

July 30, 2025

Ms. Hannah Weber,
Planning Specialist II
Division of Public Service
and Zoning Administration
Department of Planning and Zoning
3430 Courthouse Drive
Ellicott City, MD 21043
hweber@howardcountymd.gov
Via email and hand delivery

**Re: Response to DPZ June 16, 2025 Incomplete Letter
Zoning Board Case No. ZB-1130M**

Dear Ms. Weber:

Please accept this letter in response to your letter of June 16, 2025, requesting additional information regarding the petition for the above-referenced matter. A point-by-point response to your requests are provided below.

Zoning Map Amendment Narrative:

Request: On page one of the justification statement under the 1st bullet it reads: “It is currently vacant and was previously developed as an Exxon gas station.” Howard County GIS imagery shows it is improved with what appears to be a parking lot. Please provide clarification.

Response: The “parking lot” is the remaining impervious surface area from the former gas station use. The pertinent portion of the 1st bullet has been revised in the accompanying Revised Justification Statement to address this Request as follows “The parcel was previously developed as an Exxon gas station and is currently vacant, other than the remaining impervious and surface parking areas from the former gas station use.”

Request: On page one of the justification statement under the 2nd bullet it reads: “This is the front portion of the Rosa Bonheur Memorial Park and is currently improved with 3 existing structures that are dilapidated and proposed to be removed as shown on the Plan.” Please explain if these structures are currently being used.

Response: The structures are not currently being used. The pertinent portion of the 2nd bullet has been revised in the accompanying Revised Justification Statement to address this Request as follows: “This is the front portion of the Rosa Bonheur Memorial Park (the “Memorial Park”) and is currently improved with 3 existing structures that are dilapidated, not currently in use, and proposed to be removed as shown on Plan.”

Request: Provide a distance to the closest MARC Station from the Properties, as the mistake argument being made is dependent on this distance.

Response: The closest Marc Station is the Dorsey Station, which is located over 4,000 feet from the requested rezoning area. The Vicinity Map provided in the top left corner of Sheet 1 of the Plan clearly demonstrates that the requested rezoning area is more than 3,500 feet from the MARC Station. The accompanying Revised Justification Statement provides the following to address this Request: “The requested rezoning area, however, is greater than 3,500 feet from the closest Marc Station as shown on the Vicinity Map in the top left corner of Sheet 1 of the accompanying Plan.”

Request: Provide a narrative as to how the cemetery will be preserved as explained in the justification statement and identified on sheet #1 of the plan.

Response: Petitioner intends to preserve the remaining portion of the Memorial Park designated on the Plan through a declaration of restrictive covenants to be recorded in the Land Records of Howard County, Maryland. The covenants will restrict future development of the delineated area in perpetuity preserving it as open or green space. The accompanying Revised Justification Statement provides the following to address this Request “The interior of the Memorial Park, over 4 acres, will be placed in preservation. This will preserve the area in perpetuity as open or green space. It is anticipated preservation will be accomplish through a declaration of restrictive covenants to be recorded in the Land Records of Howard County, Maryland restricting any future development of the identified area of the Memorial Park.”

Zoning Map Amendment Plan:

Request: Section 103.0 of the Howard County definitions defines Residential Zoning Districts as “d. Residential land use areas of a TOD, CAC, TNC or CCT District.” There is a DPZ approval (SDP-23-013) allocating 242 housing units to properties along Binder Lane zoned TOD. The requested B-2 zoning district requires a 30ft setback from residential districts.

Response: The 30’ setback applies to existing residential land uses. As of the filing of the instant petition, the adjacent property is not developed with any residential land uses. SDP-23-013 has not received signature approval. Further, the technically complete letter that was issued allocating the 242 housing units has been appealed to the Howard County Hearing Examiner in BA-815-D. Moreover, Section 100.G.2.g of the Howard County Zoning Regulations specifically allows the Zoning Board to approve the location of a proposed structure that would otherwise require a variance from the underlying bulk regulations: “A site plan zoning petition approved by the Zoning Board may include ... a use or structure which would otherwise require a variance to the bulk regulations ... If this occurs ... the use or structure shall be permitted in the approved location, in accordance with the site plan approved by the Zoning Board, and shall not require approval by the Hearing Authority.”

In addition to the above, please see the accompanying response letter from Benchmark Engineering detailing requested plan revisions that is submitted simultaneously herewith.

If you have any questions, please feel free to contact me. Thank you in advance for your prompt attention and assistance with this matter.

Very truly yours,



Christopher M. DeCarlo

Encls.