

SEPTIC TANK LEVEL YES CLEANOUTS YES

DISTRIBUTION BOX LEVEL YES

DRAIN FIELD/TITLE DEPTH 7 FT. TRENCH WIDTH 2 FT. INLET DEPTH 4 FT.

EFFECTIVE GRAVEL DEPTH 3 FT. TOTAL LENGTH 351 FT.

NUMBER OF TRENCHES 4 ONE SIDEWALL/BOTTOM AREA 1053 SQ. FT.

DRYWALL INSIDE DIAMETER FT. EFFECTIVE DEPTH BELOW INLET FT.

ABSORBENT AREA 1053 SQ. FT.

REMARKS: A.M.

10-12-90 Out with CRAIG - MEASURED TRENCHES TO BE FILLED

with GRAVEL & PAPER.

10-12-90 P.M. TRENCH #1 DONE, #2 DONE #4 DONE

OBSERVED GRAVEL, PIPE & PAPER

#3 NOT FINISHED. BACKHOE OPERATOR ASKED IF WE WOULD BE BACK.

DATE SYSTEM APPROVED 10-12-90 INSPECTOR J. Mettlen MONDAY 10-15-90

OK TO COMPLETE LAST TRENCH WITHOUT INSP. (Wise) 10/12/90

10-15-90 #3 complete; W.I. Z. Filed. B.



HOWARD COUNTY HEALTH DEPARTMENT

Joyce M. Boyd, M.D., County Health Officer

February 24, 1992

Reply to:

MEMORANDUM

TO: Zoning Board of Appeals
Howard County Government

FROM: Fred Frommelt, Program Director *FF*
Plan Review Program

RE: Petition No. 2A 92-04E
John and Nora MacLaughlin
13135 Triadelphia Mill Road
Tax Map: 34 Block: 3 Parcel: 379

COMMENTS:

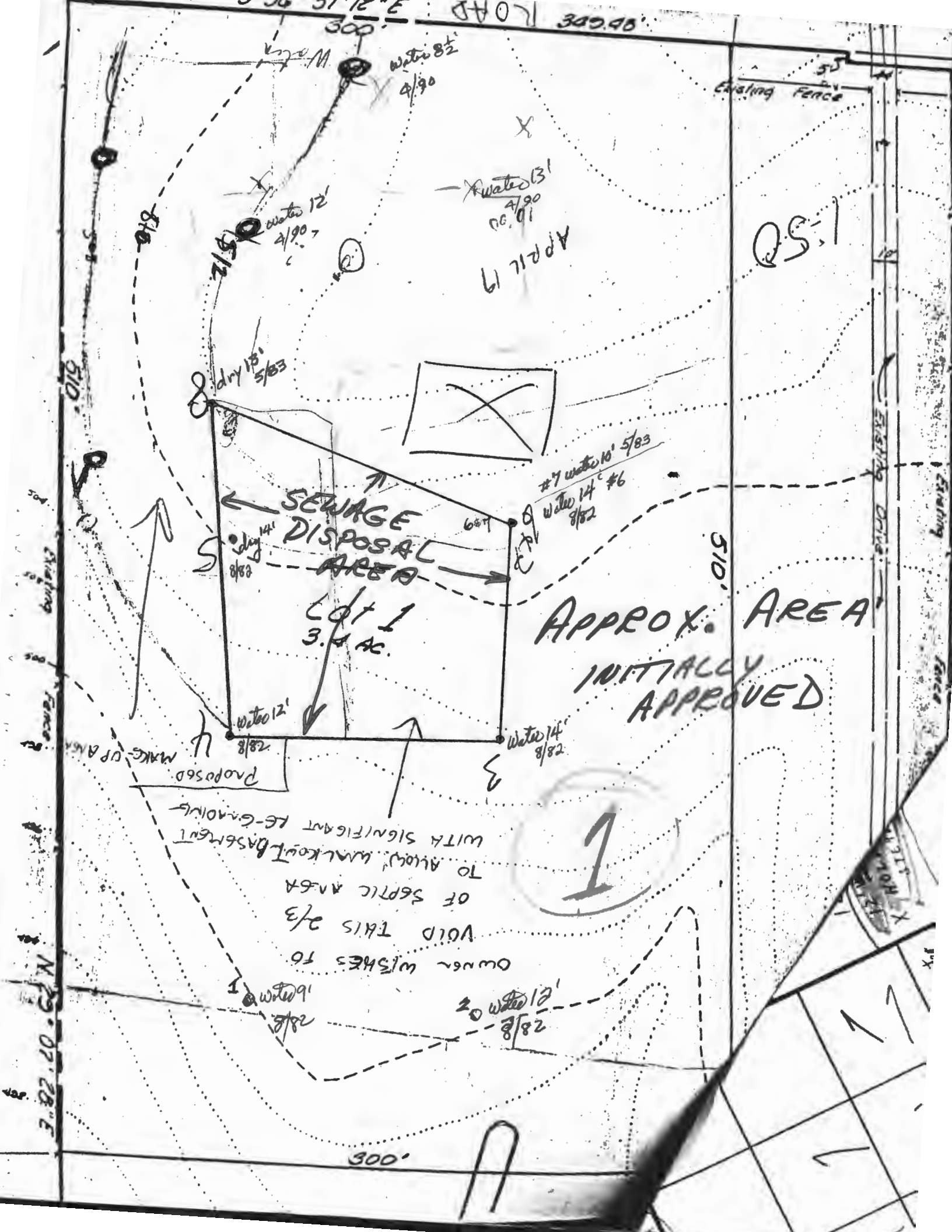
The Health Department would recommend approval of this special exception request for a two-family dwelling provided adequate additional sewage disposal area for the proposed apartment is committed. Past history of soils evaluations on this property indicate some uncertainty of available acceptable area for additional sewage disposal area (S.D.A.)

