

Bureau of Environmental Health

8930 Stanford Boulevard, Columbia, MD 21045

Main: 410-313-2640 | Fax: 410-313-2648

TDD 410-313-2323 | Toll Free 1-866-313-6300

www.hchealth.org

Facebook: www.facebook.com/hocohealth

Twitter: HowardCoHealthDep

Maura J. Rossman, M.D., Health Officer

MEMORANDUM

TO: Geoff Goins
Division of Zoning Administration and Public Service

FROM: Jeff Williams
Program Supervisor, Well & Septic Program
Bureau of Environmental Health

RE: **BA-19-003V**

DATE: January 30, 2019

The Health Department has reviewed the above referenced petition and has the following comments.

1. Health has no objection to the variance. We will evaluate the sewage disposal system and the sewage disposal area for adequacy during a building permit review for the structure.

Department of Planning and Zoning
Howard County, Maryland
Recommendations/Comments

Date: January 17, 2019

Hearing Examiner TBD
Planning Board _____ Board of Appeals _____ Zoning Board _____

Petition No. BA-19-003V Map No. _____ Block _____ Parcel _____ Lot _____

Petitioner: Charles Kyler

Petitioner's Address: _____

Address of Property: SEE PETITION

Return Comments by 02/04/19 to Public Service and Zoning Administration

Owner: (if other than applicant) _____

Owner's Address: _____

Petition: SEE APPLICATION

To: _____ MD Department of Education – Office of Child Care
3300 N. Ridge Road, Ste. 190, EC, MD 21043 (Louis Valenti)

☒ _____
☒ Development Engineering Division
☒ Department of Inspections, Licenses and Permits
☒ Department of Recreation and Parks
☒ Department of Fire and Rescue Services

State Highway Administration

Sgt. Karen Shinham, Howard County Police Dept.

James Irvin, Department of Public Works

Office on Aging, Terri Hansen (senior assisted living)

Police Dept., Animal Control, Deborah Baracco, (kennels)

Susan Fitzpatrick, Health Dept. (Nursing & Res. Care)
☒ _____
Land Development - (Religious Facility & Age-Restricted
Adult Housing)

Housing and Community Development
☒ _____
Resource Conservation Division – Beth Burgess

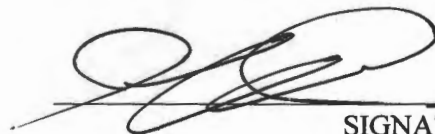
Route 1 Cases – DCCP – Kristen O'Connor

Telecommunication Towers – (Comm. Dept.)

Division of Transportation – Dave Cookson

COMMENTS:

See memo


SIGNATURE



DPZ Office use only:

CASE NO. BA 19-003 V
DATE FILED 1/14/19

RESIDENTIAL DISTRICT VARIANCE PETITION TO THE HOWARD COUNTY HEARING EXAMINER

1. VARIANCE REQUEST

SECTION 107.0.D.1.a(2) of the Zoning Regulations (describe)
Also 128.0.A.12.a(1) Maximum height of accessory structure and total square footage of accessory structures.

2. PETITIONER'S NAME Charles Kyler

TRADING AS (IF APPLICABLE) _____

ADDRESS 3570 Sylvan Lane, Ellicott City Md 21043

PHONE NO: (W) 410-925-2410 (H) 410-750-7434

EMAIL kyler.iv@verizon.net

3. COUNSEL FOR PETITIONER _____

COUNSEL'S ADDRESS _____

COUNSEL'S PHONE NO. _____

EMAIL _____

4. PROPERTY IDENTIFICATION

ADDRESS OF SUBJECT PROPERTY 3570 Sylvan Lane, Ellicott City Md 21043

ELECTION DISTRICT 2nd ZONING DISTRICT R-ED ACREAGE 2.62

TAX MAP # 0025 GRID # 0008 PARCEL # 242 LOT # _____

SUBDIVISION NAME (if applicable) _____

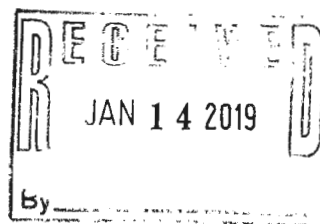
PLAT NUMBER AND DATE _____

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.



