

St. Mary's County Department of Land Use and Growth Management

23150 Leonard Hall Drive, Leonardtown, MD 20650 Phone (301) 475-4200, ext. *1500 Fax (301) 475-4672





Instructions to Applicant:

Please complete the information below prior to your submission. This application will be required in order to accept and process your submission. All plans must be folded or of a size which will fit into a standard legal folder. ALL INFORMATION MUST BE COMPLETE OR SUBMISSION WILL BE RETURNED TO APPLICANT. (To be completed by LUGM personnel) CONTROL NUMBER: PROJECT NAME: 23595 Pike Ln., & 23556 Three Notch Rd. DATE: April 7, 2021 DIGITAL SUBMISSIONS ARE REQUESTED FOR ALL TEC AND RECORDING DOCUMENTS REQUEST: Check appropriate block(s) DEPT. OF LAND USE AND GROWTH MANAGEMENT TEC/PLANNING COMMISSION REVIEW: **REVIEW ONLY:** Preliminary review of lot minor/major subdivision Confirmatory Plat Final review of lot minor/major subdivision ☐ Boundary Line Adjustment Plat Concept Site Plan review for _____ sq. ft. for ____ (use type) Forest Stand Delineation of proposed Site Plan review for sq. ft. for (use type) Forest Conservation Plan for X Zoning Map Amendment from RPD Zone to RMX Forest Conservation Plan Amendment Plat Exempt Division by Deed Amendment to CWSP from category to Resubmission Other (Specify) OWNER/CONTRACT PURCHASER Robert Pike & Jeffrey Pike and Patti Ford & Dexter Ford MAILING ADDRESS: E-MAIL ADDRESS: PHONE #: AUTHORIZED AGENT: Christopher T. Longmore ADDRESS: 22738 Maple Road, Suite 210, Lexington Park, MD 20653 E-MAIL ADDRESS: chris@paxlawyers.com PHONE #: 301-862-3764 **PROPERTY LOCATION:** Address if known. If not known, then *directions* as follows: Describe location as N-S-E-W side of (Street Name), approx. (feet) N-S-E-W of Intersection with State/County) Road Pike Property: 23595 Pike Lane, Hollywood, MD 20636 Ford Property: 23556 Three Notch Road, Hollywood, MD 20653

(OVER)

RPD

NPS

PARCEL:

USE TYPE #:

ZONING OVERLAYS:

TAX ID ACCT #:

PARCEL IDENTIFICATION: 34

RPD

CWSP WATER/SEWER SERVICE CATEGORY:

GRID:

ZONING:

ELECTION DISTRICT:

TAX MAP:

LAND USE:

ACREAGE:

	oment Review Application
Page2 o	
	I hereby request that EDUs for this application be allocated at: (choose one below)
	Concept Site Plan Approval
	Preliminary Subdivision Approval Final Record Plat Approval
☐ PROPE	I hereby swear or affirm that I am the property owner and that this application is correct: ERTY OWNER/AUTHORIZED AGENT'S SIGNATURE:
	PRINT NAME Christopher T. Longmore
X	I hereby swear or affirm that I have received authority from the property owner to make this application and that this application is correct (See attached "Limited Power of Attorney").

REVIEW FEES:

# of Lots/Sq. Ft. of Sit Plan/Acres Disturbed		Initial Submission Fees	Resubmission Fees	
	Minor Subdivision 1-7 Lots	\$750 + \$100 per lot + Application Fee		
	Major Subdivision 8+ Lots	\$1900 + \$100 per lot + Application Fee		
	Concept Site Plan	\$920 + Application Fee		
	Major Site Plan	\$1500 per acre of disturbed area + Application Fee		
	Minor Site Plan (Includes DPWT Fee)	\$250 – Less than 500 sq. ft.+ Application Fee \$375 – Over 500 sq. ft.+ Application Fee		
	Application Fee	\$20.00	\$20.00	
	Soil Conservation Storm Water Management Concept Plan	\$250- Less than 5 acres \$500- 5 acres or greater		
	BLAP, Confirmatory Plats, Plat Exempt, FCP, FSD, Transfer Development Rights	\$80.00		
	Health Department Plat Fee	\$120.00 per lot or site plan	\$120.00	
	MetCom Fees TEC Review/Concept Site Plan	\$60.00 No public water and sewer \$120.00 Public water and/or sewer	\$60.00	
	Recording Package	\$60 LUGM Review Fee \$5 Per Plat Recording Fee (Clerk of the Court)		
	Additional Recording Documents	\$30 DPWT Review 1-10 lots \$60 more than 10 lots \$60 Recording Fee (each) (Clerk of the Court)		
Resubmissions -	- \$25 each after first resu	bmission		
Other fees may appl		St. Mary's County, Effective July 1, 2018 dment Fee: \$3,000.00 Total	3,200.00	

