



For DPZ Office use only:

BA Case No. BA-826D

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) ☒ 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

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Hearing Fee: \$ _____

County Website: howardcountymd.gov

Poster Fee: \$ _____

TOTAL: \$ _____

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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 Appellant

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**PLEASE READ CAREFULLY
DATA TO ACCOMPANY PETITION**

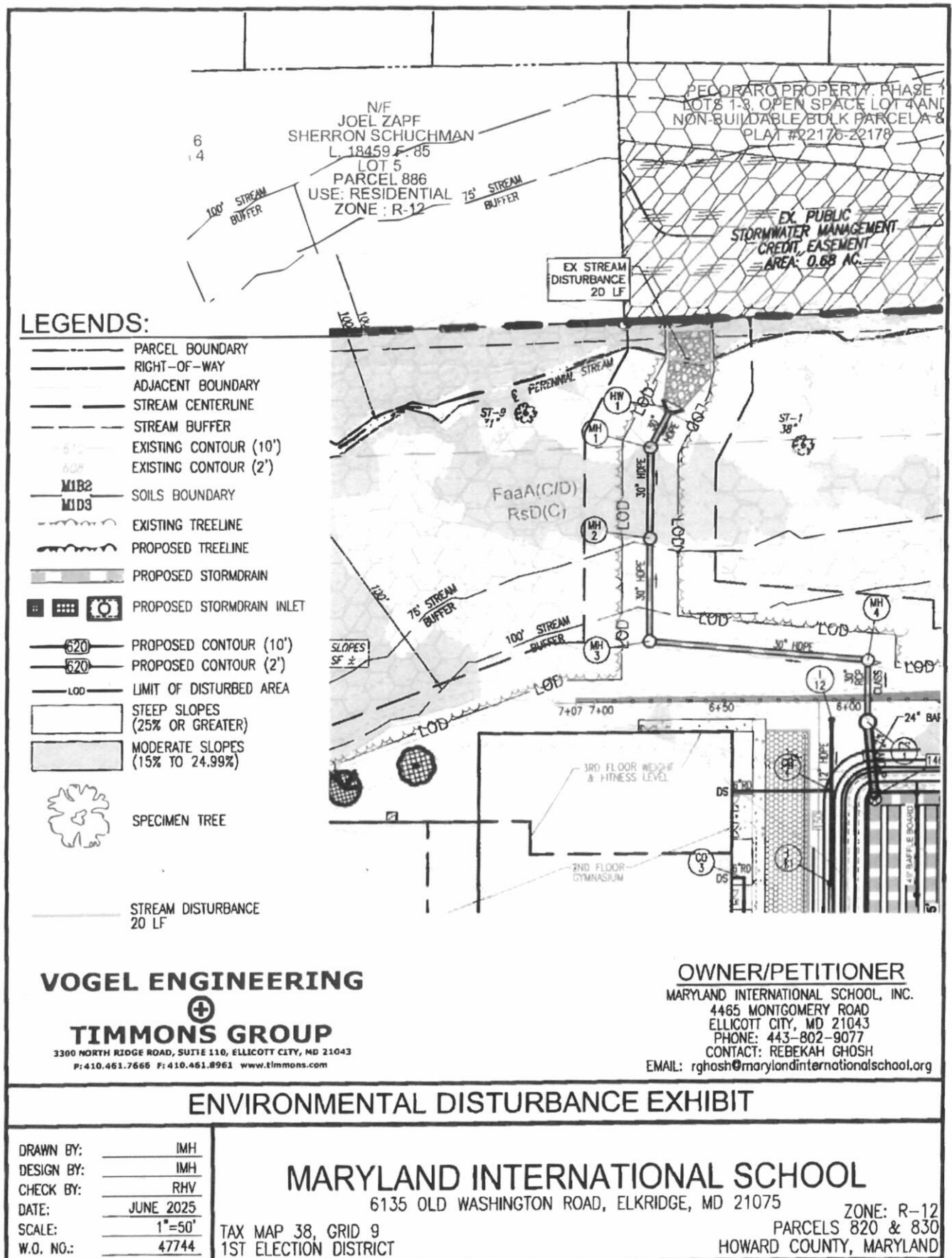
Drawings: Where a parcel of land and/or building(s) as defined in the Zoning Regulations is involved in that which is being appealed, petition forms must be accompanied by **(10) copies of required drawings** showing the following information:

- ☐ (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 # Necessary Environmental Disturbance Request 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.

