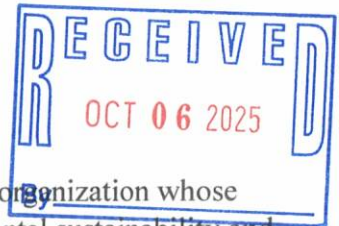


IN RE:	*	BEFORE THE
	*	
HOWARD ECOWORKS, INC.	*	HOWARD COUNTY
	*	
REQUEST FOR	*	HEARING EXAMINER
CONDITIONAL USE	*	
FOR CHARITABLE INSTITUTIONS	*	Case No: _____

**NARRATIVE SUPPLEMENT TO
 CONDITIONAL USE PETITION**



Petitioner, Howard EcoWorks, Inc., is an environmental nonprofit organization whose primary purpose is to engage and educate the community about environmental sustainability and restoration, while creating pathways to green jobs through its workforce development programs. Petitioner seeks conditional use approval to carry out its environmental sustainability outreach through a combination of charitable work, community education, and landscape contractor services throughout the community. Upon request, Petitioner consults local property owners on possible eco-friendly improvements, encouraging native plants and local flora. Petitioner also welcomes volunteer work and runs educational programs such as its Eco Ambassador Program for high school students.

This petition seeks conditional use approval for charitable institution: office and educational program use on the subject property, 14270 Burntwoods Road, Glenwood, MD 21738 (the "Property"). The Property currently contains five existing structures: the main building, two sheds, and two barns. This petition is being filed in conjunction with a conditional use petition for landscape contractor use on the Property. Petitioner proposes to use the existing structures and Property for office functions, areas for meetings, and educational programs related to its primary purpose of environmental sustainability and restoration. Part of the Property will be used to store landscape contractor equipment in support of Petitioner's primary purpose, environmental sustainability. Specific criteria and details about the current proposal are provided herewith and in the accompanying Conditional Use Plan (the "Plan").

Conditional Use Petition General Criteria (Section 131.0.B.)

B. General Standards Required for Approval

The Hearing Authority shall have the power to permit Conditional Uses, provided the following general standards are met:

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.*

The Howard County General Plan (the "General Plan") policies do not directly address Conditional Use requirements for Charitable Institution Office and Educational Program

uses on RR-zoned property. The General Plan and its land use policies were, however, the guiding principles for the last Comprehensive Zoning Plan in 2013. That Comprehensive Zoning Plan permitted Charitable Institution Office and Educational Program uses on RR-zoned properties subject to the satisfaction of certain general and specific criteria. Any proposal, including this proposal, that satisfies criteria as set forth in the Howard County Zoning Regulations is presumed to be in harmony with the land uses and policies in the General Plan. This proposed use will also create job opportunities and promote healthy jobs, which is a goal listed in the Economic Prosperity Chapter of the General Plan.

Given the nature and intensity of the operation, the size of the Property relative to the proposed use, and its location with respect to surrounding streets, the use is compatible with its rural surroundings and is in harmony with the land uses and policies outlined in the General Plan for this district.

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 Property, at approximately 16.4 acres, is a relatively large sized property in comparison to neighboring adjoining and confronting properties. The existing building and parking areas dedicated for office use are delineated on the Plan and are sufficient distances from lot lines and public roads. On-site activity, which will consist of office use and display areas for native plantings, will be minimal. Given these facts, the intensity and scale 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 districts.*

The proposed office use will not generate physical conditions such as noise, dust, fumes, odors, lighting, or vibrations that would be discernible from abutting and vicinal properties. The primary purpose of this use is general office activity, and on-site activity will be limited to an estimated 8 hours per day during standard working hours, anywhere from 7:00 a.m. to 4:00 p.m. Monday through Friday.

Any outdoor uses on the Property would be minimal farming-type uses and impacts, permitted in furtherance of Petitioner's primary purpose as an environmental sustainability outreach Charitable Institution.

Existing exterior lighting is located on the two barns labeled on the Plan, is motion-censored, and is well screened by existing tree lines and vegetation. Petitioner is not proposing any additional outdoor lighting. Adjoining properties will not be adversely impacted. The proposed Conditional Use will not create any adverse impacts greater at the Property than elsewhere in the same zoning district or other similar zoning districts.

- 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.*

As shown on the Plan, the proposed office use and associated parking are well screened and buffered from public roads and neighboring properties. Additionally, on-site activity which will consist of creating and maintaining ecological displays, agricultural nurseries, and horticulture, will not hinder or discourage the development and/or use of adjacent land and structures more at this Property than generally elsewhere in the zoning district or other similar zoning districts.

