersection sight distance. Old Frederick Road is a County-owned Major Collector.

- e. *The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.*

The environmentally sensitive areas in the vicinity consist of an intermittent stream located southeast and southwest of the outdoor event area along with several forest conservation areas. The proposed use is over 750 feet from the stream buffer and forest conservation areas. The proposed use is unlikely to have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.

- f. *The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.*

There are two (2) historic structures within the vicinity of the Property; HO-980 located at 15685 Old Frederick Road and HO-1157 located at 1181 Morgan Station Road. Both are approximately 2,000 feet from the Property and are screened by existing topography, vegetation and farmlands. Therefore, it will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.

B. Evaluation of petition according to Section 131.0.N.33 (Specific Criteria for Limited Social Assemblies):

A Conditional Use may be granted for limited social assemblies in the RC District, provided that:

- a. *The lot is the site of a historic structure as defined in these Regulations.*

The Property contains a historic structure, HO-1178, the Linden Lawn-Maplehurst-Blarney Farm.

- b. *The minimum lot size is 5 acres or greater.*

The Property is 78.35 acres.

- c. *If the driveway providing access to the proposed site is shared with other properties or has direct access to and frontage on a local road, the petitioner shall demonstrate that the use will not result in damage to or deterioration of the shared driveway or in increased hazards to other users of the driveway or local road. The Hearing Authority shall prescribe appropriate conditions and safeguards to ensure the Conditional Use operator's responsibility for repairing of any damage or deterioration of the shared driveway caused by the Conditional Use, including requirements for surfacing of access driveways.*

The driveway will not access a local road and is not shared with any other properties. Therefore, this criterion does not apply.

- d. *The petitioner shall provide a traffic management plan and a sight distance analysis.*

The Petition states that traffic will be managed by parking attendants that will direct vehicles entering/exiting Old Frederick Road and to parking spaces in the proposed parking lot. The Petitioner has provided a sight distance analysis contained in Exhibit A.

- e. *The limited social assemblies are the following private functions: Picnics, weddings, anniversary/retirement parties, bridal or baby showers, not for profit organization fund raisers, banquets, rehearsal dinners, philanthropic events, or other similar events.*

The Petitioner agrees to comply with this criterion.

- f. *With the exception of restroom facilities if required by the Health Department, no permanent structures, including catering or restaurant facilities shall be constructed on site.*

The Petitioner is not proposing any permanent structures and agrees to comply with this criterion.

- g. *The outdoor assembly area is located and designed to shield residential property from noise or nuisance and screened from adjacent residential properties.*

The proposed assembly area is located over 400 feet from the nearest off-site dwelling. The event areas are screened from adjacent properties by existing vegetation, topography, and distance.

- h. *Limited social assembly events shall have the following limitations:*
(1) Maximum capacity is not to exceed 150 attendees;
(2) No more than 25 of these events shall be held within a one year period.
(3) Operation hours shall be restricted to between 9:00 a.m. and 10:00 p.m., Monday thru Thursday; between 12:00 p.m. and 12:00 a.m., Friday and Saturday; and between 12:00 p.m. and 10:00 p.m., Sunday.

The Petitioner agrees to comply with this criterion.

- i. *All event activities shall occur outdoors except that interior spaces in existing structures over 50 years old, limited to barns or other similar farm structures which are existing at the time of the Conditional Use application, may be utilized. Event activities within enclosed tents are permitted, however.*

The Petitioner has indicated that all events will take place outdoors or within a temporary tent. No existing structures on the Property will be used for interior event space.

- j. *Special events with catered food or food prepared on-site are subject to review by the food protection program of the Howard County Department of Health and may require a special events permit. The Conditional Use may not commence until the applicant has obtained approval of all necessary permits for its operation.*

The Petitioner agrees to comply with this criterion.

- k. *On an ALPP purchased or dedicated easement property, the following additional criteria are required:*
(1) The use shall not interfere with farming operations or limit future farming production.
(2) Any new building or building addition associated with the use, including any outdoor storage and parking area shall count towards the cumulative use cap of 2% of the easement.

