



<p>For DPZ Office use only:</p> <p>BA CASE NO. _____</p> <p>Date Submitted: _____</p>
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**NON-CONFORMING USE PETITION
TO THE HOWARD COUNTY HEARING AUTHORITY**

1. TYPE OF NONCONFORMING USE _____

2. PETITIONER'S NAME _____
 TRADING AS (If Applicable) _____
 ADDRESS _____
 PHONE NO. W _____ H _____
 E-MAIL ADDRESS _____

3. COUNSEL FOR PETITIONER _____
 COUNSEL'S ADDRESS _____
 COUNSEL'S PHONE NO. _____
 E-MAIL ADDRESS _____

4. PROPERTY IDENTIFICATION
 ADDRESS OF SUBJECT PROPERTY _____

 TOTAL ACREAGE OF PROPERTY _____
 PROPERTY LOCATION _____
 ELECTION DISTRICT _____ ZONING DISTRICT _____
 TAX MAP # _____ BLOCK # _____ PARCEL/LOT # _____
 SUBDIVISION NAME (if applicable) _____

5. PETITIONER'S INTEREST IN SUBJECT PROPERTY
 OWNER (including joint ownership) OTHER (describe and give name and address of owner)

If the Petitioner is not the owner of the subject property, documentation from the owner authorizing the petition must accompany this petition.

6. CONFIRMATION OF NONCONFORMING USE

(a) Describe the magnitude and the extent of the nonconforming use:

(b) Identify the date that the subject use became nonconforming to the use provisions of the Zoning Regulations: _____

(c) Describe the documentation included with this petition demonstrating the continuous and uninterrupted use of the site from the specified date:

(d) Describe the documentation included with this petition substantiating the existence of the subject use on the date that the use became nonconforming:

(e) Does the nonconforming use involve a structure? () No () Yes If Yes, describe:

(f) Any other factors which the Petitioner desires to have considered?

7. EXTENSION OR ENLARGEMENT OF THE NONCONFORMING USE (IF APPLICABLE)

(a) Will the use change in any way? () No () Yes If Yes, describe:

(b) Describe the percentage which the expansion will exceed either the existing floor area or gross acreage: _____

(c) Will the extension cause a violation of the bulk regulations for the district in which the property is located? _____

(d) Describe the effect of the extension, if granted, upon vicinal properties:

8. PRIOR PETITIONS

Has any petition for the same, or substantially the same, nonconforming use as contained herein for the same property as the subject of this petition been disapproved by the Board of Appeals within twenty four (24) months of the date of this petition? () YES () No
If yes, and six (6) months have elapsed since the last hearing, an affidavit setting forth new and different grounds on which re-submittal is based must be attached.

PLEASE READ CAREFULLY
DATA TO ACCOMPANY PETITION

9. NONCONFORMING USE PLAN

No application for a nonconforming use shall be considered complete unless accompanied by a nonconforming use plan. The submitted plans shall be folded to approximately 8 ½ x 14 inches.

The plan must be drawn to scale and must include the items listed below:

- (a) Courses and distances of outline boundary lines and the size of the property
- (b) North arrow
- (c) Zoning of subject property and adjoining property
- (d) Scale of plan
- (e) Existing and proposed uses, structures, natural features and landscaping
- (f) Location and surface material of existing and proposed parking spaces, driveways, and points of access; number of existing and proposed parking spaces
- (g) Same as (e) and (f) above, of any adjoining property as necessary for proper examination of the petition
- (h) Location of well and private sewerage easement area, if property is to be served by private water and sewer
- (i) Election District in which the subject property is located
- (j) Tax Map and parcel number on which the subject property is located
- (k) Name of 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 Petitioner
- (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) Floor area and height of structures, setback distances from property lines, and other numerical values necessary for the examination of the petition
- (p) Location of subject property in relation, by approximate dimension, to the center line of nearest intersection of two public roads
- (q) Ownership of effected roads
- (r) A detailed description of all exterior building materials for all proposed structures
- (s) Any other information as may be necessary for full and proper consideration of the petition

10. ADDITIONAL MATERIAL, FEES, POSTING, AND ADVERTISING

A) If desired, supplemental pages may be attached to the petition. The following number of petitions, plans and supplemental pages must be submitted.

- *If the subject property adjoins a State road-* **original and 20 copies (application & plans)**
- *If the subject property adjoins a County road-* **original and 18 copies (application & plans)**

B) The undersigned agrees to furnish such additional plats, plans, reports or other material as may be required by the Department of Planning and Zoning and/or the Board of Appeals in connection with the filing of this petition.

C) The undersigned agrees to pay all costs in accordance with the current schedule of fees.

D) The undersigned also agrees to properly post the property at least thirty (30) days immediately prior to the hearing and to maintain the property posters as required and submit an affidavit of posting at, or before the time of the hearing. The undersigned also agrees 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 two (2) approved certificates of the text and publication date(s) of the advertisement at or before the time of the hearing.

11. 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 Petitioner

Date

Signature of Attorney

Date

For DPZ office use only: (Filing fees are \$300.00 plus \$25.00 per poster)

Hearing fee: \$ _____

Poster fee: \$ _____

Total: \$ _____

Receipt No. _____

(Make check payable to "Director of Finance")

PLEASE CALL 410-313-2350 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION.

County Website: www.howardcountymd.gov

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Revised 07/12

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 ZB OR BA CASE # _____ 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.

Witness

Signature Date

Witness

Signature Date

Witness

Signature Date