

BOARD OF APPEALS
PROJECT REFERRAL FORM

08-3506

The purpose of the preliminary project review is to determine the Board of Appeals action necessary for completion of the project you propose. You must have this form completed by the appropriate Planning and Zoning staff member before filing your application for review by the Board of Appeals.

Property Owner Howlin Investment Commerical Properties, LLC

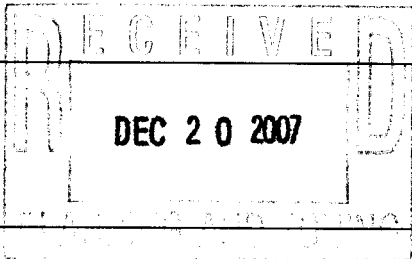
Property Address 10100 Ward Rd., Dunkirk, MD 20754

Property Location: Tax Map 6 Parcel 53-415 Lot _____ Section _____ Plat _____

Project Description Construct a shopping center with a privately owned sewer system

Zoning Town Center

The project described above requires the following Board of Appeals actions, in accordance with the Zoning Ordinance sections noted:

Board of Appeals Action Required	Zoning Ordinance Section
To grant to ability to install a drip irrigation wastewater treatment facility. <i>A SPECIAL EXCEPTION USE IN THE DUNKIRK TOWN CENTER</i>	11-1.02 A <i>CHAPTER V. B. INSTITUTIONAL USE TABLE # 16 (PAGE 43, DTCZO)</i>
	
	SUBMITTED BY <i>APPLICANT</i> <i>2/7/08</i>

This project was reviewed by the undersigned staff member:

Name

Date

Please contact Roxana Whitt or Pam Helie at 410-535-2348 for Board of Appeals information.

CALVERT COUNTY
BOARD OF APPEALS

150 Main St.
Prince Frederick, MD 20678
410-535-2348 * 301-855-1243
TDD 800-735-2258

(P&Z USE ONLY)
FEES: PER FEE SCHEDULE
Date Filed: 12/20
Fees Paid: \$300
Receipt No.: 0929
Rec'd By: ph
Case No: 08-3506

APPLICATION FOR APPEAL

NOTE: IN SUBMITTING THIS APPLICATION, YOU GRANT THE BOARD OF APPEALS PLANNER THE RIGHT OF UNSCHEDULED ENTRY ONTO THE PROPERTY FOR PURPOSES OF OBTAINING INFORMATION AND PHOTOGRAPHS FOR A STAFF REPORT.

PROPERTY DESCRIPTION:

Tax Map No. 6 Parcel 53415 Block _____ Section _____ Lot _____

Tax ID No. 03-138305 Property Zoning Classification TC

Property Address 10100 Ward Rd., Dunkirk, MD 20754

Has subject property ever been before the Board of Appeals? (yes) _____ (no)

If yes, give Case No. and date: 02-2852 October 3, 2002

PROPERTY OWNER(S):

PRINTED NAME(s): Edward B. Howlin Jr., Howlin Investment Commercial Properties II, LLC

MAILING ADDRESS: 2880 Dunkirk Way, Ste. 203, Dunkirk, MD 20754

TELEPHONE: HOME: 410-257-2500 WORK _____ CELL _____

EMAIL ADDRESS _____

Edward B. Howlin Jr.
Owner's Signature and Date

12/19/07
Co-Owner's Signature and Date

APPLICANT (if different from owner):

PRINTED NAME: _____

MAILING ADDRESS: _____

TELEPHONE NUMBER: _____

EMAIL ADDRESS _____

Edward B. Howlin Jr.
Applicant's Signature and Date

12/19/07
Co-Applicant's Signature and Date

PURPOSE OF APPEAL

REQUEST IS FOR: (check all items that apply)


- Variance Multiple Variances
- Revision to a Previously Approved Variance
- Special Exception
- To Extend Time Limit on a Special Exception
- Revision/Modification of a Special Exception
- Expansion or Revision of a Non-Conforming Use
- Reconsideration of Previous Decision by Board
- Re-Schedule a Case Previously Postponed
- Decision on an Alleged Error made by _____

Describe in specific detail the reason each item is requested. Building Restriction Line (BRL) variances must state which BRL is at issue (i.e., front/side/rear) and indicate distances required and proposed (Example: A variance in the front setback from 60 feet to 25 feet for construction of a garage). Impervious surface variances must state existing % impervious surface and % requested. Waterfront buffer variances must state the distance to the waterfront of the proposed structure.