State Regulations require 10,000 square feet of sewage disposal area for each dwelling unit to provide for a minimum of an initial septic system and two replacement systems.

The original sewage disposal area of 10,000 square feet was designed for the existing 5 bedroom house. The initial septic system installed in October, 1990 used one third of the available area; the remaining area to provide for two replacement systems.

Currently, this property does not have the sewage disposal capability to support two single family dwellings which an exception would allow and there are no prospects of public facilities in the foreseeable future.

FF:jr



Copy

5. With respect to the requirements of section 126.F.51 of the Zoning Regulations, the Board finds that the proposed use will not constitute a nuisance because of sidewalk or street traffic, noise or physical activity, and will not adversely affect the use or development of adjoining properties.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is this 19th day of May, 1990, by the Howard County Board of Appeals, ORDERED:

That the petition of John A. and Nora L. MacLaughlin for a special exception for a two (2) family dwelling be, and the same is hereby **GRANTED**, subject to the following conditions:

1. The Petitioners shall comply with all applicable Federal, State and County laws and regulations;

2. The Petitioners shall comply with requirements of the Department of Fire and Rescue Services regarding the provision of 110 V. A/C hard-wired smoke detector in each sleeping area;

3. The Petitioners shall comply with requirements of the Bureau of Environmental Health regarding the need to provide adequate sewage disposal area.

4. The Petitioners shall comply with the requirements of the Department of Inspections, Licenses and Permits regarding the required amendments to Building Permit Number 40462 to reflect the addition of the accessory dwelling unit.

5. If the proposed apartment is to be rented, the Petitioners shall obtain a rental license from the Housing and Sign Division of the Department of Inspections, Licenses and Permits.