The Property is not subject to an ALPP dedicated easement as verified by the Resource Conservation Division. Therefore, this criterion does not apply.

Approved by:

DocuSigned by:

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Lynda D. Eisenberg, Director

Date



Amy Gowan, Director

FAX 410-313-3467

Agency Comment Form
 Conditional Use

Date:
 Use Category: Limited Social Assembly (131.0.N.33)
 File No.: BA-23-010C
 Petitioner: The Kennard Warfield Jr. Family LLP
 Property Address: 15475 Old Frederick Road
 Map No: 8
 Parcel: 249

CONDITIONAL USE CRITERIA REVIEW BY AGENCY									
GENERAL CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	FD
Certification that the development shown on the plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x
The nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures	x								
The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.	x								
The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.		x					x		x
The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x			
The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x						
Design Advisory Panel review.	x								
SPECIFIC CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	FD
a. The lot is the site of a historic structure as defined in these Regulations.			x						
c. If the driveway providing access to the proposed site is shared with other properties or has direct access to and frontage on a local road, the petitioner shall demonstrate that the use will not result in damage to or deterioration of the shared driveway or in increased hazards to other users of the driveway or local road. The Hearing Authority shall prescribe appropriate conditions and safeguards to ensure the Conditional Use operator's responsibility for repair of any damage or deterioration of the shared driveway caused by the Conditional Use, including requirements for surfacing of access driveways.	x						x		
d. The petitioner shall provide a traffic management plan and a sight distance analysis.	x						x		
f. With the exception of restroom facilities if required by the Health Department, no permanent structures, including catering or restaurant facilities shall be constructed on site.									
j. Special events with catered food or food prepared on-site are subject to review by the food protection program of the Howard County Department of Health and may require a special events permit. The Conditional Use may not commence until the applicant has obtained approval of all necessary permits for its operation.					x				

Comments Due: May 25, 2023

COMMENTS: We have no comments.

Department of Rec. & Parks

Paul Walsh
 SIGNATURE



Amy Gowan, Director

FAX 410-313-3467

Agency Comment Form
 Conditional Use

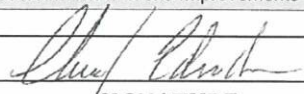
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Comments Due: May 25, 2023

COMMENTS:

The Development Engineering Division takes NO EXCEPTION to the request for limited outdoor social assemblies subject to meeting the design requirements including stormwater management and sight distance along Old Frederick Road. A sight distance exhibit and speed study is provided and demonstrates that adequate sight distance can be achieved. At Site Development Plan, detailed review of this information and coordination with site improvements shall be provided



 SIGNATURE



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

Agency Comment Form

Conditional Use

Date:

Use Category: Limited Social Assembly (131.0.N.33)

File No.: BA-23-010C

Petitioner: The Kennard Warfield Jr. Family LLP

Property Address: 15475 Old Frederick Road

Map No: 8

Parcel: 249

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Comments Due: May 25, 2023

COMMENTS: We are denying this request at this time as the uses on the property have changed and we do not have adequate septic records to approve this facility for a food license, we are waiting on more information to be provided.

Zach Silvest 5/25/23

SIGNATURE



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Comments Due: May 25, 2023

COMMENTS: This roadway is not a State roadway therefore MDOT SHA has no comment nor objection to approval.

D. Scott Newill MDOT SHA District 7

SIGNATURE



Amy Gowan, Director

FAX 410-313-3467

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Comments Due: May 25, 2023

The Division of Land Development has reviewed the above referenced Conditional Use Petition for a proposed venue for limited social assemblies at Witching Hour Farm (15475 Old Frederick Road) has no objections and offers the following comments. Additional review and regulatory conformance will be evaluated at the site development plan stage.

1. An Environmental Concept Plan for the site must be approved prior to the site development plan in order to identify any impacts to streams, wetlands and their buffers, floodplain, steep



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Voice/Relay

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slopes and specimen trees on site which are protected from disturbance per the Land Development Regulations.