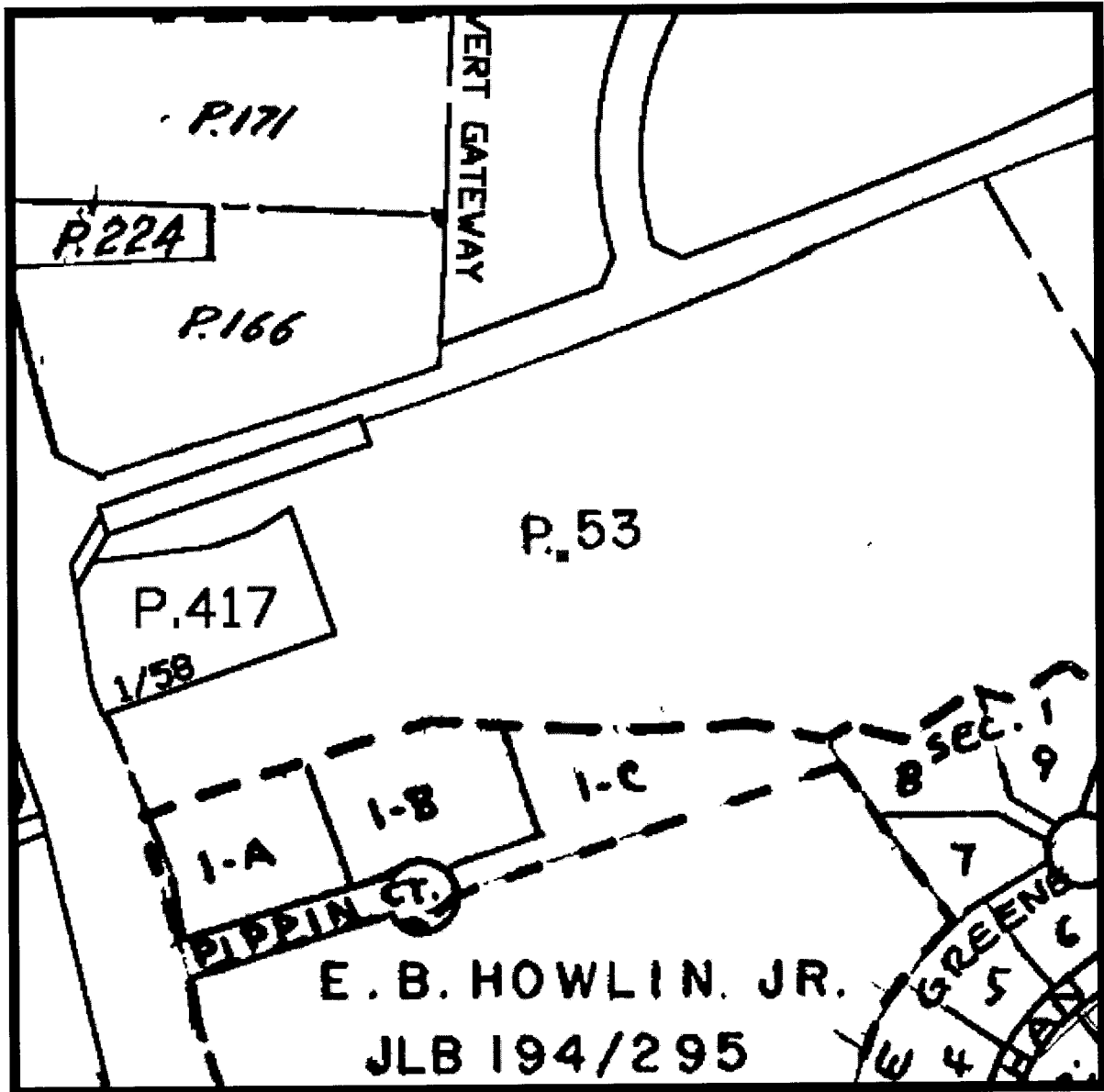
A special exception is requested for the installation of a drip irrigation wastewater treatment facility at Shoppes @ Apple Green, Dunkirk, pursuant to the Dunkirk Master Plan & Zoning Ordinance.

