



For DPZ Office use only:

BA Case No. BA-825D

Date Submitted: 9/11/2025

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: See Attachment A

DATE OF RULING OR ACTION: August 14, 2025

BRIEF DESCRIPTION OF ERROR OF FACT, OR LAW, IF ANY, PRESENTED BY
THIS APPEAL: See Attachment A

MANNER IN WHICH THE APPELLANT IS AGGRIEVED BY THE RULING OR
ACTION: See Attachment A

OTHER FACTORS WHICH THE APPELLANT WISHES THE HEARING AUTHORITY
TO CONSIDER: _____

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** See Attachment B
TRADING AS (IF APPLICABLE) _____
ADDRESS _____
PHONE NO. (H) _____ **(W)** _____
EMAIL _____
3. **COUNSEL FOR APPELLANT** The Law Office of G. Macy Nelson, LLC
COUNSEL'S ADDRESS 600 Washington Ave, Suite 202, Towson, MD 21204
COUNSEL'S PHONE NO. 410 296-8166
EMAIL gmacynelson@gmacynelson.com and alex@gmacynelson.com
4. **RESPONDENT** See Attachment B
RESPONDENT'S ADDRESS _____
5. **PROPERTY IDENTIFICATION (IF REAL PROPERTY IS INVOLVED)**
ADDRESS OF SUBJECT PROPERTY 6135 Old Washington Road
Elkridge, MD 21075
TOTAL ACREAGE OF PROPERTY 8.4469 Acres
PROPERTY LOCATION Maryland International School
COUNCIL DISTRICT 1 **ELECTION DISTRICT** 1 **ZONING DISTRICT** R-12
TAX MAP # 38 **GRID #** 9 **PARCEL/LOT #** 820 & 830
6. **APPELLANT'S INTEREST IN SUBJECT PROPERTY**
[] OWNER (Including joint ownership) [X] OTHER (Describe and give name and address of owner) Adjoining/Nearby Property Owners. See Attachment B (Respondent) for name and address of owner.
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.
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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

Signature of Appellant

For DPZ office use only: (Filing fee is \$1,500.00 plus \$50.00 per poster)

Hearing Fee: \$ _____

County Website: howardcountymd.gov

Poster Fee: \$ _____

TOTAL: \$ _____

Receipt No. _____

(Make check payable to "Director of Finance")

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Signature of Attorney



Signature of Appellant

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Signature of Appellant

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Signature of Appellant

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Signature of Attorney



Signature of Appellant

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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 # Design Manual Waiver SDP-24-024

PETITIONER: See Attachment B

ADDRESS: See Attachment B

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 # SDP-24-024 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.

Trish D. Heller
Witness

[Signature] 09/10/25
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

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

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Witness

 9/9/25

Signature Date

Witness

Signature Date

Witness

Signature Date

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David J. Marx
Witness

David J. Marx 9-9-2025
Signature Date

Witness

Signature Date

Witness

Signature Date

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David J. Mann
Witness

Kimberly Mann 9/9/25
Signature Date

Witness

Signature Date

Witness

Signature Date

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County Website: www.howardcountymd.gov

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 # SDP-24-024 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.

David J. Marx
Witness

James L. ... 9/1/25
Signature Date

Witness

Signature Date

Witness

Signature Date

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Witness

 9/8/25

Signature Date

Witness

Signature Date

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Signature Date

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Witness

 9/9/25

Signature

Date

Witness

Signature

Date

Witness

Signature

Date

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Dood J. Mann
Witness

Cheryl Mann 9-9-25
Signature Date

Witness

Signature Date

Witness

Signature Date

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David J. Mann
Witness

Fredrick Mann 9/9/25
Signature Date

Witness

Signature Date

Witness

Signature Date

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David J. Marx
Witness

Carol Heller 9/9/25
Signature Date

Witness

Signature Date

Witness

Signature Date

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Attachment A.

1. Appeal Request

BRIEF DESCRIPTION OF RULING OR ACTION FROM WHICH THIS APPEAL IS TAKEN:

Appellants are appealing the decision of Chief of the Development Engineering Division, the Division of Land Development, and the Department of Public Works to (collectively, "DPZ") to approve the requests of the Maryland International School, Inc. ("Applicant") for a "waiver to Design Manual, Volume III, Section 1.3.C, Table 1-13, Howard County Street Types for New Construction" in association with a private school expansion proposed at 6135 Old Washington Rd, Elkridge, MD 21075 ("Subject Property"). The Division of Land Development sent notice of the decision on August 14, 2025.

