



For DPZ Office use only:

BA Case No. BA-816D

Date Submitted: 4/25/2025

ADMINISTRATIVE APPEAL PETITION TO THE HOWARD COUNTY HEARING AUTHORITY

A person who wishes to appeal a departmental decision must use this petition form. It is recommended that a person determine whether he/she can be acknowledged as being an aggrieved person¹. The appellant must submit the completed form to the Department of Planning and Zoning within 30 days of issuance of the departmental ruling or action.

1. APPEAL REQUEST

BRIEF DESCRIPTION OF RULING OR ACTION FROM WHICH THIS APPEAL IS TAKEN: Appeal of grading permit and associated changes made to approved site development plan without community notice.

DATE OF RULING OR ACTION: 3/27/25

BRIEF DESCRIPTION OF ERROR OF FACT, OR LAW, IF ANY, PRESENTED BY THIS APPEAL: DPZ erred by approving grading permit. DPZ also erred when it made changes to SDP without notice.

MANNER IN WHICH THE APPELLANT IS AGGRIEVED BY THE RULING OR ACTION: Appellants live in the vicinity of the property, several of whom live directly adjacent to the property and are prima facie aggrieved, and are all affected by development in a manner distinct from the general community

OTHER FACTORS WHICH THE APPELLANT WISHES THE HEARING AUTHORITY TO CONSIDER: Appellants wish for the hearing authority to consider equitable relief related to lack of notice.

¹ As a brief explanation of this concept: Generally speaking,...a person "aggrieved"...is one whose personal or property rights are adversely affected by the decision...The decision must not only affect a matter in which the protestant has a specific interest or property right, but his interest therein must be such that he is personally and specifically affected in a way different from that suffered by the public generally. The Department of Planning and Zoning does not advise persons on whether they may or may not qualify as being aggrieved. Persons intending to file an appeal may want to obtain separate legal advice on this issue because it may have an impact on the validity of the appeal.

2. APPELLANT'S NAME Joshua Chartier and Amy Gao
TRADING AS (IF APPLICABLE) (Other appellants are listed on signature sheet)
ADDRESS 3519 Church Road, Ellicott City, MD 21043
PHONE NO. (H) c/o attorney G. Macy Nelson (W) _____
EMAIL c/o attorney G. Macy Nelson

3. COUNSEL FOR APPELLANT G Macy Nelson
COUNSEL'S ADDRESS 600 Washington Avenue, Suite 202, Towson, MD 21204
COUNSEL'S PHONE NO. 410-296-8166
EMAIL gmacynelson@gmacynelson.com

4. RESPONDENT Will Pippen (Permit applied for by Jenn M. Wellen)
RESPONDENT'S ADDRESS 8480 Baltimore National Pike, Ellicott City, MD 21043

5. PROPERTY IDENTIFICATION (IF REAL PROPERTY IS INVOLVED)
ADDRESS OF SUBJECT PROPERTY 3538 Church Road
Ellicott City, MD 21043
TOTAL ACREAGE OF PROPERTY 8.5 acres
PROPERTY LOCATION Ellicott City
ELECTION DISTRICT 1 ZONING DISTRICT R-ED
TAX MAP # 0025 GRID # 0001 PARCEL/LOT # 0013

6. APPELLANT'S INTEREST IN SUBJECT PROPERTY
[] OWNER (Including joint ownership) ☒ OTHER (Describe and give name and address of owner) Owner is SDC Mill Creek according to permit, same address as Will Pippen's: 8480 Baltimore National Pike, Ellicott City, MD 21043

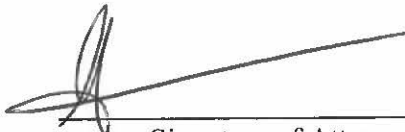
7. ADDITIONAL MATERIAL, FEES, POSTING, AND ADVERTISING
A) The Appellant must submit one (1) signed original and nine (9) copies of the signed original, for a total of ten (10) copies, of this petition. If supplementary documents or other materials are included, ten (10) complete sets must be submitted.
B) The appellant is advised to consult the Rules of Procedure of the Board of Appeals. In accordance with Section 2.210(b) of that document, an "on the record" appeal requires that within 30 days of filing an administrative appeal, the appellant file a record transcript of the hearing being appealed. In addition, within 15 days of filing the transcript, the appellant must file a Memorandum addressing the points of law upon which the appeal is based.

