



For DPZ Office use only:
BA Case No. <u>834D</u>
Date Submitted: <u>10/2/2026</u>

**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: Appealing a Howard County Department of Planning and Zoning decision that
complaints from more than 41 individuals against operations of the Savage Stone
Quarry, located at 8420 Washington Boulevard, were "unfounded."

DATE OF RULING OR ACTION: September 4, 2026 - Case No. CE-26-100

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

THIS APPEAL: The DPZ inadequately investigated this complaint. This failure to investigate
was arbitrary and capricious and in violation of DPZ's obligation to enforce
county law under Howard County Code Section 16.1602(a). See addendum.

MANNER IN WHICH THE APPELLANT IS AGGRIEVED BY THE RULING OR

ACTION: DPZ's failure to investigate and determine the accuracy of these complaints deprived
Appellants of relief from harm to their well-being, harm to their health and comfortable
use of their properties, and damage to their homes. See addendum page 2.

OTHER FACTORS WHICH THE APPELLANT WISHES THE HEARING AUTHORITY

TO CONSIDER: Appellants reserve the right to raise additional errors of fact and law in the
memorandum and hearing.

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 addendum page 2 for list of Appellants.
TRADING AS (IF APPLICABLE) _____
ADDRESS See addendum page 2 for list of Appellants Addresses.
PHONE NO. (H) _____ (W) _____
EMAIL _____
3. **COUNSEL FOR APPELLANT** Jon Mueller, Director, Maryland Environmental Law Clinic
COUNSEL'S ADDRESS University of Maryland Carey School of Law, 500 W. Baltimore St., Baltimore, MD 21201
COUNSEL'S PHONE NO. 410-706-0590
EMAIL jmueller@law.umaryland.edu
4. **RESPONDENT** Howard County Department of Planning and Zoning
RESPONDENT'S ADDRESS 3430 Courthouse Drive, Ellicott City, Maryland 21043
5. **PROPERTY IDENTIFICATION (IF REAL PROPERTY IS INVOLVED)**
ADDRESS OF SUBJECT PROPERTY See complaint and appendix submitted to DPZ on April 1, 2026.

TOTAL ACREAGE OF PROPERTY _____
PROPERTY LOCATION _____
COUNCIL DISTRICT _____ ELECTION DISTRICT _____ ZONING DISTRICT _____
TAX MAP # _____ GRID # _____ PARCEL/LOT # _____
6. **APPELLANT'S INTEREST IN SUBJECT PROPERTY**
[☐] OWNER (Including joint ownership) [☐] OTHER (Describe and give name and address of owner) _____

7. **ADDITIONAL MATERIAL, FEES, POSTING, AND ADVERTISING**
A) The Appellant must submit **one (1) signed original and three (3) copies of the signed original**, for a total of **four (4) copies**, of this petition. If supplementary documents or other materials are included, **four (4) 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.
- D) The undersigned also agrees in matters involving land use, except in administrative appeals from the issuance of a notice of violation of County laws or regulations, to insert legal notices, to be published one (1) time in at least two (2) newspapers of general circulation in Howard County, as prepared and approved by the Department of Planning and Zoning, within at least thirty (30) days prior to the hearing, and to pay for such advertising costs; and further agrees to submit (2) approved certificates of the text and publication date(s) of the advertisement at or before the time of the hearing.
- E) The undersigned also agrees to furnish such additional plats, reports, plans, or other materials as may be required by the Department of Planning and Zoning and/or the Hearing Authority in connection with the filing of this petition.
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

Appellants have authorized the Environmental Law Clinic to sign on their behalf.

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

Hearing Fee: \$ _____

Poster Fee: \$ _____

TOTAL: \$ _____

Receipt No. _____

County Website: howardcountymd.gov

(Make check payable to "Director of Finance")

**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 # _____

PETITIONER: _____

ADDRESS: _____

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 # CE-26,100 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.

Tom Mueller
Witness

Tom Mueller 10/2/26
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

Addendum to Administrative Appeal Petition to the Howard County Hearing Authority

Pleasant Chase and Other Residents ("Appellants")

RE: Savage Stone Quarry Investigation – Case No. CE-26-100

1. Appeal Request Addendum

In addition to the information provided on the appeal form, Appellants provide an additional description of error of fact, or law presented in this appeal:

The Howard County Department of Planning and Zoning (DPZ) inadequately investigated the April 1, 2026 Complaint. Despite a four-month delay in responding, DPZ did not interview or visit the homes of any of the 41 individuals who submitted the complaint to confirm or reject each of the specific complaints alleging nuisance, violations of the County Code, and violations of the conditions of the Conditional Use granted to Savage Stone Quarry in 1997. This failure to investigate was arbitrary and capricious and in violation of DPZ's obligation to enforce county law. Howard County Code Section 16.1602(a).

Manner in which the Appellant is aggrieved by the ruling or action:

As alleged in the Complaint, dust leaving the quarry affects Appellants' health and comfortable use of their properties. Blasting at the quarry continues to shake the Appellants' homes, damage their properties, and harm their well-being. DPZ's failure to investigate and determine the accuracy of these complaints and to direct Savage Stone to cease its illegal operations deprived Appellants of relief from these harms.

Addendum to Administrative Appeal Petition to the Howard County Hearing Authority

Pleasant Chase and Other Residents ("Appellants")

RE: Savage Stone Quarry Investigation – Case No. CE-26-100

2. Appellants' Names and Addresses:

Tim Maier, 8628 Concord Drive.

