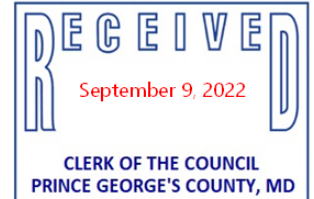


ZONING MAP AMENDMENT  
SADDLE RIDGE  
A-10060  
COUNCILMANIC DISTRICT 9

PRINCE GEORGE’S COUNTY  
COUNCIL, SITTING AS THE  
DISTRICT COUNCIL

**RESPONDENT D.R. HORTON, INC.’S RESPONSE  
TO PETITIONER’S EXCEPTION TO THE  
DECISION OF THE ZONING HEARING  
EXAMINER**



COMES NOW the Respondent, D.R. Horton, Inc. (the “Respondent”), by and through its attorneys, Matthew C. Tedesco, and the law firm of McNamee Hosea, P.A., and files this Response to Petitioner’s Exceptions of the Decision of the Zoning Hearing Examiner in the above-captioned matter, and in support thereof states as follows.

**FACTUAL AND PROCEDURAL BACKGROUND**

This matter arises from Respondent’s application for a zoning map amendment (“A-10060”) to rezone approximately 289.36 acres of property located on the north side of Accokeek Road and the south side of Floral Park Road, approximately a mile west of the Branch Avenue (MD 5) / Brandywine Road / Accokeek Road interchange (the “Property”). Specifically, A-10060, which was officially accepted for review on April 7, 2021, and filed pursuant to Section 27-195 of the 2019 Edition of the Zoning Ordinance (the “prior Zoning Ordinance”), seeks to rezone the Property from the R-R and R-E Zones to the R-S Zone / LCD Zone. The Technical Staff of The Maryland-National Capital Park and Planning Commission (“M-NCPPC”) reviewed the application, and on June 3, 2021, issued its Technical Staff Report (“TSR”) with all associated back-up referrals – recommending approval of A-10060. (Ex. 14). On July 8, 2021, the Prince George’s County Planning Board (the “Planning Board”) held a hearing on A-10060 and voted to recommend approval of requested rezoning. On July 29, 2021, the Planning Board

adopted Resolution PGCPB No. 2021-92 approving A-10060 with no conditions. On October 27, 2021, the Zoning Hearing Examiner (“ZHE”) conducted an evidentiary hearing on A-10060. Shortly after the close of the evidentiary hearing, pursuant to Section 27-1905(c)(1) of the prior Zoning Ordinance, A-10060 was tolled pending final District Council action on the Countywide Map Amendment (“CMA”). On November 29, 2021, the District Council adopted CR-136-2021, thereby approving the CMA, with an effective date of April 1, 2022. Consequently, and pursuant to Section 27-1905(c)(2) of the prior Zoning Ordinance, on December 20, 2021, the Respondent submitted a written request that its application proceed and that its request for the R-S Zone be replaced with the LCD (“Legacy Comprehensive Design”) Zone, and revised its Basic Plan accordingly. (Ex. 46 and Ex. 48). On January 20, 2022, James Hunt, Division Chief of the Development Review Division, submitted a memorandum to the ZHE noting that Technical Staff’s (and indirectly, the Planning Board’s) recommendation of approval would not change if the property were rezoned to the LCD Zone, and the record was closed at that time. (Ex. 49).

On May 3, 2022, the ZHE issued her decision in A-10060 approving the request to rezone the Property to the R-S Zone with no conditions. On June 2, 2022, Petitioner, Mark Calhoun, filed a letter with the Clerk of the County Council requesting that the District Council resolve an alleged issue relating to the size of Petitioner’s property and Petitioner’s contention that A-10060, in some way, reduces the size of his property. In response, Respondent files this Response.