- C) The undersigned agrees in matters involving land use, except in administrative appeals from the issuance of a notice of violation of County laws or regulations, to properly post the property at least thirty (30) days immediately prior to the hearing and to maintain the posters as required and submit an affidavit of posting at, or before the time of the hearing. If the Appellant is not the owner or does not have a beneficial interest in the subject property, the posting of the property is not required; however, the Appellant must send copies of the petition and notification of the public hearing to the property owner and the adjoining property owners in accordance with Section 2.203(e) of the Rules of Procedure of the Board of Appeals.
- D) The undersigned also agrees in matters involving land use, except in administrative appeals from the issuance of a notice of violation of County laws or regulations, to insert legal notices, to be published one (1) time in at least two (2) newspapers of general circulation in Howard County, as prepared and approved by the Department of Planning and Zoning, within at least thirty (30) days prior to the hearing, and to pay for such advertising costs; and further agrees to submit (2) approved certificates of the text and publication date(s) of the advertisement at or before the time of the hearing.
- E) The undersigned also agrees to furnish such additional plats, reports, plans, or other materials as may be required by the Department of Planning and Zoning and/or the Hearing Authority in connection with the filing of this petition.
The undersigned agrees to pay all costs in accordance with the current schedule of fees.

8. SIGNATURES

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.



Signature of Attorney

Signatures on Attached Signature Page
Signature of Appellant

For DPZ office use only: (Filing fee is \$250.00 plus \$25.00 per poster)

Hearing Fee: \$ _____

Poster Fee: \$ _____

TOTAL: \$ _____

Receipt No. _____

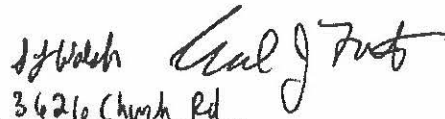
County Website: howardcountymd.gov

(Make check payable to "Director of Finance")


SIGNATURES OF APPELLANTS



ELIZABETH WALSH
3574 CHURCH ROAD



3626 Church Rd
3560 Church Rd
Sarah Lynne Walsh Ed Fortunato


Kelsey Chris Laatsch
3601 Church Road



3519 Church Rd
Amy Gao + Joshua Chartier

Affidavit made pursuant to the pertinent provisions of Title 22 of the Howard County Code as amended.

THE UNDERSIGNED DOES HEREBY DECLARE THAT NO OFFICER OR EMPLOYEE OF HOWARD COUNTY, WHETHER ELECTED OR APPOINTED, HAS RECEIVED PRIOR HERETO OR WILL RECEIVE SUBSEQUENT HERETO, ANY MONETARY OR MATERIAL CONSIDERATION, ANY SERVICE OR THING OF VALUE, DIRECTLY OR INDIRECTLY, UPON MORE FAVORABLE TERMS THAN THOSE GRANTED TO THE PUBLIC GENERALLY IN CONNECTION WITH THE SUBMISSION, PROCESSING, ISSUANCE, GRANT OR AWARD OF THE WITHIN APPLICATION OR PETITION IN BA CASE # _____ FOR A ZONING CHANGE AS REQUESTED.

I, WE, DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THE AFOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY, OUR, KNOWLEDGE, INFORMATION AND BELIEF.

Witness

Signature Date

Witness

Signature Date

Witness

Signature Date

PLEASE CALL 410-313-2350 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION

County Website: www.howardcountymd.gov

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**PLEASE READ CAREFULLY
DATA TO ACCOMPANY PETITION**

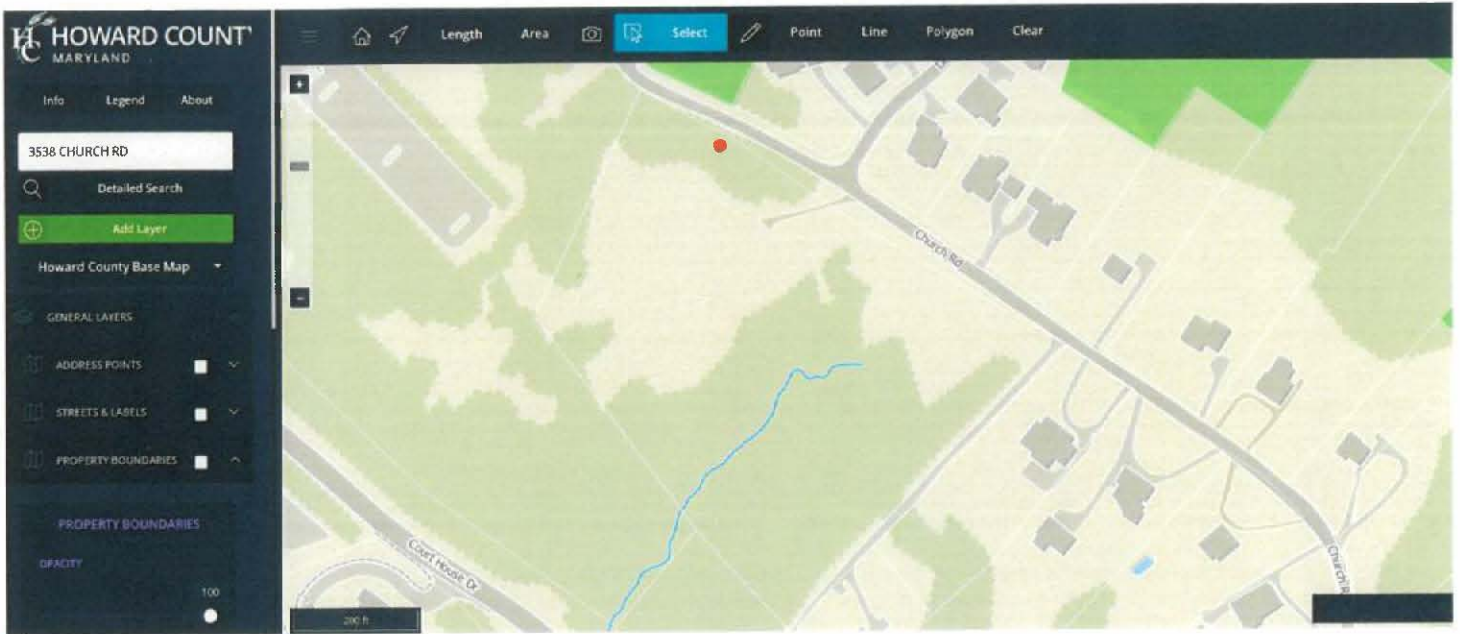
Drawings: Where a parcel of land and/or building(s) as defined in the Zoning Regulations is involved in that which is being appealed, petition forms must be accompanied by **(10) copies of required drawings** showing the following information:

- ☐ (a) Courses and distances of outline boundary lines and the size of the property
- ☐ (b) North arrow
- ☐ (c) Existing zoning of subject property and adjoining property
- ☐ (d) Location, extent, boundary lines and area of any current use and proposed change in use
- ☐ (e) Any existing or proposed building(s), structures, signs, points of access, natural features, landscaping, parking, and other objects and/or uses on subject property which may be relevant to the petition
- ☐ (f) Same as (e) above, if any, of adjoining property which may be required in the proper examination of the petition
- ☐ (g) Location of subject property in relation, by approximate dimension, to nearest intersection of two public roads
- ☐ (h) Ownership of effected roads
- ☐ (i) Election District in which the subject property is located
- ☐ (j) Tax Map number on which the subject property is located
- ☐ (k) Name and local community in which the subject property is located or name of nearby community
- ☐ (l) Name, mailing address, telephone number (and e-mail address, if any) of the appellant
- ☐ (m) Name, mailing address, telephone number (and e-mail address, if any) of attorney, if any
- ☐ (n) Name and mailing address of property owner
- ☐ (o) Any other information as may be necessary for full and proper consideration of the appeal.

BA Case # _____

PETITIONER: _____

ADDRESS: _____



- a) Shown on GIS map
- b) GIS faces cardinal directions
- c) Existing zoning is R-ED
- d) No proposed change in use. Current use is not relevant to this appeal.
- e) Detailed natural features relevant to appeal are shown in grading permit, but Petitioners have not been given access to the permit documents.
- f) No adjoining property will need to be examined
- g) Nearest public roads shown
- h) Public roads are not affected by this appeal
- i) Election District 1
- j) Tax Map No. 0025
- k) Woods of Park Place
- l) Addresses are provided below:
 - Elizabeth Walsh, 3574 Church Road
 - Sarah Lynne Walsh, 3626 Church Road
 - Ed Fortunato, 3560 Church Road
 - Christopher Laatsch, 3601 Church Road
 - Kelsey Laatsch, 3601 Church Road
 - Joshua Chartier, 3519 Church Road
 - Amy Gao, 3519 Church Road
- m) G. Macy Nelson, Esq., 600 Washington Ave., Ste. 202, Towson, MD 21204
- n) 8480 Baltimore National Pike, Ellicott City, MD 21043
- o) Petitioners will supplement appeal with additional information as becomes relevant

LAW OFFICE OF
G. MACY NELSON, LLC

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*Also admitted in D.C.

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GRANT AMADEUS GIEL**
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**Also admitted in New York

ALEXANDRA VOTAW*
alex@gmacynelson.com
*Also admitted in D.C.

April 28, 2025

pconrad@howardcountymd.gov
Peter G. Conrad, Supervisor
Department of Planning and Zoning
3430 Court House Drive
Ellicott City, Maryland 21043

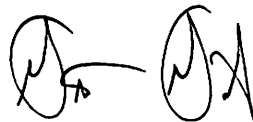
Re: Grading Permit G25000022/SDP-25-011

Dear Mr. Conrad, SDP-25-011

Pursuant to your recent phone and email communications, I am writing a letter providing additional clarity to our appeal filed on April 25, 2025.

The grading permit identified in our appeal was G25000022, and the current SDP number is SDP-25-011. At the time of filing, we were unable to find any public-facing copies of either document, and only knew of the grading permit publication due to a listing in the DILP Accela website, which gave information as to its publication date of March 27, 2025 but did not provide any other documentation. In lieu of an actual document, we instead filed the appeal with an addendum sheet attempting, with what limited information we had, to comply with the DPZ appeal form. We will promptly supplement our appeal with the identified documents once we have been provided with copies. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to be 'G. Giel', written over a horizontal line.

Grant Amadeus Giel