**PLEASE READ CAREFULLY
DATA TO ACCOMPANY PETITION**

6. VARIANCE PLAN

No application for a variance shall be considered complete unless the plan indicates the required setback or other requirement, and the requested variance from the subject setback or other requirement. The submitted plans shall be folded to approximately 8 1/2 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) Location of all building and use restriction lines
- ☒ (h) Same as (a) through (g) above, of any adjoining, confronting and vicinal properties as necessary for proper examination of the petition, or, if applicable, a copy of the subdivision plat for the community
- ☒ (i) Location of well and private sewerage easement area, if property is to be served by private water and sewer
- ☐ (j) Election District in which the subject property is located
- ☒ (k) Tax Map and parcel number on which the subject property is located
- ☐ (l) Name of local community in which the subject property is located or name of nearby community
- ☒ (m) Name, mailing address, telephone number (and e-mail address if any) of the petitioner
- ☒ (n) Name, mailing address, telephone number (and e-mail address if any) of attorney, if any
- ☒ (o) Name and mailing address of property owner
- ☒ (p) Floor area and height of structures, setback distances from property lines, and other numerical values necessary for the examination of the petition
- ☐ (q) Location of subject property in relation, by approximate dimension, to the center line of nearest intersection of two public roads
- ☐ (r) Ownership of affected roads
- ☒ (s) A detailed description of all exterior building materials for all proposed structures
- ☐ (t) Any other information as may be necessary for full and proper consideration of the petition

7. VARIANCE

A) Describe why the application of the Zoning Regulations in question to your particular property would result in practical difficulties or unnecessary hardships in complying strictly with the bulk requirements:

1. The physical character of the property is different from the character of the surrounding properties because of its () narrowness, () shallowness, () shape, () topography,

() other; explain: Topography. It is similar, but there is no natural flat area on the property. The only flat areas were created during construction of the homes addition.

2. The uniqueness of the property prevents me from making a reasonable use of the property because: Located in the historic district. Need to conform to design guidelines.

B) The intended use of the property, in the event the petition is granted: Carriage house would be Used as a Garage, storage and wood working shop.

C) Any other factors which the Petitioner desires to have considered: Home is located in the Historic District and should conform to the design guidelines.

D) Explain why the requested variance is the minimum necessary to afford relief: Homes of this age would have had a two story, bank barn style carriage house. The new carriage house would have a footprint of 816sq ft. The existing shed has a footprint of 320 sq ft, bring the total to 1136 sq ft. Both structures were approved in 2016.

E) Is the property connected to: public water?: Y ☒ N ☐; public sewer?: Y ☐ N ☒

F) If the variance is granted, would it impact the water and/or septic/sewer on the site? Y ☐ N ☒

G) If the variance is granted, would it increase the intensity of uses on the site? Y ☐ N ☒ if yes, explain: _____

H) If the requested variance is granted, would it increase traffic to or from the site? Y ☐ N ☒ if yes, explain: _____

I) Describe in detail all means of vehicular access onto the site (i.e. width, type of paving, etc.): All access is made via a single 10' wide paved driveway from Sylvan Lane.

J) Describe the topography of the site: Steep ridge line.

K) Will the existing or proposed structure be visible from adjacent properties? Y__ N__; if yes, describe any proposed buffering or landscaping: Yes and no. During summer months, No. during winter, yes. It will be mostly blocked for the closest neighbor by the primary dwelling.

L) Describe any existing buffering or landscaping: Natural woodland.

8. PRIOR PETITIONS

Has any petition for the same variance, or substantially the same variance as contained herein, for the same property as the subject of this petition, been disapproved by the Hearing Examiner 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.

9. 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 19 copies (application & plans)**
 - ~~If the subject property adjoins a County road-~~ **original and 16 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 Hearing Examiner 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 agrees to properly post the property at least fifteen (15) days 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.
- e) ~~The undersigned 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 fifteen (15) 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.

10. PLANNING BOARD REVIEW

The Hearing Examiner may, at its discretion, refer a residential district variance petition to the Planning Board for review and a recommendation.

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.