**I. A-10060 does not include any land owned by Petitioner, and does not reduce the size of Petitioner’s land.**

Petitioner asserts that Respondent’s application (A-10060) seeks to “take some of [his] property as [its] own.” Specifically, Petitioner contends that his property is 1.99 acres, and that

in some why A-10060 now reduces Petitioner's property to 1.60 acres. Petitioner now asks the District Council to "resolve this issue." This issue is moot.

Petitioner's property is and remains 1.99 acres, as alleged, and A-10060 has no impact, whatsoever, on the total acreage of Petitioner's. Indeed, on June 7, 2022, five (5) days after Petitioner filed his exceptions, undersigned counsel responded to Petitioner to affirmatively advise that the limits of Petitioner's property are not changing with A-10060. (Apx. A).<sup>1</sup> Further, in response, Rodgers Consulting, the civil engineer of record for A-10060, conducted an ALTA survey of the entire Property where existing monuments of all four corners of Petitioner's property (6401 Floral Park Road; Parcel 141) were field located. (See Ex. 15). To memorialize the same, Respondent provided Petitioner with a copy of the survey of his property, which memorialized that Petitioner's property totaled 1.99 acres, as alleged. (Apx. B). It must be noted that the located property corners for the Property match closely with the bearings and distances (metes and bounds) specified for Petitioner's property by deed, and the deeds for the Property boundary. Based on the located corners for the Property, the acreage of Petitioner's property is and will remain 1.99 acres notwithstanding the proposed rezoning of the Property (A-10060). Finally, the acreage of Petitioner's property is consistent with the attached chain of title on the property dating back to 1970. (Apx. C). Simply, these items confirm Petitioner's contention and understanding that his property is 1.99 acres. Thus, the sole issue raised by Petitioner is moot.

**A. A-10060 seeks to rezone approximately 289.36 acres, which excludes lands owned by Petitioner.**

During the ZHE hearing on October 27, 2021, Petitioner cross-examined Respondent's expert land planner, Mr. Joe Del Balzo, and questioned whether A-10060 will "change"

---

<sup>1</sup> It should be noted that in addition to the June 7, 2022 correspondence, Respondent followed up with Petitioner on June 22, 2022, July 24, 2022 (Apx. D), July 18, 2022, and July 21, 2022 regarding the acreage issue. (See Apx. A).

Petitioner’s property “or would this [(i.e., A-10060)] just be for the 289 acres that you guys [i.e., Respondent] have?” Below is an excerpt of that exchange:

MR. CALHOUN: Because whether my property will be specifically changed or my zoning practice, or would this just be for the 289 acres that you guys have?

MR. DEL BALZO: So no, your property would not be rezoned through this. It would just be for the 289 acres. And all of the development activity would be on that property, not on yours.

(Tr. at p. 93, Lines 12 – 18). Further, Mr. Del Balzo testified that, “[n]o [Petitioner’s] property is not part of the rezoning application and would not be rezoned.” (*Id.* at p. 94, Lines 2 – 4). Petitioner concluded by indicating that “if anything else comes up, I will try to contact with these people or make my request. But right now, there’s nothing else.”

As stated above, it was not until receipt of Petitioner’s exceptions that Respondent was made aware of Petitioner’s contention that A-10060 somehow sought to take a portion of Petitioner’s property. To which Respondent immediately responded to once again assure and to demonstrate to Petitioner that A-10060 does nothing of the sort. (*See* Apx. A- C).

Again, the issue raised by Petitioner is moot – the size of Petitioner’s property is, and will remain, 1.99 acres notwithstanding the outcome of A-10060.

**II. The District Council should approve A-10060, and in so doing, impose the LCD Zone.**

At the conclusion of the ZHE’s decision, Conclusion of Law Sections 10 – 14, the ZHE opines that the R-S Zone may be imposed, but the LCD Zone may not. Respondent believes that due to the effectuation of the new Zoning Ordinance<sup>2</sup>, and pursuant to Section 27-1703(a) of the new Zoning Ordinance, the LCD Zone may be imposed.

