

**For Office Use Only**  
CASE # \_\_\_\_\_  
FEE PAID \_\_\_\_\_  
DATE \_\_\_\_\_



**For Office Use Only**  
ZONE \_\_\_\_\_  
CRITICAL AREA: IDA \_\_\_ LDA \_\_\_ RCA \_\_\_  
BMA: Yes \_\_\_ No \_\_\_  
NO. OF SIGNS \_\_\_\_\_

**REZONING APPLICATION**

NOTE: This form can be downloaded to your computer and filled out utilizing Adobe Reader (or similar product). It can also be printed and filled out by hand.

Applicant(s): JENNIFER MORALES

(Applicant must have a financial, contractual, or proprietary interest in the property)

Property Address: 7885 TELEGRAPH ROAD, SEVERN, MARYLAND 21144

Property Location: \_\_\_\_\_ feet of frontage on the (N, S, E, W) side of TELEGRAPH ROAD ;  
(Enter Street Name)  
\_\_\_\_\_ feet (N, S, E, W) of (Nearest intersecting street) OLD DONALDSON AVENUE .  
(Enter Street Name)

12-digit Tax Account Number 0400006099800 Tax District (4 ) Council District (2 )

Waterfront Lot: Y  N  Corner Lot: Y  N  Deed Title Reference 37216/ 00036

Zoning District R5 Lot Number N/A Tax Map 25 Block/Grid 6 Parcel 271

Area .52 (Acres)  Subdivision Name N/A

Proposed Rezoning From: R5 To: RLD

Description of Proposed Rezoning Requested (Brief, detail fully in letter of explanation)

THE SUBJECT PROPERTY HAS BEEN OPERATING AS A CONTRACTOR AND CONSTRUCTION STORAGE YARD.

The applicant hereby certifies that he or she has a financial, contractual, or proprietary interest equal to or in excess of 10 percent of the property; that he or she is authorized to make this application; that the information shown on this application is correct; and that he or she will comply with all applicable regulations of Anne Arundel County, Maryland.

Applicant's Signature \_\_\_\_\_

Owner's Signature \_\_\_\_\_

Print Name JONATHON C. SCRUGGS

Print Name JENNIFER MORALES

Mailing Address 113 CATHEDRAL STREET

Mailing Address 7885 TELEGRAPH ROAD

City, State, Zip ANNAPOLIS, MD 21401

City, State, Zip SEVERN MD 21144

Work Phone 410-626-6009

Work Phone \_\_\_\_\_

Home Phone \_\_\_\_\_

Home Phone \_\_\_\_\_

Cell Phone 410-834-0355

Cell Phone 240-444-4854

Email Address JSCRUGGS@MSFANS.COM

Email Address JENNIMORALES0@GMAIL.COM

\*\*\* Below For Office Use Only \*\*\*

Application accepted by Anne Arundel County Office of Planning and Zoning: \_\_\_\_\_

Initials

Date

Zoning reclassification \_\_\_\_\_



**Matthew S. Evans, III** Owner  
**Gary Damico** Partner  
**Jonathon Scruggs** Partner  
**Caterina Sorrento** Associate  
**Jessica Chandler** Paralegal  
**Geniya Seager-Gilliam** Paralegal

**113 Cathedral Street** Annapolis, MD 21401  
410.626.6009  
msevanlaw.com

**April 25, 2023**

**Via US Mail**  
**Anne Arundel County**  
**Department of Planning and Zoning**  
**2664 Riva Road**  
**Annapolis, MD 21401**

**Re: Re-Zoning Application**  
**Conversion of Lot from R5 to RLD**  
**Letter of Explanation**

**Sir or Madam,**

**My office has been retained to assist Ms. Jennifer Morales with a request for piecemeal rezoning application, which is attached hereto. The property, 7885 Telegraph Road, is currently zoned R5 residential, however the parcel itself has been used for light industrial purposes at various points previously. At this time, the property is presently being used as landscaping business. Ms. Morales is seeking to re-zone her lot from R5 to RLD which is the least impactful zoning overlay that permits the use of the property for her occupation.**

**Specifically, the property herein referenced is identified as follows:**

**7885 Severn Road,**  
**Annapolis, MD 21144**  
**Tax Map: 25 Block: 6 Parcel: 271**

**The basis for this application is a change in the nature of the neighborhood/parcel. Over the last few cycles of Comprehensive Rezoning, the Telegraph Road corridor has evolved from an almost exclusively residential neighborhood into a patchwork of various uses. I have attached a copy of the County's Zoning Map indicating that there are at a minimum ten (10) different zoning districts contained within a one (1) mile radius of this subject application. The range of zoning extends from R1-R15, C1-C4, and W1-W3. There are even SB parcels zoned in the area.**

**As you can clearly see on the map, there is little uniformity into the zoning classifications present, and there is evidence of similar piecemeal lots housed within residentially zoned areas.**

**The Applicant seeks to operate the business known as Springs Irrigation and Lighting from the subject premises. The business provides high quality services in underground irrigation systems, landscape**

lighting systems, and landscape management. Due to the nature of the business, it cannot be operated on an R5 parcel. Regrettably, the activity does not fall within the scope of a principal, conditional, or special exception use. Attached to this document is a copy of the business website, a photograph of the property as taken from the road, and several photographs of the property showing the use as proposed.