CHARLES KYLER
Petitioner's Name (please print)

[Signature] 1-9-10
Petitioner's Signature Date

Counsel's Name (please print)

Counsel's Signature Date

**For DPZ office use only: (Filing fee is \$300.00 plus \$25.00 per poster.)
(Make checks payable to "Director of Finance")**

Hearing fee: \$ _____
Poster fee: \$ _____
TOTAL: \$ _____

Receipt No. _____

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

County Website: www.howardcountymd.gov

Revised: 07/12

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PETITIONER **Charles Kyler**

PROPERTY ADDRESS **3570 Sylvan Lane, Ellicott City MD 21043**

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 ATTACHED APPLICATION FOR A RESIDENTIAL DISTRICT VARIANCE AS REQUESTED FOR THE PROPERTY REFERENCED ABOVE.

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

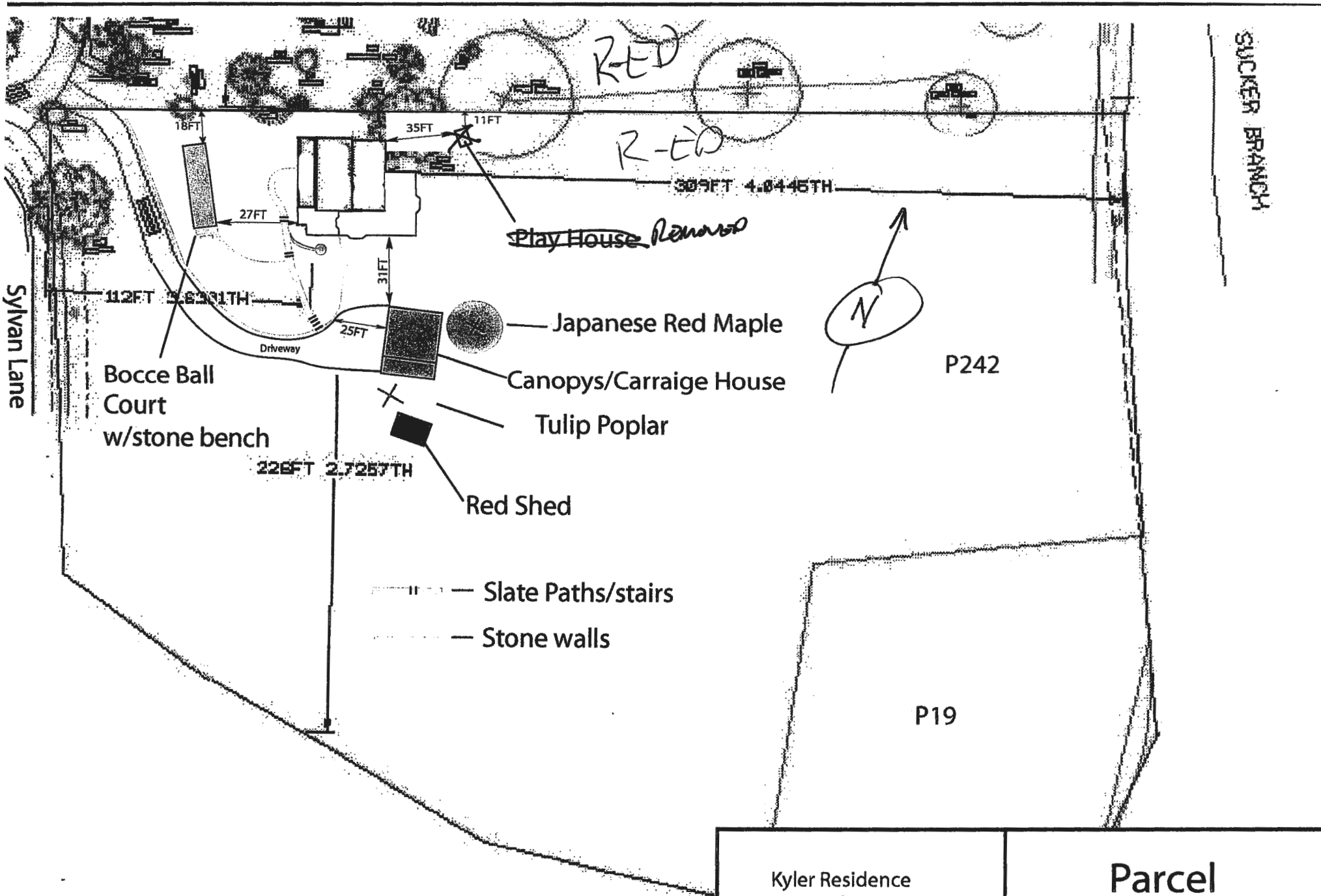
Signature

Date

Witness

Signature

Date



Kyler Residence
3570 Sylvan Lane
Ellicott City MD 21043

Parcel
P242

May 10, 2015

not to scale

Percolation Certification Plan for
3570 Sylvan Lane
Ellicott City MD 21043

Prepared by: Charles Kyler, owner

Date 9/12/09

Scale 1"=100'