---

<sup>2</sup> Pursuant to County Council Bill CB-13-2018, the Prince George’s County Council adopted a new Zoning Ordinance (Subtitle 27 of the County Code), which became effective on April 1, 2022 pursuant to CR-136-2021.

In opining that the LCD Zone may not be imposed, the ZHE relies on Sections 27-3601(b)(2) and 27-4205(a); however, those sections of the new Zoning Ordinance are not applicable to A-10060. That is, Section 27-3601 deals with a zoning map amendment (“ZMA”) filed pursuant to the new Zoning Ordinance, and not the prior Zoning Ordinance. A-10060 is **not** a ZMA filed pursuant to Section 27-3601; instead, it is a ZMA filed pursuant to Section 27-195 of the prior Zoning Ordinance.

A-10060 was accepted for review on April 7, 2021, a year prior to the effectuation of the new Zoning Ordinance. The publication of the TSR (June 3, 2021); the Planning Board hearing (July 8, 2021); the adoption of the Planning Board’s resolution (July 29, 2021); and the ZHE hearing (October 27, 2021) not only all occurred prior to the adoption of the CMA (November 29, 2021), but also occurred prior to the effectuation of the new Zoning Ordinance (April 1, 2022). Moreover, Section 27-1703(a) specifically provides:

**Any development application, including a permit application or an application for zoning classification, that is filed and accepted prior to the effective date of this Ordinance may be reviewed and decided in accordance with the Zoning Ordinance and Subdivision Regulations in existence at the time of the acceptance of said application. An application for zoning classification decided after the effective date of this Ordinance must result in a zone set forth within this Ordinance.**

Thus, A-10060 must be reviewed and decided in accordance with Section 27-195 of the prior Zoning Ordinance (which it is). Further, since the decision of A-10060 is now occurring after April 1, 2022 (the effective date of the new Zoning Ordinance), it must result in a zone set forth within the new Zoning Ordinance pursuant to Section 27-1703(a). Based on this, and given the inapplicability of Section 27-3601 (of the new Zoning Ordinance), the ZHE’s conclusion that that section prohibits the ability to impose the LCD Zone for this ZMA application is incorrect.

Indeed, the Transitional Provisions of Section 27-1703(a) contained in the new Zoning Ordinance contemplated this very scenario and made accommodations for the same when it unambiguously provided that a pending ZMA may continue to be reviewed and approved under the prior Zoning Ordinance (in this case Section 27-195), but that the decision to approve the pending ZMA after the effectuation date of the new Zoning Ordinance (April 1, 2022) must result in a zone set forth in said new Zoning Ordinance.

With the endorsement of the CMA by the Planning Board on October 28, 2021, and the adoption of the CMA by the District Council on November 29, 2021, Respondent, in conformance with Part 19 of the prior Zoning Ordinance, was required to elect to move forward with A-10060 and elect a new replacement zone based on the new Zoning Ordinance. (*See Ex. 46, with attachments*). This not only ensured compliance with Section 27-1905(c)(2) of the prior Zoning Ordinance (which was still applicable until April 1, 2022), but also ensured future conformance with Section 27-1703(a) (which is now applicable). To that end, on December 20, 2021, Respondent complied with Section 27-1905(c)(2) by indicating its intent to proceed with A-10060 and requested to replace the R-S Zone with the LCD Zone, as the appropriate new zone directed by the Approved Guide to New Zones. (*Id.*).

The determination of the proper replacement zone to the LCD Zone was thoroughly vetted with and confirmed by M-NCPPC, its Principal Counsel, and Technical Staff – including staff charged with preparing the CMA and new Zoning Ordinance. (*See id.*). Finally, on January 20, 2022, James Hunt, Planning Division Chief of the Development Review Division, of M-NCPPC, confirmed, in response to Respondent’s December 20, 2021 letter (Ex. 46) and at the request of the ZHE (Ex. 47), that “Technical Staff finds that a new technical staff report is

unnecessary as the requested [replacement] from the originally requested R-S Zone to the new LCD Zone has no impact on staff's recommendation in any manner." (Ex. 49).

