

November 4, 2025

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Division of Public Service
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Department of Planning and Zoning
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Via email and hand delivery

**Re: Response to DPZ Incomplete Letter
Conditional Use Case No. BA-25-005C**

Dear Ms. Weber:

Please accept this letter in response to your letter of May 13, 2025, requesting additional information regarding the petition and associated plan for the above-referenced matter. A point-by-point response to your requests and the individual agency comments are provided below.

1. *On Page 2 of the Community Meeting Minutes submitted an attendee said, "Once the venue is open, they are not allowed to go past 7pm." Please provide an explanation as the narrative supplement states explicitly there is no venue used associated with this Conditional Use request.*

Response: As indicated in the Petition, the request is for professional office use in the Historic Bulidng. There is no request for an historic venue use as part of this Petition. The Community Input Meeting was advertised, scheduled, and introduced as a Conditional Use for office use of a Historic Building. An attendee did ask a question about a hypothetical venue use and potential time limitations on that hypothetical use. The minutes accurately reflect the attendee's comments. The instant Conditional Use request, however, as submitted accurately reflects the proposal, which does not include any request for an historic venue use. Any future request for an historic venue use would require a subsequent community meeting and conditional use application.

2. *Provide a narrative describing the Neighborhood Preservation Easement with the Maryland Historic Trust as indicated in the Conditional Use Plan under #10 in the General Notes. Specifically, indicate if the proposed office use is permitted under this easement.*

Response: The Property is subject to that certain First Amendment to Deed of Neighborhood Preservation Parcel Easement dated October 26, 2017 and recorded in the Land Records of Howard County, Maryland at Liber 17901; folio 47. The Neighborhood Preservation Parcel Easement was amended in response to Council Bill 32-2017 to allow historic building conditional uses on the Property. Accordingly, the proposed historic office use is permitted under the Neighborhood Preservation Parcel Easement. Of note, historic office use was approved in BA-17-032C under the same easement. As indicated in the narrative supplement, the instant petition is substantially similar to the previously approved conditional use.

3. *Indicate in the notes section the total Conditional Use area.*

Response: The total Conditional Use area has been provided within General Note 24.

4. *The call out box discussing the proposed entrance feature seems to say the feature will require variance. Provide a narrative description of the variance and if it is included as part of this Conditional Use petition.*

Response: The call out box has been revised to eliminate the reference to a “variance” for the proposed entrance feature. A variance is not required for the proposed entrance feature. Pursuant to Section 128.0.A.1.f of the Howard County Zoning Regulations, the entrance feature is exempt from the 50’ structure and use setback.

5. *Under #21 of the General Notes, “Existing Use: Residential (currently serving as office),” provide explanation/revise to be consistent with current use, residential or office.*

Response: As indicated on page 2 of the Narrative Supplement, the historic structure is currently being used as office space for Maryland Land Advisors. The existing office use was acknowledged in the prior conditional use approval for historic office use for this Property in BA-17-032C.

6. *Verify all existing detached accessory structures on the Property are delineated on the plan and provide their square footage under the General Notes.*

Response: All existing detached accessory structures on the Property have been delineated on the plan and square footage has been provided in General Note 25.

7. *Under #16 of the General Notes indicate the Property is served by public water and private sewer. Delineate on the plan any existing septic system(s)*

Response: The Health Department does not have records of the system. The property will be connected to public sewer and the septic system will be located and properly abandoned.

DED Comments & Responses

8. *The Development Engineering Division takes NO EXCEPTION to the request for a Historic Building Conditional Use for professional offices based on the justification presented in the application. This is subject to completing the SDP-22-030 design plans to approval which show the northern most entrance being eliminated, a reconfiguring of the parking/access, and the existing gravel pavement being removed from the end of the proposed parking to MD Rte 108 as MSHA requires that entrance to be closed with curb and gutter. (The included exhibit does not reflect review comments for SDP-22-030)*

Response: The northern access will be requested to be reconsidered through the review process and coordinated directly with the State Highway Administration.

DILP Comments & Responses

9. *The Maryland Accessibility Code requires a change in use, such as a dwelling to an office required to be accessible. Provide parking and an accessible route to the building.*

Response: Parking and accessible route to the building have been provided per the Maryland Accessibility Code.

Health Dept Comments & Responses

10. *The proposal to expand employees is possible. However, Health does not have septic records for this historical property. We would have to fully evaluate the existing septic system, if the choice was to retain it as is. Health strongly recommends connecting to public sewer. The property is already connected to public water, let's abandon the old & undersized septic system and hook into the grid. You may encounter difficulty proposing a brand-new parking lot on top of the existing septic system.*

Response: The property is planned to be connected to the public sewer as reflected within the plan exhibit. The house connection will be made to the public sewer, and the septic will be properly abandoned during the construction drawing phase of the project.