- a. There appear to be regulated environmental features on site but not clearly identified on the plan. The natural environmental conditions of the subject site must be thoroughly assessed by an environmental professional and findings must be provided with the forthcoming ECP/ site development plan.
 - b. Specimen Trees must be shown with their Critical Root Zones to evaluate the level of disturbance. All trees 24" DBH and larger must be shown on the plan.
 - c. Storm water management and suitable drainage requirements will be reviewed at both the ECP and SDP stage.
2. A site development plan (SDP) for this limited social venue will be required subsequent to the approval of this conditional use. Proposed site improvement and features shall be evaluated by DPZ staff and county agencies/offices as part of the SDP submission requirements.
- a. The natural environmental conditions of the subject site must be reported by an environmental professional and findings must be provided with the forthcoming site development plan.
 - b. Parking for the use is subject to site development regulations and engineering design standards for access, spacing, and drainage purposes and will be confirmed with the SDP. The parking ratios for the required number of parking spaces must meet requirements established under Section 133.0.D.6.i of the Zoning Regulations.
 - i. Parking lots for non-residential uses shall have one landscaped island per twenty parking spaces and one shade tree per 20 parking spaces. The included plan may need to be updated to meet this requirement.
 - c. The existing septic system and septic reserve area will need to be located and shown on the required drawings. Please note that the Health Department does not allow paving over the septic reserve areas unless a waiver is granted. The Health Department will need to review the proposed layout for conformance with the established well and septic guidelines and regulations.
 - d. Perimeter and internal landscaping will be required for this development with the SDP, in accordance with the Landscape Manual.
 - i. A Type 'C' buffer for non-residential development adjacent to residential land uses and a Type 'B' buffer for non-residential development adjacent to a roadway will be required. The perimeter landscape buffers on the conditional use exhibit may need to be updated to provide the necessary screening for the new use from neighboring properties.
3. This development will be subject to and must comply with the Forest Conservation Act, per Subtitle 12 of the County Code, prior to site plan approval.
- a. Please be informed that approval of a Conditional Use plan and specific site design does not serve as unwarranted hardship justification for any potential alternative compliance requests to the Subdivision and Land Development Regulations. Future review of the site development plan for compliance with the Forest Conservation regulations may cause changes to the plan layout. If such changes do not constitute "minor modifications" as defined in Section 131.0.I.2.c, these changes may require a new hearing by the Hearing Authority, unless otherwise specified in the Decision and



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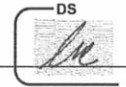
FAX 410-313-3467

Order.

- b. A minimum of 75% of the site's forest conservation obligation must be met on site.
 - c. Approval of an alternative compliance application is required for the removal of any specimen tree if needed. If approval is granted, the required mitigation will be determined as part of the alternative compliance application.
4. This site does not fall within a DAP area.
 5. DLD has no comments on any potential damage to a shared driveway.
 - a. All proposed driveways and roads shall be constructed to meet County standards, review of which would be done at the SDP stage and deferred to DED and SHA.
 6. DLD defers to DED on traffic management plan and sight distance analysis which will be reviewed at the SDP stage.

____ Nick Haines _____

SIGNATURE





HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■

410-313-2350

Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

Agency Comment Form

Conditional Use

Date: 5/15/2023
 Use Category: Limited Social Assembly (131.0.N.33)
 File No.: BA-23-010C
 Petitioner: The Kennard Warfield Jr. Family LLP
 Property Address: 15475 Old Frederick Road
 Map No: 8
 Parcel: 249