Consequently, the ZHE's decision to approve the R-S Zone, as the required findings of Section 27-195 have been satisfied and are supported by substantial evidence, results in the affirmative ability for the District Council to approve A-10060 and, pursuant to Section 27-1703(a), impose the LCD Zone as the appropriate replacement zone for the R-S Zone.

Assuming *arguendo* that the LCD Zone cannot be imposed and the correct zone to impose is the R-S Zone, it will have no true impact on Respondent's request since, for all practical purposes, the R-S Zone and the LCD Zone are equivalent. As noted in the record, the new provisions governing the LCD Zone only require that development comply with the zone and use standards for the R-S Zone found in the prior Zoning Ordinance. The District Council, assuming *arguendo*, could still approve the R-S Zone if Section 27-1703 is "interpreted" to be nugatory unless it is interpreted to allow an applicant that started its quest to rezone to the R-S Zone over two years ago (far in advance of the adoption of the CMA), to finally have it considered and decided by the District Council.

### **CONCLUSION**

In accordance with the arguments set forth above, the substantial evidence in the record, the ZHE's decision that Section 27-195 of the prior Zoning Ordinance has been met, the District Council should approve A-10060 and impose the LCD Zone, as requested.

Respectfully submitted,

D.R. HORTON, INC.

By its attorney,



---

Matthew C. Tedesco, Esq.  
McNamee, Hosea, P.A.  
6411 Ivy Lane, Suite 200  
Greenbelt, Maryland 20770  
(301) 441-2420 Telephone  
(301) 982-9450 Facsimile  
[mtedesco@mhlawyers.com](mailto:mtedesco@mhlawyers.com)



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the date set forth below, a copy of the foregoing Response to Petitioner's Exceptions to the Decision of the Zoning Hearing Examiner was served by electronic mail or first-class mail, postage prepaid, upon the following:

Raj A. Kumar, Esq.  
Principal Counsel  
Prince George's County Council  
Wayne K. Curry Administration Building  
1301 McCormick Drive, Suite 3-126  
Largo, Maryland 20774  
RAKumar@co.pg.md.us  
*Attorney for Prince George's County District Council*

Stan D. Brown, Esq.  
People's Zoning Counsel  
1300 Caraway Court, Suite 101  
Largo, Maryland 20774-5462  
attorney@stanbrown.law

Parties of Record

Date: September 9, 2022



\_\_\_\_\_  
Matthew C. Tedesco, Esq.

# Appendix

## Matthew C. Tedesco

---

**From:** Matthew C. Tedesco  
**Sent:** Thursday, July 21, 2022 12:39 PM  
**To:** '4tone1tone@gmail.com'  
**Cc:** 'Stan Brown'; Alex Villegas - Rodgers Consulting (AVillegas@RODGERS.COM)  
**Subject:** RE: Saddle Ridge (A-10060) - Exceptions

Mr. Calhoun:

Thank you for your phone call a moment ago in response to my numerous emails, v-mails, and written correspondences; it was nice to hear back from you. As I mentioned to you on the phone, the applicant for A-10060 is not doing any road improvements to the frontage of the subject property or your property. You mentioned that trucks with Aggregate Industries are doing road work along the front of your property, and as I tried to explain on the phone, while Aggregate Industries is known to have various ongoing operations in the general Brandywine area, they are not affiliated with the applicant or with the application to rezone the property. I am afraid that we cannot offer any more information related to the Aggregate Industries trucks other than to confirm that the applicant is not making any improvements to the road nor doing any other work on the property that is the subject of A-10060. As we have offered a number of times, we are happy to meet with you at your property (or anywhere) to help provide and/or share information related to the concerns you have raised.