DIRECTIONS TO PROPERTY FROM COURTHOUSE: (NOTE: FAILURE TO PROVIDE COMPLETE AND ACCURATE DIRECTIONS MAY RESULT IN A DELAY TO YOUR CASE)


North on Rte. 2&4 about 25 miles and make a right onto Ward Rd. Property located to the left of CVS and behind.

	Maryland Department of Assessments and Taxation CALVERT COUNTY Real Property Data Search	Go Back View Map New Search
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District - 03 Account Number - 138305



Property maps provided courtesy of the Maryland Department of Planning ©2004.
For more information on electronic mapping applications, visit the Maryland Department of Planning
web site at www.mdp.state.md.us/webcom/index.html

	Maryland Department of Assessments and Taxation CALVERT COUNTY Real Property Data Search (2007 vw4.3)	Go Back View Map New Search
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Account Identifier: District - 03 Account Number - 138305

Owner Information

Owner Name: HOWLIN INVESTMENT COMMERCIAL PROPERTIES II LLC	Use: COMMERCIAL
Mailing Address: 2880 DUNKIRK WAY DUNKIRK MD 20754-9103	Principal Residence: NO
	Deed Reference: 1) KPS/ 3085/ 205 2)

Location & Structure Information

Premises Address 10100 WARD RD DUNKIRK 20754	Legal Description 16.47 AC RT 4 & WARD ROAD DUNKIRK
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Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
6	3	53	03					2	

Special Tax Areas	Town Ad Valorem Tax Class
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Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		16.47 AC	

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value Phase-in Assessments		
		As Of 01/01/2008	As Of 07/01/2007	As Of 07/01/2008
Land	2,180,300	2,908,900		
Improvements:	0	0		
Total:	2,180,300	2,908,900	2,180,300	2,423,166
Preferential Land:	0	0	0	0

Transfer Information

Seller: HOWLIN, EDWARD B JR	Date: 11/19/2007	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: KPS/ 3085/ 205	Deed2:
Seller: SOUTHERN MEMORIAL GARDENS, INC	Date: 11/14/1989	Price: \$2,378,114
Type: IMPROVED ARMS-LENGTH	Deed1: ABE/ 498/ 552	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO	Special Tax Recapture:
Exempt Class:	* NONE *

**INTEROFFICE
MEMORANDUM**

**CALVERT COUNTY
PLANNING COMMISSION**

----- (410) 535-2348 (301) 855-1243 Fax (410) 414-3092

**TO: David Humphreys
Planning Commission Administrator**

**FROM: Bill Pittman
Principal Planner**

DATE: November 7, 2007


SUBJECT: SPR 02-46, Shoppes at Apple Greene

The referenced revised site plan (version #9), submitted September 12, 2007, has been reviewed for compliance with the County Comprehensive Plan, the Calvert County Zoning Ordinance (CCZO), any applicable subdivision of the property, the Board of Appeals (BOA) Special Exception (Case # 02-2852), and the Planning Commission's October 15, 2003 conditions of approval (letter dated November 25, 2003) and the PC staff review memo dated August 1, 2005. The following comments are a result of that review:

General comments:

1. The BOA Special Exception (Case # 02-2852) has expired. It was signed November 6, 2002 and expired on November 6, 2004. The applicant will need to reapply to the BOA to install a drip irrigation wastewater treatment facility.
2. It appears that the MDE Ground Water Discharge Permit #02-DP-3400 issued on August 1, 2002 expired on August 1, 2007.
3. It appears that the MDE Water Management Administration Permit # 02-NT-0019/200261598 issued on July 25, 2002 expired on July 25, 2007.
4. The site plan does not clearly identify what the current water and sewer categories are for this site. This information needs to be identified on the site plan cover sheet.
5. Prior to final approval of the site plan, a signed (by DPW) traffic APFO certification will need to be submitted. In addition, it appears that DPW and SHA maybe requiring an updated traffic study for this project. Please contact those agencies directly for their latest comments or requirements.