Lawry Crawford, 8446 Oak Meade Way.

Camille Edwards, 8333 Wades Way.

Shardae Sangster, 8425 Oak Meade Way.

Khalid Qadwai, 8306 Pleasant Chase Road.

David Schneider, 8434 Oak Meade Way.

Andrew Rushton, 8356 Wades Way.

Ye Liu, 8312 Wades Way.

Marcia Jones, 8302 Wades Way.

Renee Cooper, 8312 Wades Way.

Thomas Hartigan, 8310 Pleasant Chase Road.

Gary Prestianni, 8282 Mission Road.

Gabriel Moreno, 8440 Oak Meade Way.

Gy Williams, 8320 Pleasant Chase Road.

Chris Layson, 8313 Summit Hill Way.

Sharon Landrum, 8350 Wades Way.

Tim LaNore, 8318 Pleasant Chase Road.

Matt and Shirley Coates, 8308 Pleasant Chase Road.

Linda Sorden, 8303 Summit Hill Way.

Sam Teasley, 8301 Summit Hill Way.

Pleasant Chase Homeowners Association.



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Lynda D. Eisenberg, AICP, Director

www.howardcountymd.gov
FAX 410-313-3391
TDD 410-313-2323

September 4, 2026

Jon Mueller, Director, Environmental Law Clinic
University of Maryland Carey School of Law
500 W. Baltimore Street
Baltimore, MD 21201

RE: Unfounded Complaint
CE-26-100; 8420 Washington Boulevard (Savage Stone Quarry) – The “Property”

Dear Jon Mueller:

The Department of Planning and Zoning (DPZ) has conducted an investigation of the above-referenced property to determine whether it is in violation of the conditional use approval granted under Board of Appeals Case 95-58E, as identified in your complaint. Based on its review, DPZ has determined that the property is not in violation of the approved conditional use. Accordingly, no enforcement action will be taken, and this case is considered closed.

As part of its investigation, DPZ reviewed the conditions of approval applicable to the property. Because your complaint raised specific concerns regarding several of those conditions, the Department has addressed each concern below to provide clarity regarding the scope and outcome of its investigation.

1. Condition 24 – The Petitioner shall comply with all applicable Federal, State and County laws and regulations.

Condition 24 establishes a general obligation to comply with all applicable laws and regulations. Although DPZ may consider compliance with other laws and regulations when evaluating compliance with an applicable zoning approval, DPZ's enforcement authority is generally circumscribed by the Howard County Charter, Code, and Zoning Regulations. Federal and State agencies retain authority to enforce Federal and State laws and regulations, respectively; the County retains enforcement authority concerning County laws and regulations. DPZ does not believe a violation of the Subdivision and Land Development Regulations or the Howard County Zoning Regulations exists or has occurred at the referenced property. Accordingly, under the enforcement authority conferred to DPZ, it cannot conclude there has been a violation of Condition 24.

2. Condition 17 – Dust emissions will be controlled and maintained within the confines of the site in accordance with State regulations.

DPZ has confirmed with the Maryland Department of the Environment (MDE) that Savage Stone Quarry holds a valid Permit to Operate issued by MDE's Air and Radiation Administration. Because the dust emission conditions set forth in Condition 17 are regulated and enforced by MDE, any future concerns or complaints regarding dust emissions should be directed to MDE.

3. Condition 18 – Blasting will occur no more than 10 seconds per month. No blasting will occur between the hours of 6:00 p.m. and 7:30 a.m. on any day.

DPZ has confirmed with MDE that Savage Stone Quarry holds a valid Surface Mine Permit authorizing blasting in accordance with applicable State regulations.

The complaint suggests that the 10-second-per-month limitation on blasting should also encompass residual ground vibrations resulting from blasting. However, under State Regulations, blasting is defined as the detonation of explosives. *See* Md. Code Regs. 26.20.01.02. Based on this definition, DPZ has determined that Condition 18 is limited to the blasting activity itself and does not extend to residual ground vibrations that may occur following the detonation.

4. Condition 13 – Petitioner shall establish and implement procedures for the investigation and reporting of vibration and damages attributable to the Quarry operations on all homes within 1,000 feet of the Quarry excavation area and the 12 Heritage Woods homes identified in the Petitioner's testimony.

DPZ's role under Condition 13 is limited to determining whether the Quarry has established and implemented procedures for investigating and reporting vibration and damages attributable to Quarry operations. Consistent with its authority and Condition 13, DPZ has confirmed with Savage Stone Quarry the establishment and implementation of the required procedures.

Neither the County Code nor the Zoning Regulations authorize DPZ to adjudicate property damage disputes, to include determining liability and/or imposing the costs of alleged property damages on private property owners. Such matters are private civil matters.

If you are interested in reviewing the case file for more details, please submit a written request to me at 3430 Court House Drive Ellicott City, MD 21043 or via email to ejames@howardcountymd.gov.

Thank you for referring this matter to the Division of Public Service and Zoning Administration. If you have any questions concerning this case, please contact Maurice Blanding at (410) 313-3956 or mblanding@howardcountymd.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Everett James', written in a cursive style.

Everett James, Code Enforcement Supervisor
Division of Public Service and
Zoning Administration

*Any person aggrieved by a decision of the Department of Planning and Zoning **may file an appeal to the Board of Appeals.** An appeal to this notice must be filed within 30 days of the date of the notice and must state the alleged error or other grounds for the appeal. Instructions and forms for filing an appeal may be obtained from the Department of Planning and Zoning.*