SUBMISSION REQUIREMENTS:

See applicable checklist

NUMBER OF PRINTS REQUIRED FOR REVIEW:

TEC Committee -15 Prints Non-TEC Site Plans-1 Print Forest Stand Delineation – 1 Print Forest Conservation -1 Print

Planning Commission -15 Prints Resubmissions -1 Print Recording Package – 4 Mylar 4 Paper

In addition to the prints listed above, a digital copy of the plans is encouraged.

FOR RECORDING DOCUMENTS PLEASE MAKE CHECKS PAYABLE TO THE CLERK OF THE COURT Also Please make the \$60.00 check and the \$5.00 two separate checks. The Courthouse will not accept one full check. Thank you. FOR ALL OTHER SUBMISSIONS, PLEASE MAKE CHECKS PAYABLE TO THE COMMISSIONERS OF ST. MARY'S COUNTY.

DUGAN, MCKISSICK & LONGMORE

22738 Maple Road, Suite 210

LEXINGTON PARK, MARYLAND 20653

PHONE: 301 862-3764 FAX: 301 862-3789 PAXLAWYERS.COM

* Admitted in Maryland † Admitted in District of Columbia ‡ Admitted in Virginia

BRYAN T. DUGAN *
BILL D. MCKISSICK, JR. *
CHRISTOPHER T. LONGMORE * †
REBEKKA J. HUTCHINS*
SAMUEL H. WIEST * † ‡

SHANNON A. DENT *
ANJELICA N. HARDEN-IVANOSKI * ‡
DAVID C. WEIGEL *
AMBER K. YATES *

April 7, 2021

Via Hand Delivery and Email

Brandy Glenn
Department of Land Use and Growth Management
23150 Leonard Hall Drive
Leonardtown, MD 20650

Dear Ms. Glenn:

Please accept this letter as part of the application of Robert Wayne Pike, Jeffrey Lee Pike, Patti K. Ford, and Dexter Lynn Ford (the "Applicants") to amend both the Land Use and Zoning Maps for their respective properties described below. The Applicants are seeking the amendments to the maps based on two grounds: (1) there has been a significant change in the character of the neighborhood/area where the properties are located and/or (2) there was a mistake in these properties being zoned Rural Preservation District ("RPD"), with an underlying Land Use designation of Rural Preservation. The Applicants are requesting that the St. Mary's County Zoning Maps be amended to re-zone their properties as RMX and to amend the St. Mary's County Land Use Map to re-classify their properties as Residential Mixed Use.

The Subject Properties

A. The Pike Property

Robert Wayne Pike and Jefferey Lee Pike are the owners of that property with a street address of 23595 Pike Lane in Hollywood, Maryland (the 'Pike Property"). This property is located directly adjacent to Maryland Route 235, sandwiched in between the Hollywood Town Center and the Lexington Park Development District (along with the Ford Property described below). A copy of the Maryland State Department of Assessments and Taxation ("SDAT") information sheet for the Pike Property is attached hereto as Exhibits C and the current deed to the property is attached hereto as Exhibit D.

B. The Ford Property

Dexter Lynn Ford and Patti K. Ford are the owners of that property with a street address of 23556 Three Notch Road, Hollywood, Maryland 20636. This property is located directly adjacent to

Maryland Route 235. A copy of the Maryland State Department of Assessments and Taxation ("SDAT") information sheet for the Ford Property is attached hereto as Exhibits E and the current deed to the property is attached hereto as Exhibit F.