IN THE MATTER OF
JOHN A. AND NORA L.
MACLAUGHLIN

1164
: BEFORE THE HOWARD COUNTY
: BOARD OF APPEALS

Petitioners

: Case No. BA 92-04E

: : : : : : : : : :

DECISION AND ORDER

On April 16, 1992, the Howard County Board of Appeals met to consider the petition of John A. and Nora L. MacLaughlin for a special exception for a two (2) family dwelling on a parcel of land consisting of five point nine nine eight three (5.9983) acres zoned R (Rural) in the Fifth Election District, located on the south side of Triadelphia Mill Road, about seventeen hundred (1,700) feet west of Ten Oaks Road, also known as 13135 Triadelphia Mill Road, Clarksville, Howard County, Maryland, and more particularly described as Lot F-1 of Parcel 379, Block 3, Tax Map 34.

The Petitioners were not represented by legal counsel. No persons appeared in opposition to the petition.

Notice of the hearing was advertised, the property was posted, and the Board members viewed the property in accordance with the regulations. All of the Board members were present; Chairperson Evelyn Tanner presided and explained that Board member James Clark has retired from the Board and that a tie vote would constitute a denial of the petition. The Petitioners were presented with the option of continuing the case until after a fifth Board member is appointed, and elected to go forward with their case.

Prior to the introduction of testimony, the following items were incorporated into the record by reference:

1. The appropriate provisions of the Howard County Charter;
2. The appropriate provisions of the Howard County Code;
3. The Howard County Zoning Regulations;
4. The Technical Staff Report of the Department of Planning and Zoning recommending approval;
5. The recommendation of approval of the Planning Board;
6. The General Plan for Howard County;
7. The General Plan of Highways;
8. The Petition and Plat submitted by the Petitioners.

Since this matter is before the Board pursuant to its original jurisdiction, the hearing was conducted in accordance with Section 2.209 of the Howard County Code. Petitioner John MacLaughlin testified in support of the petition. No exhibits were introduced into evidence.

FINDINGS OF FACT

Based upon the evidence and testimony submitted at the hearing, the Board of Appeals makes the following Findings of Fact:

1. The Petitioners, John A. MacLaughlin and Nora L. MacLaughlin, are the owners of the subject property, a parcel of land consisting of five point nine nine eight three (5.9983) acres zoned R (Rural) in the Fifth Election District, located on

the south side of Triadelphia Mill Road, about seventeen hundred (1,700) feet west of Ten Oaks Road, also known as 13135 Triadelphia Mill Road, Clarksville, Howard County, Maryland. The subject property is irregularly shaped, having about two hundred ninety nine point three eight (299.38) feet of frontage along Triadelphia Mill Road. The site is improved with an approximately five thousand three hundred eighty four (5,384) square foot single family detached dwelling with a walk out basement, attached two (2) car garage and wood deck attached to the rear of the house. A sixteen point two (16.2) foot by twenty four point two (24.2) foot wood frame horse stable is located toward the rear of the site, along western side lot line. Access onto the site from Triadelphia Mill Road is by way of a ten foot, eight inch (10' 8") wide gravel driveway. A gravel area adjacent to the garage is of sufficient size to accommodate up to four (4) automobiles; the parking area for the proposed accessory apartment is sufficient to accommodate up to two (2) automobiles. The remainder of the site is used as horse pasture. The subject property is served by private water and sewer facilities. Vicinal properties are zoned Rural and include both residential and agricultural uses. A commercial nursery is located at the intersection of Ten Oaks Road and Triadelphia Mill Road.

2. The Petitioners seek a special exception for the construction of a four hundred forty six (446) square foot, one (1) bedroom accessory apartment within the basement level of the existing house. The proposed apartment would have its own

external access and a two (2) car parking area. Mr. MacLaughlin explained that the apartment is to be constructed for his wife's parents, who have difficulty climbing stairs. However, in the event that they are unwilling to reside on the site or eventually move from the site, the Petitioners will rent the apartment to no more than two (2) persons. No exterior modifications are proposed. Mr. MacLaughlin testified that the Petitioners have no objections to the Board of Appeals imposing the conditions recommended in the Technical Staff Report as conditions of approval.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board makes the following Conclusions of Law:

1. In accordance with section 126.B.1 of the Howard County Zoning Regulations, the location, size and intensity of the proposed use is in harmony with the land uses indicated in the General Plan for the Rural zoning district.