Matt



---

### Matthew C. Tedesco

*Principal\**

#### McNamee Hosea

6411 Ivy Lane, Suite 200      o 301.441.2420  
Greenbelt, Maryland 20770      f 301.982.9450

[Facebook](#) | [mhlawyers.com](http://mhlawyers.com)

*\*Admitted in Maryland*

---

*The information contained herein is confidential and intended for the exclusive use of the addressee(s). If you are not the intended recipient, you are hereby notified that any review, use, dissemination, distribution or copying of this message is strictly prohibited. If you received this e-mail in error, please notify the sender immediately and delete the message. Disclosure Required by IRS Circular 230: In accordance with IRS requirements, we wish to inform you that, to the extent this communication contains tax advice, it is not intended or written to be used for the purpose of 1) avoiding tax penalties that may be imposed on the taxpayer by the Internal Revenue Service, or 2) promoting, marketing or recommending to another party any transaction or matter addressed herein.*

---

**From:** Matthew C. Tedesco  
**Sent:** Monday, July 18, 2022 1:13 PM  
**To:** 4tone1tone@gmail.com  
**Cc:** Stan Brown <attorney@stanbrown.law>; Alex Villegas - Rodgers Consulting (AVillegas@RODGERS.COM) <avillegas@rodgers.com>  
**Subject:** RE: Saddle Ridge (A-10060) - Exceptions

Hi Mr. Calhoun:

I am following up on the v-mail that Alex Villegas and I just left in the mailbox for 240-790-4959. Kindly call me at 301-441-2420 so that we can discuss the emails below, the exceptions, and your conversation with Mr. Brown. We want to make sure we are responding to your questions.

Thank you!

Matt



---

## Matthew C. Tedesco

*Principal\**

### McNamee Hosea

6411 Ivy Lane, Suite 200      o 301.441.2420  
Greenbelt, Maryland 20770      F 301.982.9450

[Facebook](#) | [mhlawyers.com](http://mhlawyers.com)

*\*Admitted in Maryland*

---

*The information contained herein is confidential and intended for the exclusive use of the addressee(s). If you are not the intended recipient, you are hereby notified that any review, use, dissemination, distribution or copying of this message is strictly prohibited. If you received this e-mail in error, please notify the sender immediately and delete the message.*

*Disclosure Required by IRS Circular 230: In accordance with IRS requirements, we wish to inform you that, to the extent this communication contains tax advice, it is not intended or written to be used for the purpose of 1) avoiding tax penalties that may be imposed on the taxpayer by the Internal Revenue Service, or 2) promoting, marketing or recommending to another party any transaction or matter addressed herein.*

---

**From:** Matthew C. Tedesco  
**Sent:** Wednesday, June 22, 2022 11:49 AM  
**To:** [4tone1tone@gmail.com](mailto:4tone1tone@gmail.com)  
**Cc:** Stan Brown <attorney@stanbrown.law>  
**Subject:** RE: Saddle Ridge (A-10060) - Exceptions

Good morning.

Appendix A - A-10060

I just wanted to follow-up on the email below to see if you had any questions or wanted/needed to connect. I believe the email and attachments resolved your concern but did not want to presume. Again, we would be happy to meet at the property.

Thanks, Matt



---

## Matthew C. Tedesco

*Principal\**

### McNamee Hosea

6411 Ivy Lane, Suite 200                    o 301.441.2420  
Greenbelt, Maryland 20770                f 301.982.9450

[Facebook](#) | [mhlawyers.com](http://mhlawyers.com)

*\*Admitted in Maryland*

---

*The information contained herein is confidential and intended for the exclusive use of the addressee(s). If you are not the intended recipient, you are hereby notified that any review, use, dissemination, distribution or copying of this message is strictly prohibited. If you received this e-mail in error, please notify the sender immediately and delete the message.*

*Disclosure Required by IRS Circular 230: In accordance with IRS requirements, we wish to inform you that, to the extent this communication contains tax advice, it is not intended or written to be used for the purpose of 1) avoiding tax penalties that may be imposed on the taxpayer by the Internal Revenue Service, or 2) promoting, marketing or recommending to another party any transaction or matter addressed herein.*