NOTES

1. This area designates a private sewage area as required by the Maryland State Department of the Environment for individual sewage disposal. Improvements of any nature in this area are restricted until public sewerage is available. These areas shall become null and void upon connection to a public sewerage system. The county Health Officer shall have the authority to grant adjustments to the private sewage area. Recordation of a modified sewage area shall not be necessary.
2. Any changes to a private sewage area shall require a revised Perc Certification Plan.
3. The lot shown hereon complies with the minimum ownership, width, and lot area as required by the Maryland State Department of the Environment.
4. There are no known wells, septic systems or sewage disposal areas within 100' of the property and no known wells within 200' down gradient of existing or proposed septic systems or sewage disposal areas.
5. Topography shown is at two-foot contour intervals from Howard County GIS, and has been verified to accurately represent the relative elevation changes on and near the subject property.
6. The subject property is served by a public water supply.
7. The purpose for this Percolation Certification Plan is to define and establish a septic reserve area in support of a building permit application to construct an addition.
8. There will be 4 bedrooms in the residence after completion of the addition. Absorption area required for wastewater from a 4-bedroom dwelling in the proposed sewage disposal area is 500 square feet. Health Department records indicate that the existing septic distribution system had 605 square feet of absorption area at installation (10/21/1997).
9. Health Department records indicate the existing septic tank has 1500 gallons capacity. The enclosed living space of the residence after renovation will be about 3296 square feet.
10. The Health Department may require removal of a narrow strip of 'fill' between test locations 'A' and 'B' should that area be needed for repair trenches.
11. Howard County Department of Public Works records indicate that properties identified as 3530, 3541 and 3551 Sylvan Lane (all properties downgradient of the proposed septic reserve area) are connected to public water supply.
12. The designated boundaries of the proposed septic reserve area are at least 25 feet from slopes greater than 25 percent (measured by clinometer) and located in reference to the proposed addition corner and an existing shed.

I CERTIFY THAT THE INFORMATION SHOWN HEREON IS BASED ON WORK PERFORMED IN MY PRESENCE OR BY MY DIRECTION, AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

(SIGNATURE) [Signature] (DATE) 9-14-09

APPROVED FOR PUBLIC WATER AND PRIVATE SEWERAGE SYSTEMS
HOWARD COUNTY HEALTH DEPARTMENT

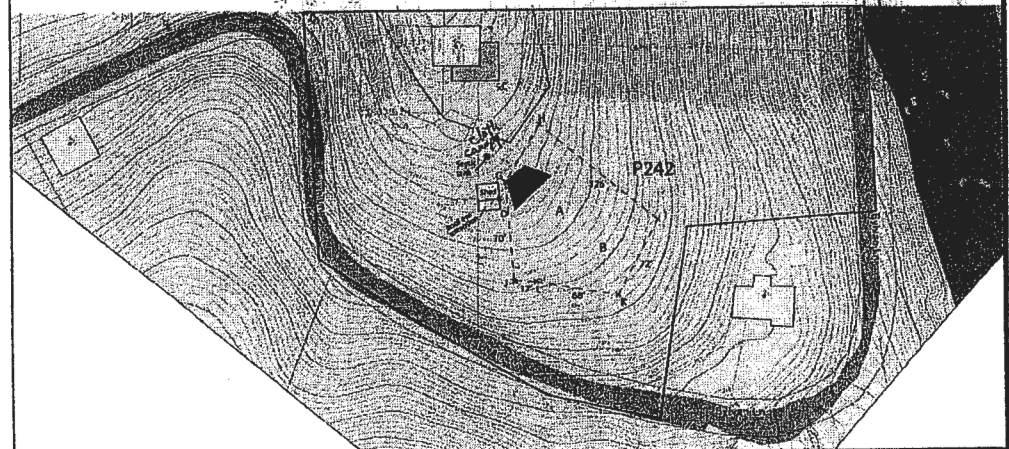
(SIGNATURE) [Signature] (DATE) 9/14/2009

KCB

Legend

- Existing Drain field
- A, B Perc test - PASS
- New addition
- Boundary of septic reserve.