- 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.*

For general office uses, the minimum parking requirement is 3.3 parking spaces per every 1,000 sq. ft. of office space. Therefore, Petitioner is required to provide 12 parking spaces to accommodate parking for 3,384 sq. ft. of office space. The existing 12 asphalt parking spaces and 25 additionally proposed parking spaces, totaling 37 parking spaces, are appropriate to serve the minimal office activity occurring on-site.

The parking associated with the use is located approximately 600 feet from the Burntwoods Road right-of-way and is not visible from Burntwoods Road. The proposed parking is also buffered by existing vegetation and well screened from neighboring residential uses.

- 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 existing driveway provides safe sight distance in both directions for ingress and egress. The existing driveway can safely accommodate the increased traffic generated by the proposed use. The majority of traffic will be generated during hours when

employees arrive at and depart from the Property during normal business hours. Minimal and sporadic traffic will be associated with this use during the day and on weekends.

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

Petitioner will comply with all easements and the use will not 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.*

The closest historic site to the proposed Conditional Use is HO-998, known as “Knock-Frizzell-Day Farm,” at 14347 Burntwoods Road. The proposed use is minor in scale, screened and buffered as not to be visible from Burntwoods Road, will not require significant renovations or alterations on the Property, and is located so as to be non-visible from this historic site, the proposed Conditional Use has no potential to diminish the character and significance of the Knock-Frizzell-Day Farm or other historic sites. It should be noted that the original primary structure on HO-998, a historic farmhouse, was demolished in 2009 to clear the site for new development.

Conditional Use Petition Specific Criteria (Section 131.0.N.12)

N. Conditional Uses and Permissible Zoning Districts

The Hearing Authority may grant Conditional Uses in the specified districts in accordance with the following minimum criteria.

Section 131.0.N.12. Charitable or Philanthropic Institutions: Offices and Educational Programs

A Conditional Use may be granted in the RC and RR Districts, on properties that are not ALPP purchased or dedicated easement properties, and in the R-ED, R-20 and R-12 Districts for a charitable or philanthropic institution, provided that:

- a. *The minimum lot size in the R-ED, R-20 and R-12 Districts shall be one acre. The minimum lot size in the RC and RR Districts shall be three acres.*

The site, at approximately 16.4 acres, is in the RR-DEO district and larger than the minimum lot size of three acres.

- b. *The facility shall be limited to office functions and areas for meetings and educational programs related to the organization's primary purpose. The Hearing Authority must specify the allowed capacity and frequency of educational programs.*

Petitioner understands that the facility will be limited to office functions and areas for meetings and educational programs related to the organization's primary purpose. Petitioner will have up to 20 employees, depending on the season, consisting of its landscaping/field crew and administrative staff. The field crew will be on-site to gather equipment for approximately 2 hours per day at the beginning and end of their workday, which is 7:00 a.m. to 3:30 p.m. Monday through Friday. Administrative staff will generally be on-site from 8:00 a.m. to 4:00 p.m. Monday through Friday.

- c. *Outdoor uses are limited to necessary parking and access, with the exception of nonprofit organizations whose primary purpose is environmental conservation, in which case the use may include outdoor areas used to demonstrate principals and methods of environmental conservation.*

Petitioner, Howard EcoWorks, is a nonprofit organization whose primary purpose is environmental conservation. Petitioner proposes outdoor areas used to demonstrate principals and methods of environmental conservation. Petitioner hopes to facilitate environmental conservation workshops and educational opportunities on the Property. Any other outdoor areas will be limited to site access.

- d. *All parking areas and outdoor activity areas shall be screened from surrounding properties and roads by landscaping or other appropriate means and located and designed to shield residential property from noise or nuisance.*

As shown on the attached Plan, all parking and outdoor activity areas will be screened from surrounding residential property and roads by existing tree lines and vegetation. The proposed office use will not generate noise or nuisance greater than elsewhere in the zoning district or other similar zoning districts.

- e. *The design of new structures or additions to existing structures shall be compatible in scale and character with residential development in the vicinity, as demonstrated by architectural elevations or renderings submitted with the petition.*

No new structures are proposed. Existing structures related to the proposed use are screened from neighboring properties by existing tree lines and vegetation as shown on the attached plan.

- f. *Buildings, parking areas and outdoor activity areas shall be at least 50 feet from adjoining residentially zoned properties other than public road right-of-ways.*

The proposed use areas are over 100 feet from the lot lines and much further from the neighboring residentially zoned properties.

- g. *At least 20% of the area within the building envelope shall not be used for buildings, parking areas or driveways. The building envelope is formed by the required structure*

and use setbacks of the Zoning Regulations for the zoning district and the Subdivision and Land Development Regulations.

As shown on the Plan, 86% of the area within the building envelope is not used for buildings, parking areas, or driveways, therefore Petitioner is in compliance with this requirement.