---

**From:** Matthew C. Tedesco  
**Sent:** Tuesday, June 7, 2022 2:30 PM  
**To:** [4tone1tone@gmail.com](mailto:4tone1tone@gmail.com)  
**Cc:** Stan Brown <[attorney@stanbrown.law](mailto:attorney@stanbrown.law)>  
**Subject:** Saddle Ridge (A-10060) - Exceptions

Good Morning Mr. Calhoun, I hope this email finds you well.

Yesterday, we received the written exceptions that you filed with the Clerk of the District Council in A-10060 (attached), and wanted to immediately respond. First, please know that we appreciate your involvement in this case, and as we have indicated a number of times previously (during our community outreach meetings with you and at the ZHE hearing) we want to make sure that we remain accessible to you and responsive to your comments. To that end, neither the applicant nor its representatives can respond to the comments in your letter regarding past dealings with the owner, as we are not privy to those nor have any direct knowledge of what may or may not have transpired prior to 2020 – 2021 when the applicant became involved with the project. Nevertheless, we wanted to provide you with information that we believe satisfactorily addresses the issue you raised in your written exceptions.

Regarding the size of your property, we want to assure you that the limits of your property are not changing with A-10060. Rodgers Consulting conducted an ALTA survey of the entire Saddle Ridge property where existing monuments of all 4 corners of your property (6401 Floral Park Rd. - Parcel 141) were field located. See attached PDF. The located corners match very closely with the distances (metes and bounds) specified for your property by deed, and the Saddle Ridge property deeds were used for the Saddle Ridge property boundary. Based on the corners located on the surrounding Saddle Ridge property, the acreage of your property is and will remain 1.99 acres notwithstanding the proposed rezoning of the Saddle Ridge property (A-10060). The acreage of your property is consistent with the attached chain of title on the property dating back to 1970. Again, the attached confirms your understanding and addresses your issue that your property is 1.99 acres, which will in no way be impacted by the requested rezoning of the Saddle Ridge property.

To clarify, Rodgers Consulting has verified the total boundary of the Saddle Ridge property as well as the property requested in the zoning application is 289.36 acres. This acreage does not reduce the acreage of your property, which is and will remain 1.99 acres.

Please let us know a good time and number to reach so we can discuss next steps to help alleviate any concerns you may still have regarding your property limits with this application. We would be happy to meet with you on your property to review the corner monument locations found. In so doing, and based on the foregoing, we believe your issue is satisfactorily alleviated and the exceptions can be withdrawn.

Thank you,

Matt



---

## Matthew C. Tedesco

*Principal\**

### McNamee Hosea

6411 Ivy Lane, Suite 200      o 301.441.2420  
Greenbelt, Maryland 20770      f 301.982.9450

[Facebook](#) | [mhlawyers.com](http://mhlawyers.com)

*\*Admitted in Maryland*

---

*The information contained herein is confidential and intended for the exclusive use of the addressee(s). If you are not the intended recipient, you are hereby notified that any review, use, dissemination, distribution or copying of this message is strictly prohibited. If you received this e-mail in error, please notify the sender immediately and delete the message. Disclosure Required by IRS Circular 230: In accordance with IRS requirements, we wish to inform you that, to the extent this communication contains tax advice, it is not intended or written to be used for the purpose of 1) avoiding tax penalties that may be imposed on the taxpayer by the Internal Revenue Service, or 2) promoting, marketing or recommending to another party any transaction or matter addressed herein.*



Calhoun (Map 144, Parcel 141)  
Parcel I.D. #11-1140227

Deloris B. Calhoun, Maury A. Calhoun & Martin T. Calhoun	L.37512 F.337	8/15/2015	1.9990 Ac.
Foster M. & Deloris B. Calhoun	L.4859 F.430	11/10/1977	1.9990 Ac.
Ralph R. & Doris A. Pardee	L.3864 F.73 (Parcel Two)	8/20/1970	1.9990 Ac.
William R. & Sarah H. Wood	L.1635 F.295	7/23/1953	8.179 Ac.