BRIEF DESCRIPTION OF ERROR OF FACT, OR LAW, IF ANY, PRESENTED BY THIS APPEAL

DPZ approved a different Design Manual Waiver than the one requested by the Applicant. The Applicant requested "a waiver from Design Manual Volume III, Section 1.3.6, Table I-2" for proposed improvements to Old Washington Road which the Applicant alleges "has been determined to be a Neighborhood Street." Meanwhile, DPZ approved a "waiver to Design Manual, Volume III, Section 1.3.C, Table 1-13." The Applicant's letter of justification does not address Volume III, Section 1.3.C, Table 1-13 and thus the Applicant failed to present DPZ with sufficient evidence to support DPZ's approval.

Moreover, even though the Applicant requested a Design Manual Waiver from Section 1.3.6, Table I-2, the Applicant attached Table 1-7 to its request. Thus, DPZ did not have sufficient information to even understand what waiver the Applicant was requesting.

Additionally, DPZ failed to articulate what criteria it evaluated when it approved the Design Manual Waiver. HCZR Section 16.104(a) provides that the "Department of Planning and Zoning may grant waivers of the requirements of this subtitle." Section 16.104 is in Subtitle 1 of Title 16 and sets forth specific findings DPZ must make in order to approve a waiver to the requirements of Subtitle 1. One such requirement is that "Streets, roads and highways within Howard County shall be located, designed and constructed in accordance with the Howard County Design Manual." HCZR § 16.119. Accordingly, Design Manual Waivers must be approved in accordance with the process and criteria set forth in HCZR Section 16.104. As previously stated, DPZ failed to evaluate the criteria set forth under Section 16.104(a).

Furthermore, the required street improvements associated with the Waiver request go beyond a minor modification to the Conditional Use approved site plan and should require a new hearing by the Hearing Authority.

Finally, DPZ's decision and the Applicant's letter of justification include several errors of material fact. First, Old Washington Road is neither a Town Center Connector Street Type (as referenced in the Applicant's letter via Table 1-2) nor a Neighborhood Street Type 2 (as referenced in DPZ's letter). Instead, DPZ should have used the Neighborhood Connector Street type (Table 1-5) to evaluate the improvements required on Old Washington Road.

Second, DPZ's letter requires the Applicant to construct a Shared Use Path (SUP) along the entire frontage of the school property. However, the requested sidewalk improvements are outside of the existing right-of-way for Old Washington Road on private property. Additionally, the construction of the extension of the sidewalk to Lebanon Lane will require grading on private property. The Applicant has not presented any evidence that they will be able to get permission from the private property owners to extend the sidewalk along their property.

Third, the requested improvements fail to mitigate the unsafe conditions at the Subject Property that will be exacerbated when the number of students increases. For example, the existing ADT for Old Washington Road (5,000 ADT) already far exceeds its design capacity of 1,500 ADT. During high volume events at the Subject Property, Old Washington Road is gridlocked and through motorists often cross into the on coming traffic lane to navigate around the traffic—causing very unsafe traffic conditions. Additionally, the entrance to the Subject Property is in very close proximity to adjacent and opposing residential driveways and the traffic generated by the Subject Property greatly impacts the ability of adjacent property owners to enter or leave their properties. Buses entering the Subject Property from northbound Old Washington Road must veer into the oncoming southbound traffic lane of Old Washington Road to enter into the Subject Property. Lastly, the sight distance for the entrance of the Subject Property is deficient. As previously stated, the required improvements fail to address these serious safety concerns.

As a result, DPZ's decision fails to align with the Vision of the Howard County Complete Streets to "ensure that Howard County is a place for individuals of all backgrounds to live and travel freely, safely, and comfortably, public and private roadways in Howard County shall be safe and convenient for residents of all ages and abilities who travel by foot, bicycle, public transportation or automobile, ensuring sustainable communities Countywide."

Appellants reserve the right to raise additional arguments.

MANNER IN WHICH THE APPELLANT IS AGGRIEVED BY THE RULING OR ACTION

Appellants are adjacent property owners and will be directly impacted by the proposed development with regard to unsafe traffic conditions in front of their driveways, stormwater runoff issues, visual impacts, and their ability to use and enjoy their properties. Moreover, Appellants have driveways that connect with Old Washington Road in close proximity to the area of Old Washington Road subject to this appeal. Any construction on or change to that portion of Old Washington Road will impact Appellants' ability to exit or enter their property. Moreover, impacts on Citizen-Appellants will increase as a result of the expansion of the school operation.

Attachment B

2. Appellants

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410-207-8389

4. Respondent

Maryland International School, Inc.
Rebekah Ghosh (Head of School)

Premises Address: 6135 Old Washington Rd
Elkridge, MD 2107

Mailing Address: 4465 Montgomery Road
Ellicott City, MD 21043