The proposed use on the property would be of minimal impact to the neighborhood and is largely consistent with other uses within the community. At the cross street of Telegraph Road and Old Donaldson, (a distant of roughly 100 yards) the zoning map quickly changes from C3 back to R1. Further down Telegraph Road there are small pockets of C1 and large swaths of W1 and W3.

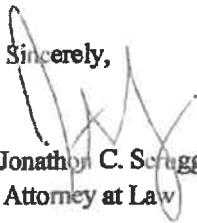
The current lot size of Ms. Biven's property is twenty-two thousand, six hundred and fifty-one sq ft. (22,651). Although this lot size falls below the minimum bulk requirements as set forth in §18-4-401, the code provides that a lot with an area of less than 40,000 square feet, that was approved by a record plat prior to April 9, 1987, may be reviewed in accordance with the bulk regulations of § 18-4-601 and lot size is subject to § 18-4-202. The lot was created by plat on November 17, 1949. Therefore, as the lot size meets the minimum threshold of twenty thousand sq ft. (20,000), the lot would conform to standards.

Ms. Morales intends to comply with all other requirements for the operation of a landscaping and tree contracting use as codified under §18-11-132.

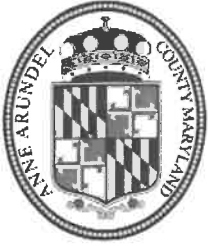
All relevant documents have been attached for your review and reference.

Please direct all correspondence regarding this matter directly to my office at my attention.

Sincerely,

  
Jonathon C. Scruggs  
Attorney at Law

cc: Client



## OFFICE OF PLANNING AND ZONING

### CONFIRMATION OF PRE-FILE MEETING

DATE OF MEETING May 16, 2023

P&Z STAFF Patrick Hughes & Rob Konowal

APPLICANT/REPRESENTATIVE Jonathan Scruggs EMAIL \_\_\_\_\_

SITE LOCATION 7885 Telegraph Road LOT SIZE 0.52 acres ZONING R5

CA DESIGNATION n/a BMA \_\_\_\_\_ or BUFFER \_\_\_\_\_ APPLICATION TYPE Rezoning

Requested rezoning of subject property from **R5-Residential** to **RLD-Residential Low Density**.

According to the letter of explanation the applicant is currently operating a landscaping business on the property and the rezoning is intended to accommodate this business. The applicant cites a rezoning is warranted due to neighborhood change. According to the applicant, over the last few cycles of Comprehensive Rezoning, the Telegraph Road corridor has evolved from an almost exclusively residential neighborhood into a patchwork of various uses. There are at a minimum ten (10) different zoning districts contained within a one (1) mile radius of this subject application. The range of zoning extends from R1-R15, C1-C4, W1 -W3 as well as SB. There is little uniformity in the zoning classifications present, and there is evidence of similar piecemeal lots housed within residentially zoned areas.

**Note:** There is an open zoning violation on this property pertaining to an irrigation contractor (commercial use) operating which is not an allowed use in a R5 District. The use must be confirmed. A contractor is not an allowed use in any residential district.

#### COMMENTS

**Long Range Planning** - Plan2040 places the site in the Neighborhood Preservation Development Policy Area and the Low-Medium Density Planned Land Use category. All surrounding properties also have Low-Medium Density Planned Land Use, and properties across the street to the west have Low Density Residential Planned Land Use. No application for a change in Planned Land Use was filed during the Plan2040 process. Plan2040 does not have recommendations that are specific to this site, but with the location of the property within the Neighborhood Preservation Planned Land Use category and within a larger context of Low-Medium Density Residential Planned Land Use, the proposal is not consistent with the overall goals and policies of Plan2040.

**Zoning** - According to the zoning violation issued re: property the use is an "irrigation contractor" and not a landscaping contractor. A (irrigation) contractor is not an allowed use in the requested RLD District. There does not appear to be adequate evidence shown of change or mistake at this time that would support a change in zoning. The requested RLD zoning provides for development at a density of 1 dwelling per 5 acres which does not conform to the Low-Medium Density Plan 2040 land use designation of this property that is associated with residential development at a density of greater than 2 units per acre up to 5 units per acre.

#### INFORMATION FOR THE APPLICANT

Section 18-16-201 (b) Pre-filing meeting required. Before filing an application for a variance, special exception, or to change a zoning district, to change or remove a critical area classification, or for a variance in the critical area or bog protection area, an applicant shall meet with the Office of Planning and Zoning to review a pre-file concept plan or an administrative site plan. For single lot properties, the owner shall prepare a simple site plan as a basis for determining what can be done under the provisions of this Code to avoid the need for a variance.