**McNamee Hosea**  
Attorneys & Advisors

McNamee Hosea  
6411 Ivy Lane, Suite 200 O 301.441.2420  
Greenbelt, Maryland 20770 F 301.982.9450

mhlawyers.com

Matthew Tedesco,  
Admitted in Maryland

Email: [mtedesco@mhlawyers.com](mailto:mtedesco@mhlawyers.com)  
Ext. 222

June 24, 2022

Via Federal Express

Mark Calhoun  
6401 Floral Park Road  
Brandywine, Maryland 20613

Re: Saddle Ridge; A-10060  
Response to Exceptions Filed on June 2, 2022

Dear Mr. Calhoun:

Please accept this letter as a follow-up to the electronic mails that were sent on June 7<sup>th</sup> and June 22, 2022 in response to the June 2, 2022 letter that you filed with the Clerk of the District Council in the above-referenced matter. Specifically, we are writing to ensure that you received our e-mails and our response to the issue that you raised in your June 2, 2022 letter to the Clerk.

Please know that we appreciate your involvement in this case, and as we have indicated a number of times previously (during our community outreach meetings with you and at the hearing before the Zoning Hearing Examiner), we want to make sure that we remain accessible to you and responsive to your comments. To that end, please know, however, that neither the applicant nor its representatives can respond to the comments in your letter regarding past dealings with the property owner, as we are not privy to those nor have any direct knowledge of what may or may not have transpired prior to 2020 – 2021 when the applicant became involved with the project. Nevertheless, we wanted to provide you with information that we believe satisfactorily addresses the issue raised in your written exceptions.

Regarding the size of your property, we want to assure you that the limits of your property are not changing with A-10060. Rodgers Consulting conducted an ALTA survey of the entire Saddle Ridge property where existing monuments of all four (4) corners of your property (Parcel 141) were field located. (See enclosed survey). The located corners match very closely with the distances (metes and bounds) specified in your Deed, and the Saddle Ridge property Deeds were used for the Saddle Ridge property boundary. Based on the corners located on the surrounding Saddle Ridge property, the acreage of your property is, and will remain, 1.99 acres – notwithstanding the proposed rezoning of the Saddle Ridge property (A-10060). The acreage of your property is consistent with the enclosed chain of title for your property dating back to 1970. Again, the enclosed document(s) confirm your understanding and address your issue that your property is, in fact, 1.99 acres, which will in no way be impacted by the requested rezoning of the Saddle Ridge property.

To further clarify, Rodgers Consulting has verified the total boundary of the Saddle Ridge property, and the property requested to be rezoned in the zoning application is 289.36 acres. This acreage does not reduce the acreage of your property, which is, and will remain, 1.99 acres.

We remain willing and available to meet and discuss next steps to help alleviate any remaining concerns that you may have regarding your property limits. To that end, we would be happy to meet with you on your property to review the corner monument locations found. If, however, this is not necessary and you are satisfied that your issue has been satisfactorily addressed, we would kindly ask that you please sign the attached Withdrawal of Exceptions & Waiver of Oral Argument and mail the same to the Clerk of the County Council in the provided envelope. Alternatively, please feel free to contact Mr. Stan D. Brown, Esq., People's Zoning Counsel, at attorney@stanbrown.law or 301-883-8888 to discuss the same and your desired intentions.

Very truly yours,

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

Matthew C. Tedesco  
Attorney for the Applicant,  
D.R. Horton, Inc.

**Enclosures**

cc: Stan D. Brown, Esq., People's Zoning Counsel  
Rodgers Consulting  
G.S. Proctor & Associates  
D.R. Horton, Inc.