C. General Description of the Subject Properties

The Subject Properties are the only two properties zoned Rural Preservation District that are directly on Maryland Route 235 to the south of the Hollywood Town Center and to the North of the Lexington Park Development District. The Subject Properties are located directly in between Maryland Route 235 and Mervell Dean Road. There are no other properties directly adjacent to the Subject Properties that are zoned RPD. Instead, the surrounding properties are zoned Residential Mixed Use (RMX), Low Intensity Mixed Use (MXL), and Residential, Low-Density (RL), and the Subject Properties are further directly across Maryland Route 235 from property that is zoned Industrial (I) (said other property being adjacent to and/or part of the St. Mary's County Airport as evidenced by the ArcGIS Web Maps attached hereto as Exhibits A and B.

Change in Character of the Neighborhood/Area Where the Properties are located

The Subject Properties not within the Lexington Park Development District (LPDD) but they are directly adjacent to the LPDD. The Subjects Properties are located on Maryland Route 235/Three Notch Road, which is the primary highway in the County, and includes heavy traffic generally. Since the Subject Properties were originally zoned RPD, many of the properties near the Subjects Properties have been developed with commercial projects, changing the nature of the area and the neighborhood from primarily residential to commercial in nature.

There has been, and continues to be, significant development in the vicinity of the Subject Properties that has significantly changed the character or the neighborhood/area where the Subject Properties are located. The Hollywood Town Center to its north has had many new commercial projects approved and/or developed in the recent past, including the Tractor Supply Store and the Dollar General that are not far from this site. Across Maryland Route 235, the St. Mary's Regional Airport and the properties directly adjacent to it have seen significant development, including many new hangars and offices, most notably the development of the University System of Maryland at Southern Maryland. This project, as staff and the Board of County Commissioners are well aware, is the focus of the County's successful efforts to further diversify the economy of the County. To the south of the Subject Properties, there was recently a new hotel and other commercial projects approved as well as significant development underway as part of the Oak Crest Planned Unit Development. The cumulative effect of all of this development, coupled by the fact that the Subject Properties are sandwiched between the Hollywood Town Center and the Lexington Park Development District, have substantially changed the nature of the Subject Properties – warranting a change to their zoning classification and their underlying land use designation.

In addition, the Lexington Park Development District recently completed the lengthy process of updating its specific, comprehensive plan and also amended both the Land Use Maps and the County Zoning Maps for many of the properties located within the LPDD. The LPDD is one of two primary development districts in St. Mary's County and is the area where the County, by way of both its comprehensive plans and its zoning ordinance, encourages new commercial and high intensity

development, including multi-family and mixed-use developments. As part of the recent LPDD Plan revisions, the properties immediately to the south of the Subject Properties were re-zoned as Low Intensity Mixed Use (MXL). This recent rezoning of these properties further demonstrates a change to this area and neighborhood. The Subject Properties could not be re-zoned as part of the LPDD process, as they are not located within the LPDD boundaries and the Board of County Commissioners made a reasoned policy decision not to expand the borders of the LPDD during the planning process. However, as a result of this re-zoning of that adjacent property, the County is encouraging mixed use development projects immediately adjacent to the Subject Properties.

The Applicants reserve the right to submit additional argument and evidence of the change in the neighborhood/area of the Subject Properties at or before any public hearings on this application.

Mistake Regarding the Current Zoning and Land Use Designations of the Subject Property

In addition to the significant change of the character of the neighborhood/area, the Subject Properties' zoning categories and underlying land uses should be changed because it is apparent that the current zoning categories and land uses are mistakes. This is evidenced by the fact that the properties are sandwiched directly between the Hollywood Town Center and the Lexington Park Development, which undergo separate comprehensive planning processes and it appears that the two Subject Properties remained RPD despite the fact that the properties all around them are zoned to allow commercial and mixed-use development. In addition, the modest size of the Subject Properties, coupled with their location in relation to the other properties near them, make it difficult to impossible to use the Subject Properties to further the goals of the Rural Preservation District, which is "intended to foster agricultural, forestry, mineral extraction, and aquacultural uses and protect the land necessary to support these activities." CZO at § 31.1.