Timothy D. Sullivan
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

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Signature Date

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David J. Man
Witness

David J. Man 9-9-2025
Signature Date

Witness

Signature Date

Witness

Signature Date

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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

Kimberly Marx 9/9/25
Signature Date

Witness

Signature Date

Witness

Signature Date

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David J. Manz
Witness

[Signature] 9/9/25
Signature Date

Witness

Signature Date

Witness

Signature Date

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David L. Marx
Witness

James M. Kelly 9/8/25
Signature Date

Witness

Signature Date

Witness

Signature Date

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David J. Marx
Witness

Larry Weatherholt 9/9/0
Signature Date

Witness

Signature Date

Witness

Signature Date

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David J. Marx
Witness

Cheryl Marx 9-9-25
Signature Date

Witness

Signature Date

Witness

Signature Date

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Witness

 9/9/25

Signature Date

Witness

Signature Date

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David J. Marx
Witness

Carol Keeler 9/9/25
Signature Date

Witness

Signature Date

Witness

Signature Date

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Witness

 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 the Acting Chief of Department of Planning and Zoning (“DPZ”) to approve the requests of the Maryland International School, Inc. (“Applicant”) for a “request for approval for essential or necessary stream bank, stream buffer, steep slope and 100-year floodplain disturbances associated with the Maryland International School Development” proposed at 6135 Old Washington Rd, Elkridge, MD 21075 (“Subject Property”). DPZ sent notice of the decision on August 14, 2025.

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

DPZ failed to adequately articulate its evaluation of all of the required criteria under Section 16.116(c) including the requirement that the proposed disturbance is necessary for “reasonable development of the property” and that “there is no other reasonable alternative.” HCZR § 16.116(c)(1). HCZR Section 16.116(c)(2) clarifies that reasonable development does not guarantee maximum possible development and that “achieving the maximum possible density is not sufficient justification alone to allow disturbance.”

Moreover, DPZ failed to require, in its decision, environmental remediation, including planting the areas where grading or removal of vegetative cover or trees has taken place utilizing best practices for ecological restoration and water quality enhancement projects.” HCZR § 16.116(c)(3). Here, the installation of the proposed outfall will require construction activities in a forested area—requiring the removal of significant amounts of forest and impacts to Specimen Tree, ST-1. DPZ’s letter fails to require remediation for any forest removed or the impacts to ST-1.

DPZ also failed to post monthly report including the Applicant’s necessary disturbance request on DPZ’s website per HCZR Section 16.116(c)(5). As of September 5, 2025, DPZ has only posted reports for January and February of 2025.

Additionally, DPZ’s description of the proposed disturbance does not align with the disturbance depicted on the Applicant’s SDP drawings. DPZ’s letter describes that “the development proposes one outfall extending 20 LF into a 100’ priority retention area and 75’ stream buffer.” However, on the Applicant’s most recent SDP drawings, the Applicant depicts that the actual disturbance will be 105 LF, 25 feet wide (25’ through the 100’

retention area and 80' through the 75' stream buffer) creating 2,500 square feet of disturbance.

Section 4.2.1 requires DPZ to examine both upstream and downstream impacts for improved channels and requires the County to impose mitigation to remediate any erosive conditions caused by proposed stormwater management facilities. DPZ also failed to adequately study the downstream impacts caused by the proposed stormwater management outfall which will manage storm flows from areas that previously drained to other areas and have been diverted to and concentrated at the proposed outfall which will likely cause downstream erosion. The Applicant also failed to present any evidence that it has or can obtain discharge easement from downstream property owners as Section 1.3 of Howard County's Design Manual, Volume I requires.

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 stormwater runoff issues, visual impacts, and their ability to use and enjoy their properties. Moreover, some Appellants live directly downstream of the proposed discharge location.

Attachment B

2. Appellants

David Marc
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cabinetstevek@gmail.com
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