Division of Land Development & Responses

11. *A site development plan (SDP) for office use and related site improvements will be required should this conditional use be granted. Proposed site improvements and features shall be evaluated by DPZ staff and county agencies as part of the SDP submission requirements.*

Response: It is understood that a SDP will be required.

12. *The proposed site improvements, such as parking, landscaping, forest conservation, stormwater management, driveways, walkways, and drainage systems shall all be evaluated as part of the forthcoming SDP submittal.*

Response: It is understood that site improvements, such as parking, landscaping, forest conservation, stormwater management, driveways, walkways, and drainage systems will be required and evaluated as part of the forthcoming SDP submittal.

13. *Subsequent to the SDP submission, Planning Board review shall be required for recommendation regarding the on-site cemetery in accordance with Section 16.1304 of Subtitle 13 of the County Code.*

Response: It is understood that Planning Board review may be required for recommendation of the on-site cemetery in accordance with Section 16.1304 of Subtitle 13 of the County Code.

14. *This project shall be subject to Historic Preservation review/comment due to the historic house (Curtis Shipley Farmstead) that exists on the property.*

Response: It is understood that the project is subject to Historic Preservation review and comments due to the Curtis Shipley Farmstead that exists on the property.

15. *The property is encumbered with a Maryland Historic Trust easement. The Trust must approve the use proposed and development proposal prior to the approval of the SDP.*

Response: It is understood that the property is encumbered with a Maryland Historic Trust easement and must have approval for the proposed use and development prior to SDP submittal.

16. *The existing historic house doesn't comply with current setbacks. However, Section 128.0.B.1 of the Zoning Regulations states – a structure or use which does not comply with current bulk requirements, but which complied with the requirements in effect when it was constructed, may remain in place and may be maintained or repaired as necessary.*

Response: Understood

17. Landscaping requirements will be reviewed and evaluated at the SDP stage.

Response: It is understood that landscaping will be reviewed at SDP stage.

18. *A Type-C landscape perimeter edge will be required for the proposed commercial (office) use since all abutting properties are residential uses. A type-B landscape perimeter edge is required adjacent to the public roads.*

Response: It is understood that a Type-C landscape perimeter edge will be required for the proposed commercial use abutting the residential properties and a Type – B perimeter edge is required adjacent to the public road.

19. *Parking requirements will be reviewed and evaluated at the SDP stage. The Zoning Regulations require 3.3 parking spaces per 1,000 SF of office space, for office use. Based on the proposed uses, and the required ratios outlined in Section 133.0.D.3.a of the Zoning Regulations, the proposed development appears to have adequate parking capacity.*

Response: It is understood that 3.3 parking spaces per 1,000 square feet of office space for office use are required at SDP stage and that the parking shown on the Conditional Use seems adequate.

20. *The adjacent property is residential use. All loading, driveway and refuse areas shall be adequately screened per landscape comments above.*

Response: It is understood that all loading, driveway and refuse areas shall be adequately screened.

21. *There do not appear to be environmental impacts within the Limit of Disturbance as shown on the conditional use exhibit. An environmental concept plan for the site must be approved prior to the site development plan to identify any impacts to streams, wetlands, and their buffers, floodplain, steep slopes and specimen trees on site which are protected from disturbance, per the Subdivision and Land Development Regulations. The existing natural environmental conditions of the subject site must be thoroughly assessed by and environmental professional and findings must be provided with the forthcoming SDP.*

Response: It is understood that an Environmental Concept Plan will be required prior to SDP submittal.

22. *This project is subject to the County's Forest Conservation Act, per Section 16.1202 of the Code and the Forest Manual. A forest stand delineation and forest plan must accompany the forthcoming SDP to demonstrate how forest conservation is to be provided for this project. IF the site contains specimen trees, the approval of an alternative compliance application is required for the removal of any specimen trees, if applicable.*

Response: It is understood that the project must meet forest conservation requirements.

23. *Please be informed that approval of a Conditional Use plan and specific site design does not serve as unwarranted hardship justification for any potential alternative compliance requests to the Subdivision and Land Development Regulations. Future review of the site development plan for compliance with the Forest Conservation regulations may cause changes to the plan. If such changes do not constitute "minor modifications" as defined in Section 131.0.I.2.c, these changes may require a new hearing by the Hearing Authority, unless otherwise specified in the Decision and Order.*

Response: Understood.

24. *The proposed development is not subject to Design Advisory Panel (DAP) review as it is not within the boundaries of a DAP review area.*

Response: Understood.

Very truly yours,



Christopher M. DeCarlo

Encls.