The Applicants reserve the right to submit additional argument and evidence of the mistake in the current zoning and land use categories of the Subject Properties at or before any public hearings on this application.

Requested Action

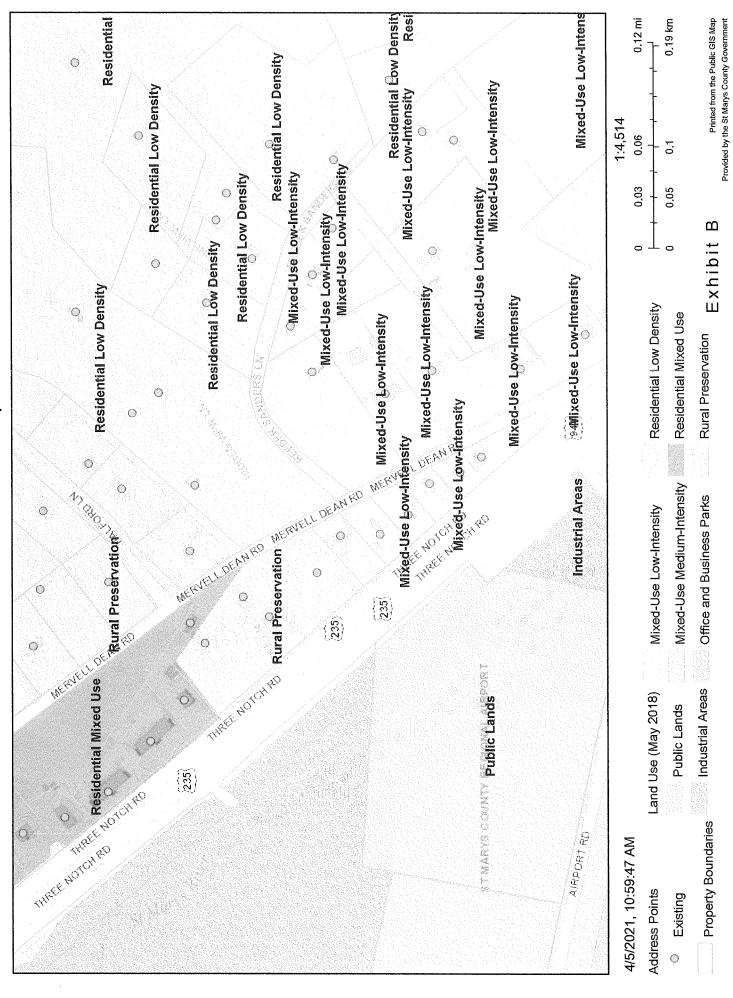
In light of the above, the Applicants respectfully request that the Subject Properties be re-zoned on the St. Mary's County Zoning map from Rural Preservation District (RPD) to Residential Mixed-Use District (RMX). Further, the Applicants request that the Land Use designations for the Subject Properties be changed on the County Land Use Map from Rural Preservation to Residential Mixed Use.

We look forward to working with you on this request and I am happy to answer any questions or provide any additional information needed or that would be helpful with this process.

Sincerely,

Christopher T. Longmore

ArcGIS Web Map



Real Property Data Search (w4)

Search Result for ST MARY'S COUNTY

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This screen allows you to search the Real Property database and display property records.
 Click here for a glossary of terms.
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DEED

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NO TITLE SEARCH REQUESTED OR PERFORMED.