Distances from:		
	Addition C	Shed corner D
E	86'	22'
A	120'	49'
B	163'	93'
G	84'	13'
H	49'	69'
I	120'	84'
J	168'	70'



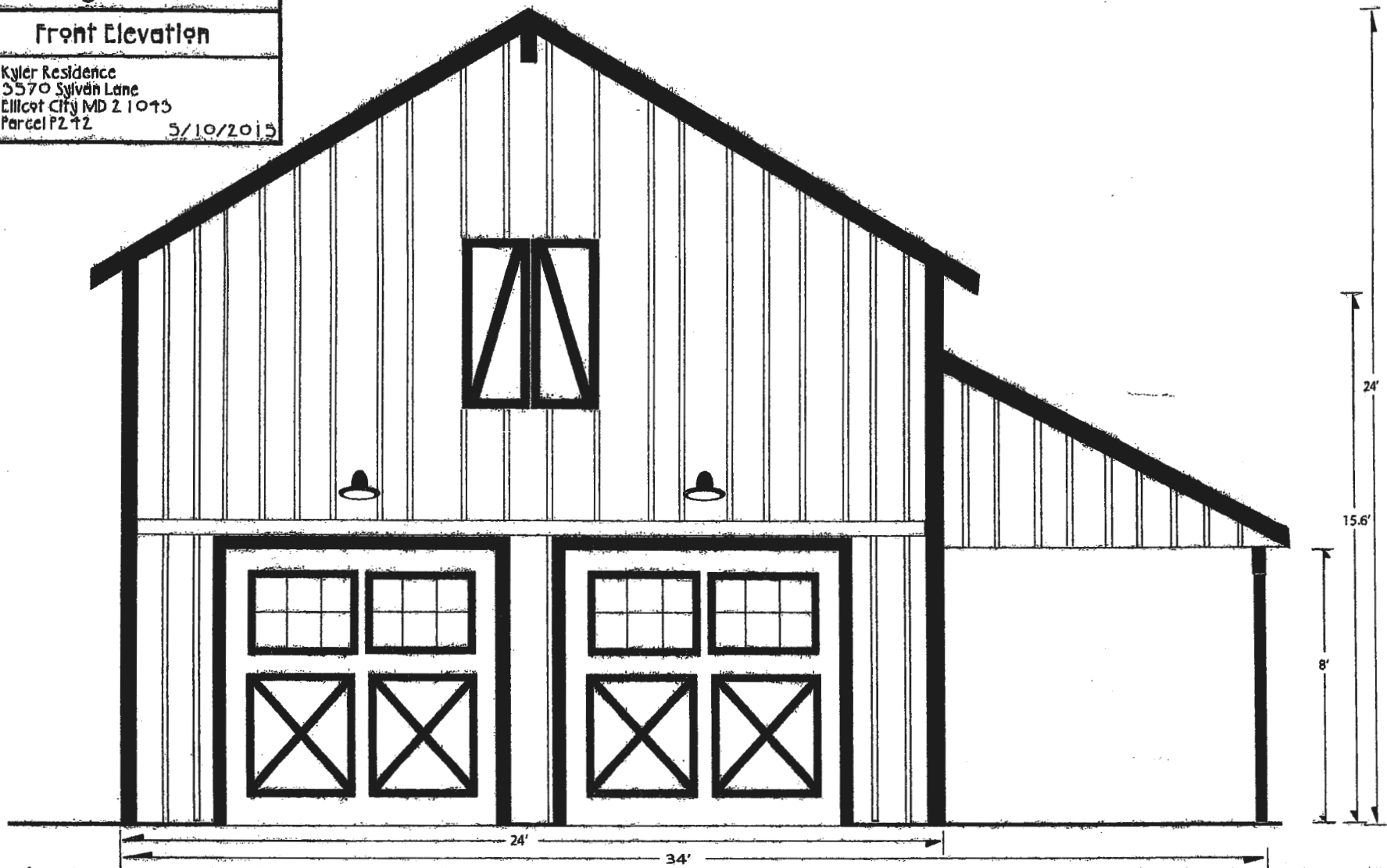
PC 531899

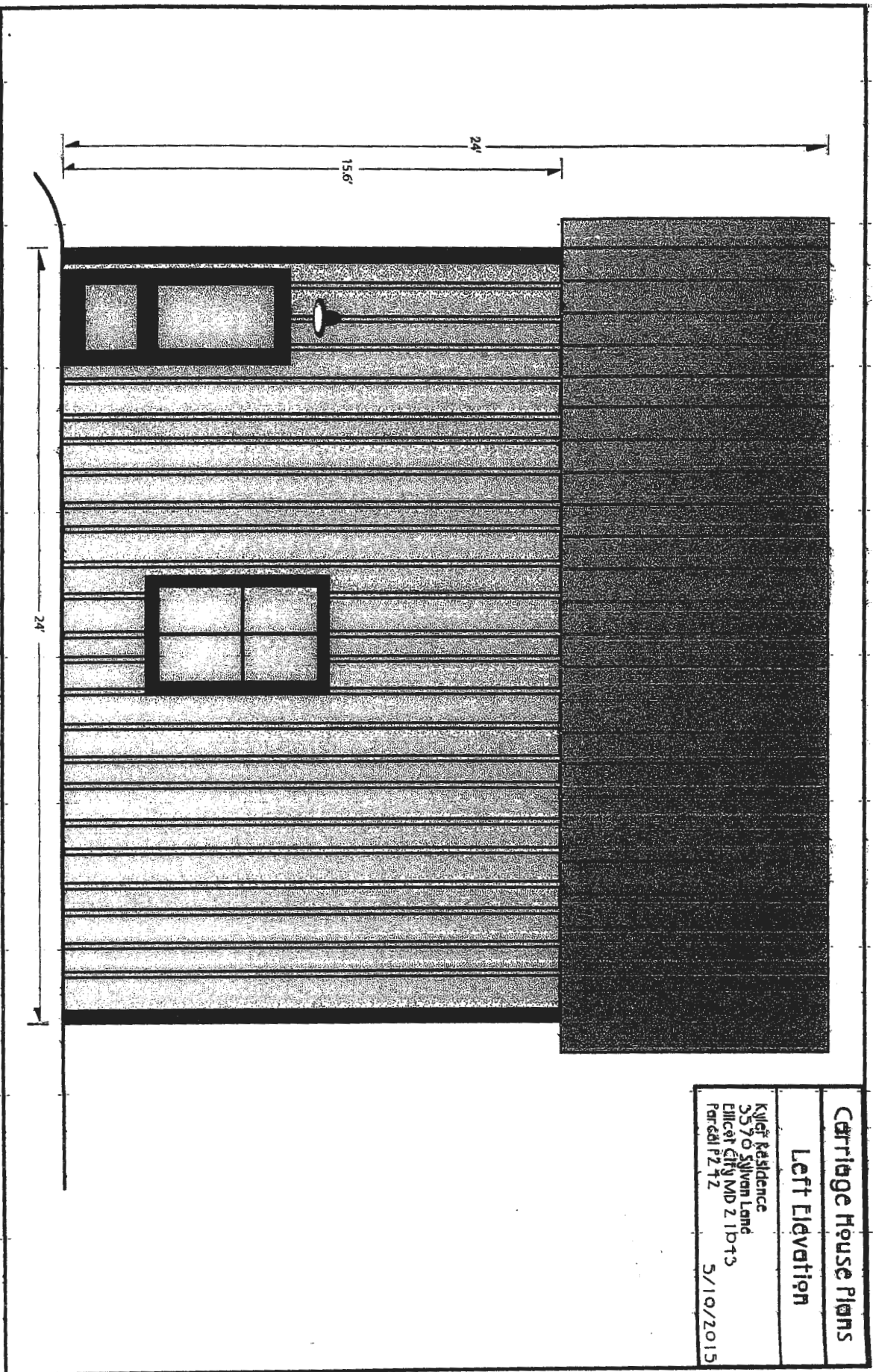