08-3506

	Maryland Department of Assessments and Taxation CALVERT COUNTY Real Property Data Search (2007 vw3.1)	Go Back View Map New Search
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Account Identifier: District - 03 **Account Number -** 138305

Owner Information			
Owner Name:	HOWLIN INVESTMENT COMMERCIAL PROPERTIES II LLC	Use:	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	2880 DUNKIRK WAY DUNKIRK MD 20754-9103	Deed Reference:	1) KPS/ 3085/ 205 2)

Location & Structure Information	
Premises Address	Legal Description
10100 WARD RD DUNKIRK 20754	16.47 AC RT 4 & WARD ROAD DUNKIRK

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
6	3	53	03					2	Plat Ref:

Special Tax Areas	Town Ad Valorem Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		16.47 AC	

Stories	Basement	Type	Exterior

Value Information					
	Base Value	Value Phase-in Assessments			
		Value As Of	Value As Of	Value As Of	Value As Of
		01/01/2008	07/01/2007	07/01/2008	
Land	2,180,300	2,908,900			
Improvements:	0	0			
Total:	2,180,300	2,908,900	2,180,300	2,423,166	
Preferential Land:	0	0	0	0	

Transfer Information			
Seller: HOWLIN, EDWARD B JR	Date: 11/19/2007	Price: \$0	
Type: NOT ARMS-LENGTH	Deed1: KPS/ 3085/ 205	Deed2:	
Seller: SOUTHERN MEMORIAL GARDENS, INC	Date: 11/14/1989	Price: \$2,378,114	
Type: IMPROVED ARMS-LENGTH	Deed1: ABE/ 498/ 552	Deed2:	
Seller:	Date:	Price:	
Type:	Deed1:	Deed2:	

Exemption Information			
Partial Exempt Assessments	Class	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO **Special Tax Recapture:**
* NONE *

Exempt Class:



CALVERT COUNTY BOARD OF APPEALS

150 Main Street
Prince Frederick, Maryland 20678
Phone: (410) 535-2348 • (301) 855-1243
Fax: (410) 414-3092

January 8, 2008

Edward B. Howlin, Jr.
Howlin Investment Commercial Properties II, LLC
2880 Dunkirk Way, Suite 203
Dunkirk, MD 20754

Re: Board of Appeals Case No. 08-3506

Dear Applicant:

This is to notify you that the Calvert County Board of Appeals will hear the subject application for appeal on Thursday, February 7, 2008 in the Commissioners' Hearing Room, Second Floor, Courthouse, Prince Frederick, Maryland. Your case has been scheduled for the afternoon session, which begins at 1:00 p.m.

You are hereby notified to be present, either in person or represented by an agent or attorney, to present your case.

Please note that the sign you received when you submitted your application must be posted on your property at least ten days prior to the hearing as set forth in the attached Property Posting Instructions. Please do not remove the sign until after the hearing. The signed and dated Affidavit of Sign Posting must be returned to me on the date of the Public Hearing. Failure to present the Affidavit may result in postponement of your case. If the case is postponed, rescheduling will require an additional fee.

Also enclosed is a copy of the Notice, which was mailed to all adjoining property owners. Please use the information in the second paragraph of this Notice to complete the information required on the sign.

If you have any questions concerning this matter, please contact the Department of Planning & Zoning at (410) 535-2348 or (301) 855-1243. Calvert County services are accessible to individuals with disabilities. Maryland relay for impaired hearing or speech available statewide toll free: (800) 735-2258.

Sincerely,

Pamela P. Helie
Clerk to the Board

Mailing Address: 175 Main Street, Prince Frederick, Maryland 20678

Maryland Relay for Impaired Hearing or Speech 1-800-735-2258