(GIFT)

and ninety-six, by and between ROBERT A. RIKE and JULIA E. PIKE, his wife, Grantors, of St. Mary County, in the State of Maryland, Parties of the First Part, and ROBERT WAYNE PIKE and JEFFREY in the year one thousand nine hundred RECORDING FEE LEE PIKE, Grantees, Parties of the Second Part. day of 5 This Deed, Made this

A. PIKE and JULIA E. PIKE, do but subject to the reservation of a life estate, grant and convey unto the said ROBERT WAYNE PIKE and JEFFREY LEE PIKE, as joint tenants and not as tenants in common, other good and valuable consideration, the receipt of which is hereby acknowledged, the said ROBERT their assigns and the personal representatives, heirs and assigns of the survivor of them, forever, in fee simple, all the lot, tract or parcel of ground, situate, lying and being in the Sixth Election District of St. (NO MONETARY CONSIDERATION), Mary's County, Maryland, and described as follows, that is to say: j WITNESSETH, that in consideration of the sum of

Lots number 7, 8, and 9 in the Subdivision known as "Greenland Gardens" as shown on a plat of said Subdivision recorded among the Land Records of St. Mary's County, Maryland, in Liber CBG No. 19, 전 蓋 **Folio 396**.

SUBJECT to covenants, restrictions, rights of way, easements and other conditions of record.

by deed dated November 29, 1955, and recorded among the Land Records of St. BEING all and the same land conveyed to the Grantor herein by Francis P.E. Bohager and Sadie Mary's County, Maryland, in Liber CBG No. 60, Folio 364 his wife, Bohager,

MSA_CE60_1374. Date available 09/29/2005. Printed 04/05/2021.

By this conveyance, the Grantors are reserving a life estate in the property for their joint lives and the life of the survivor and conveying the remainder interest to the Grantees, sons of the Grantors herein.

exempt from recordation tax per Tax-Property Article, Section 12-108, of the Annotated Code of Maryland. This conveyance is

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LIBER 1 0 6 5 FOLID 3 0 8

rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise Together with the buildings and improvements thereupon erected, made or being and all and every the appertaining.

hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said ROBERT WAYNE PIKE and JEFFREY LEE PIKE, as joint tenants and not as tenants in common, their assigns and the personal representatives, heirs and assigns of the survivor of them, forever, in fee simple, but reserving To Have and to Hold the said lot of ground, land and premises, above described and mentioned, and unto the Grantors a life estate in the property for their joint lives and the life of the survivor, without liability for waste. And the said Parties of the First Part hereby covenant that they have not done or suffered to be done any specially the property granted, and they will execute such further assurances of the same as may be act, matter or thing whatsoever to encumber the property hereby conveyed, that they will warrant requisite.

WITNESS the hands and seals of said Grantors:

ghert A Pido

JULIA E. PIKE

STATE OF MARYLAND, COUNTY OF ST. MARY'S, to wit:

A. PIKE and JULIA E. PIKE, his wife, Grantons, and they acknowledged the foregoing deed to be their Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared ROBERT , 1996, before me, the subscriber, day of I HEREBY CERTIFY, That on this 13

WITNESS my hand and Notarial Seal:

Notary Public

A MARKET

My Commission Expires:

ENT WAS PREPARED BY THE UNDERSIGNED ATTORNEY, DULY ADMITTED TO ND, OF AN EMPLOYEE OF SUCH ATTORNEY. THIS IS TO CERTIFY THAT THE WITHIN INSTRUM Q. PRACTICE BEFORE THE COURT OF APPEAL

Morney at Law

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Real Property Data Search (w4)

Search Result for ST MARY'S COUNTY

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^{1.} This screen allows you to search the Real Property database and display property records.

Click here for a glossary of terms.
 Deleted accounts can only be selected by Property Account Identifier.

PEE-SIMPLE DEED-CODE-City or County

800K 148 PAGE 283

TH 13 83 * 29922 *****15,00 TUR 13-83 B =29922 *****15,00

NO TITLE EXAMINATION REQUESTED OR PERFORMED

This Deed Made this

11th

day of June,

in the year one thousand nine hundred and eighty-three , by and between

WILHELMINA E. FORD, Grantor

St. Mary's County,

in the State of Maryland, of the first part, and

DEXTER LYNN FORD and PATTI K. FORD, his wife, Grantees of the second part.