Carriage House Plans

Front Elevation

Kyle Residence
5570 Sylvan Lane
Ellicott City MD 21043
Parcel P2-12

5/10/2015

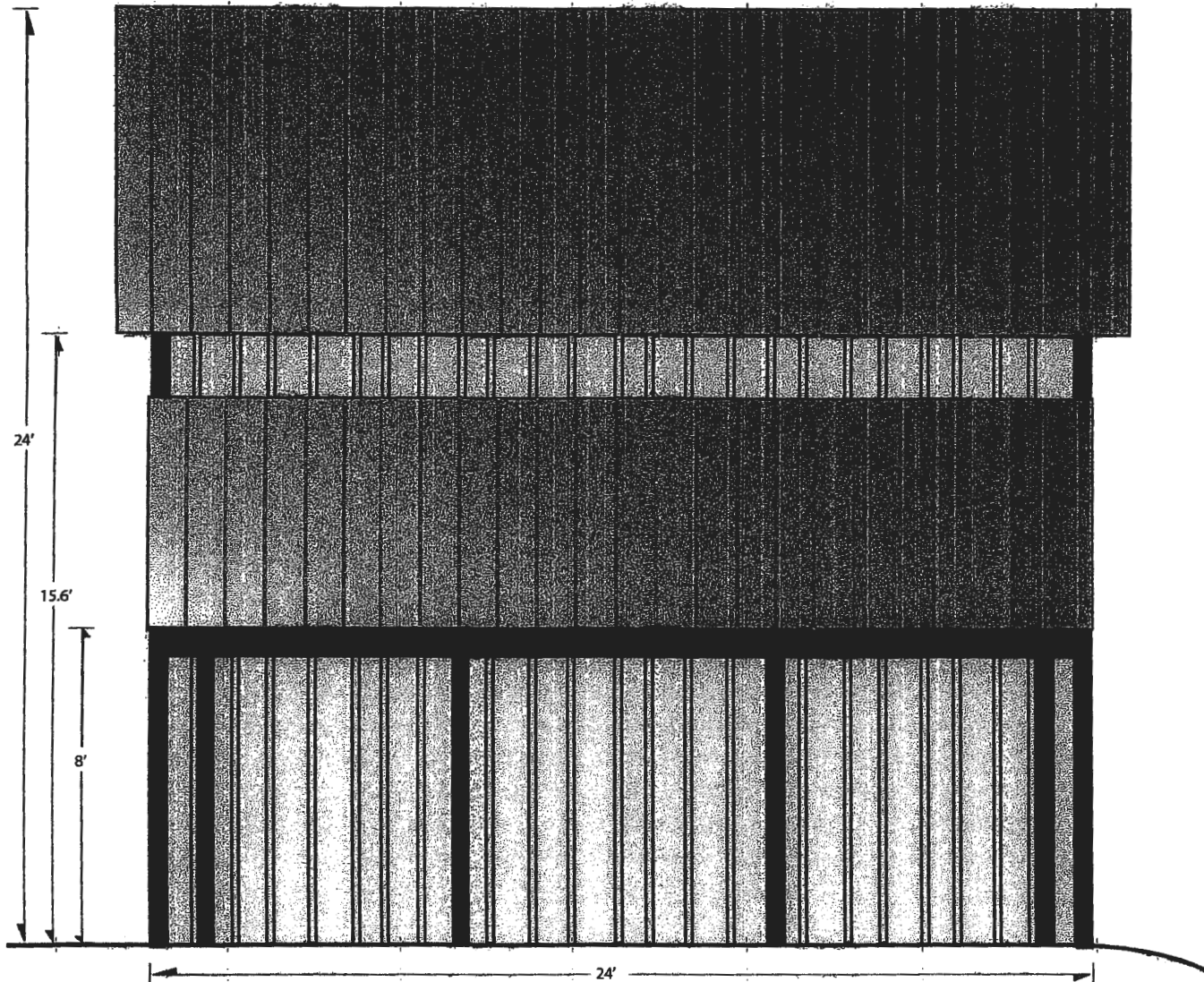




Carriage House Plans

Right Elevation