CONDITIONAL USE CRITERIA REVIEW BY AGENCY									
GENERAL CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	FD
Certification that the development shown on the plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x
The nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures	x								
The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.	x								
The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.		x					x		x
The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x			
The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x						
Design Advisory Panel review.	x								
SPECIFIC CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	FD
a. The lot is the site of a historic structure as defined in these Regulations.			x						
c. If the driveway providing access to the proposed site is shared with other properties or has direct access to and frontage on a local road, the petitioner shall demonstrate that the use will not result in damage to or deterioration of the shared driveway or in increased hazards to other users of the driveway or local road. The Hearing Authority shall prescribe appropriate conditions and safeguards to ensure the Conditional Use operator's responsibility for repair of any damage or deterioration of the shared driveway caused by the Conditional Use, including requirements for surfacing of access driveways.	x						x		
d. The petitioner shall provide a traffic management plan and a sight distance analysis.	x						x		
f. With the exception of restroom facilities if required by the Health Department, no permanent structures, including catering or restaurant facilities shall be constructed on site.									
j. Special events with catered food or food prepared on-site are subject to review by the food protection program of the Howard County Department of Health and may require a special events permit. The Conditional Use may not commence until the applicant has obtained approval of all necessary permits for its operation.					x				

Comments Due: May 25, 2023

COMMENTS: Any erected tents must conform to all provisions of the Howard County Fire Prevention Code. Tent material must be certified to NFPA 701 standards. Tents must have appropriate exit signage and fire extinguishers. Electrical cords must be stored as to not create trip hazards. The door flap exiting the tent must be of an alternate color from the main tent color. If artificial lighting is provided in the tent, emergency lighting is required. If the tent capacity is greater than 49 persons, two exits are required. No fuel-fired devices or cooking can be placed or operated inside the tent. Upon tent placement, contact the Office of the Fire Marshal for an inspection.



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

■ Ellicott City, Maryland 21043

■ 410-313-2350

Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

 5/15/2023

Robert Ferguson, Battalion Chief

Howard County Fire and Rescue Services



Agency Comment Form
 Conditional Use

Date:
 Use Category: Limited Social Assembly (131.0.N.33)
 File No.: BA-23-010C
 Petitioner: The Kennard Warfield Jr. Family LLP
 Property Address: 15475 Old Frederick Road
 Map No: 8
 Parcel: 249

CONDITIONAL USE CRITERIA REVIEW BY AGENCY									
GENERAL CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	FD
Certification that the development shown on the plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x
The nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures	x								
The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.	x								
The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.		x					x		x
The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x			
The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x						
Design Advisory Panel review.	x								
SPECIFIC CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	FD
a. The lot is the site of a historic structure as defined in these Regulations.			x						
c. If the driveway providing access to the proposed site is shared with other properties or has direct access to and frontage on a local road, the petitioner shall demonstrate that the use will not result in damage to or deterioration of the shared driveway or in increased hazards to other users of the driveway or local road. The Hearing Authority shall prescribe appropriate conditions and safeguards to ensure the Conditional Use operator's responsibility for repair of any damage or deterioration of the shared driveway caused by the Conditional Use, including requirements for surfacing of access driveways.	x						x		
d. The petitioner shall provide a traffic management plan and a sight distance analysis.	x						x		
f. With the exception of restroom facilities if required by the Health Department, no permanent structures, including catering or restaurant facilities shall be constructed on site.									
j. Special events with catered food or food prepared on-site are subject to review by the food protection program of the Howard County Department of Health and may require a special events permit. The Conditional Use may not commence until the applicant has obtained approval of all necessary permits for its operation.					x				

Comments Due: May 25, 2023

COMMENTS: There is a historic structure on the property listed on the Howard County Historic Sites Inventory as HO-1178, the Linden Lawn-Maplehurst-Blarney Farm. If a site development plan were to be required for this project, advisory comments from the Historic Preservation Commission would be needed per Section 16.603A of the County Code, “prior to the initial submittal of an application for subdivision or site development plan approval on a site...that contains a historic structure, the applicant shall request review by the Commission to identify all historic resources on the site and obtain advice from the Commission regarding the design of development.”

According to the Petition, it appears there are no changes proposed to the existing house, barns, or outbuildings on the property.

Additionally, the Petition states that “the parcel containing the proposed Conditional Use is subject to an ALPP dedicated easement”. This statement is incorrect, the easement on the property is not held by the Agricultural Land Preservation Program (ALPP). According to F-07-040 (S1) recorded as plat number 20255, the easement on the property is held by Howard County Conservancy, Inc. and Howard County, Maryland.

DocuSigned by:

Beth Burgess

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SIGNATURE