Witnesseth, That in consideration of the sum of \$-0- and other good and valuable consideration the receipt of which is hereby acknowledged by the party of the first part, the said WILHELMINA F. FORD

do es grant and convey unto the said DEXTER LYNN FORD and PATTI K. FORD, his wife, as tenants by the entireties, their assigns, the survivor of them and the personal representatives, heirs and assigns of said survivor, forever, subject to the life estate in each of the below-described parcels which is hereby reserved by the Grantor during her life,

being mad maxigum, in fee simple, all that lot, tract or parcel of ground, situate, lying and being in the Eighth Election District of St./ , aforesaid, and described as follows, that is to say:-

Beginning for the

(1) Lot designated as Lot Number 10 of Greenland Garden's Subdivision on the Plat of said Subdivision recorded among the Land Records of St. Mary's County, Maryland in Liber C.B.G. No. 19, Folio 396; subject to the covenants and restrictions of record.

Being all and the same land conveyed to Jason Ernest Ford and Wilhelmina E. Ford, his wife, as tenants by the entireties, by Jo V. Morgan, Jr. and Joseph D. Weiner by deed dated March 15, 1956 and recorded among the Land Records of St. Mary's County, Maryland at Liber C.B.G. No. 63, Folio 78.

(2) All that lot, tract or parcel of ground situate, lying and being in the Sixth Election District of St. Mary's County, aforesaid, and described as follows, that is to say:

BEGINNING for the same at an iron pipe set on the Northeasterly side of State Route 235 between California and Hollywood, marking the Westerly corner of Lot No. 10, previously conveyed to the grantors herein, by Plat of Greenland Gardens Subdivision dated February 11. 1947, and recorded in Liber C.B.G. No. 19 at Folio 396, one of the Land Records of St. Mary's County, Maryland; thence running with said State Road North 34 deg. West 25.0 feet to an oak hub; thence leaving said State Road and running across a corner of Lot No. 9 of aforesaid Subdivision North 61 deg. 51 min. East 245.3 feet to a cedar stake set on the Westerly side of the old Three Notch Road and being a corner of aforesaid Lot No. 10; the old Three Notch Road and being a corner of aforesaid Lot No. 10; thence with said lot South 56 deg. West 244.0 feet to the point of beginning, containing 3,050 square feet of land, more or less, as surveyed October 9, 1956, by W. L. Bowman, Registered Land Surveyor.

Being all and the same land conveyed to Jason E. Ford and Wilhelmina E. Ford, his wife, as tenants by the entireties, by Robert A. Pike and Julia M. Pike, his wife, by deed dated May 31, 1961 and recorded among the Land Records of St. Mary's County, Maryland at Liber C.B.G. No. 94, Folio 468.

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The said Jason Ernest Ford (also known as Jason E. Ford) died intestate on or about August 25, 1978, leaving the said Wilhelmina E. Ford as the surviving tenant by the entireties.

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Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

and premises, above described and To Have and To Hold the said lot of ground mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said DEXTER LYNN FORD and PATTI K. FORD, his wife, as tenants by the entireties, their assigns, the survivor of them and the personal representatives, heirs and assigns of said survivor, forever, subject to the life estate reserved hydrand engine in fee simple. by the Grantor,

THIS IS THE CHAPTER HAVE ME TAXES ON THE SECOND AND contracte not man new top may pe

Kathure M. DEsports

of the first part hereby covenant s that she has And the said party not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant specially the property granted and thecshe will execute such further assurances of the same as may be requisite.

Witness the hand and seal of said grantor :

TEST:

WILHELMINA E. FORD

(SEAL)

STATE OF MARYLAND, St. Hary's County

, to wit:

I HEREBY CERTIFY, That on this

1144

day of June

in the year one thousand nine hundred and eighty-three

before me, the subscriber,

a Notary Public of the State of Maryland, in and for St. Mary's County,

aforesaid,

personally appeared

WILHELMINA E. FORD

she acknowledged the foregoing Deed to be and the above named grantor

her

act.

As Witness my hand and Notarial Seal.

THE IS TO CERTIFY THAT THE WITHIN INSTRUMENT WAS PRIPARED BY THE UNDERSIGNED ATTORNEY, DULY AD-MITTED TO PRACTICE SHORE THE COURT OF APPEALS OF MARYLAND, OR LY AM EMPLOYEE OF SUCH ATTOMAY.

My Commission Expires: 7/1/86

BUN 13 BESTS

MARY R. BELL CLERK