Kyle's Residence
5570 Sylvan Lane
Ellicott City MD 21043
Parcel P2.12 5/10/2015

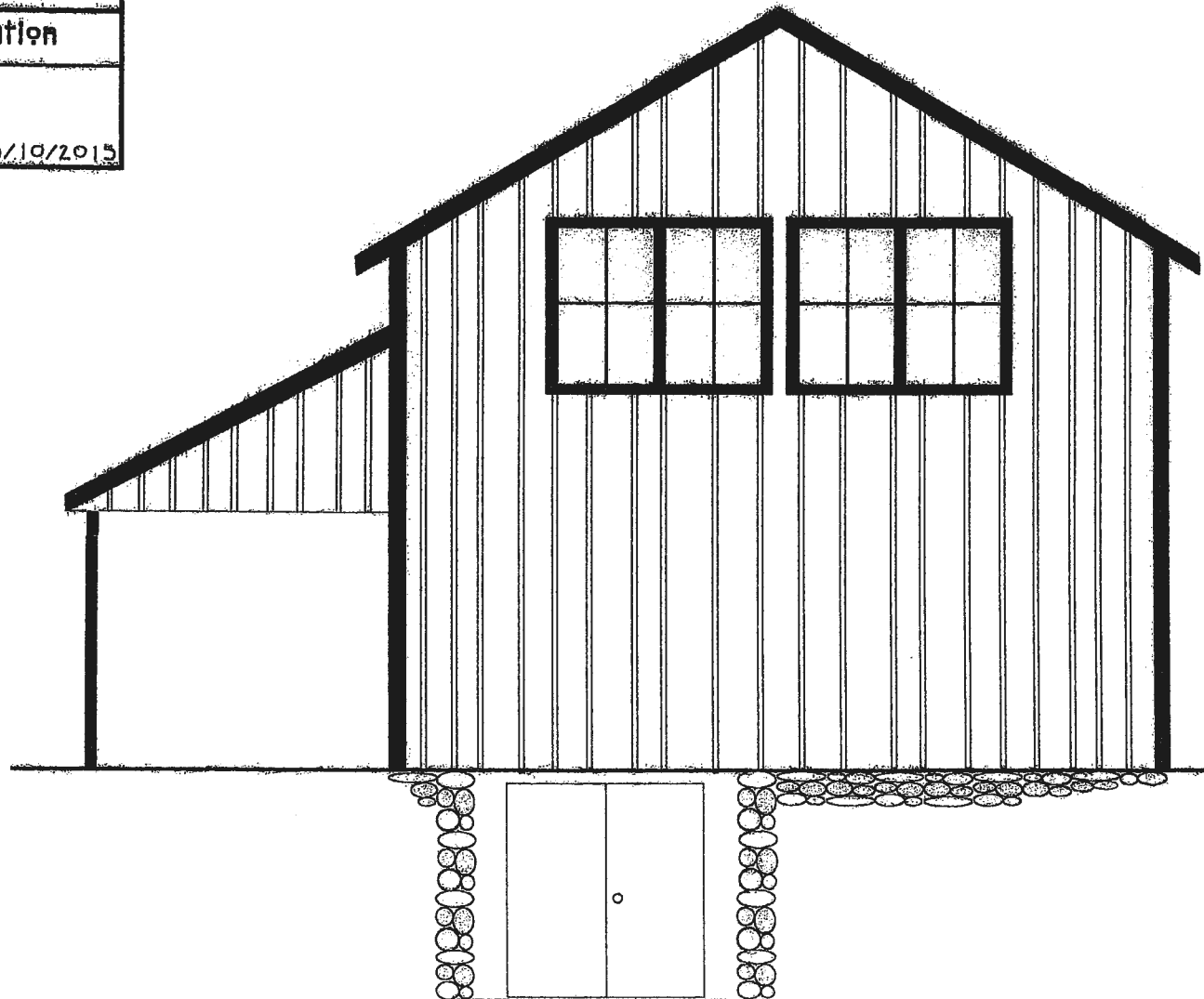


Carriage House Plans

Back Elevation

Kyle Residence
3570 Sylvan Lane
Ellicott City MD 21043
Parcel P212

5/19/2013



Photos of 5570 Sylvan Lane



Carport canopys. Site of proposed Carage House



House from road. (1)



House from road. (2)



House from road. (Hall property)