2. The proposed two (2) family dwelling will not adversely affect vicinal properties, as required by section 126.B.2 of the Zoning Regulations.

3. The proposed two (2) family dwelling will not discourage the development or use of adjacent land and structures, pursuant to section 126.B.3 of the Zoning Regulations.

4. The parking area is of adequate size for the addition, as required by section 126.B.4 of the Zoning Regulations.

5. With respect to the requirements of section 126.F.51 of the Zoning Regulations, the Board finds that the proposed use will not constitute a nuisance because of sidewalk or street traffic, noise or physical activity, and will not adversely affect the use or development of adjoining properties.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is this 19th day of May, 1990, by the Howard County Board of Appeals, ORDERED:

That the petition of John A. and Nora L. MacLaughlin for a special exception for a two (2) family dwelling be, and the same is hereby **GRANTED**, subject to the following conditions:

1. The Petitioners shall comply with all applicable Federal, State and County laws and regulations;

2. The Petitioners shall comply with requirements of the Department of Fire and Rescue Services regarding the provision of 110 V. A/C hard-wired smoke detector in each sleeping area;

3. The Petitioners shall comply with requirements of the Bureau of Environmental Health regarding the need to provide adequate sewage disposal area.

4. The Petitioners shall comply with the requirements of the Department of Inspections, Licenses and Permits regarding the required amendments to Building Permit Number 40462 to reflect the addition of the accessory dwelling unit.

5. If the proposed apartment is to be rented, the Petitioners shall obtain a rental license from the Housing and Sign Division of the Department of Inspections, Licenses and Permits.

John A. and Nora L. MacLaughlin, Petitioners
Case No. BA 92-04E
Decision and Order

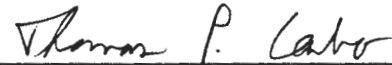
6. The granted special exception for a two (2) family dwelling shall apply solely to the proposed four hundred forty six (446) square foot, one (1) bedroom accessory apartment within the basement level of the existing house, and not to any other structures, additions, apartments or uses.

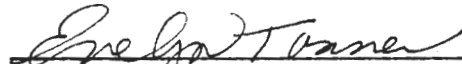
HOWARD COUNTY BOARD OF APPEALS

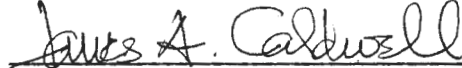
ATTEST:


John M. Andrews, Jr.
Administrative Assistant

APPROVED AS TO FORM:
HOWARD COUNTY OFFICE OF LAW
BARBARA M. COOK
COUNTY SOLICITOR


Thomas Carbo
Assistant County Solicitor


Evelyn Tanner
Chairperson


James A. Caldwell
Vice Chairperson


Wayman Scott


Margaret Rutter

Date: / /


Scale: 1/16" = 1'

102

LOCATION OF
HOUSE RELATIVE
TO INITIAL
SEWAGE AREA

N 29° 07' 28" E
W 139.06'

Lot B

1. Note  This area designates a public sewage easement of approximately 10' as required by the Maryland State Department for individual sewage improvements of any nature are required until public sewage is available and any residential structure constructed on these building sites. This easement shall become null and void upon connection to a public sewage system.
2. The purpose of this plat is to subdivide Parcel "F" into 2 lots.
3. Property zoned: R

Lot 1
6.0596 ac.

N 19° 27' 11" E 478.71'
S 55° 17' 00" W 307.31'

Parcel E

RECEIVED

NOV 10 1983

DIVISION OF LAND DEVELOPMENT
OF HOWARD COUNTY

5' x 44' easement to
Parcel F for ingress
& egress

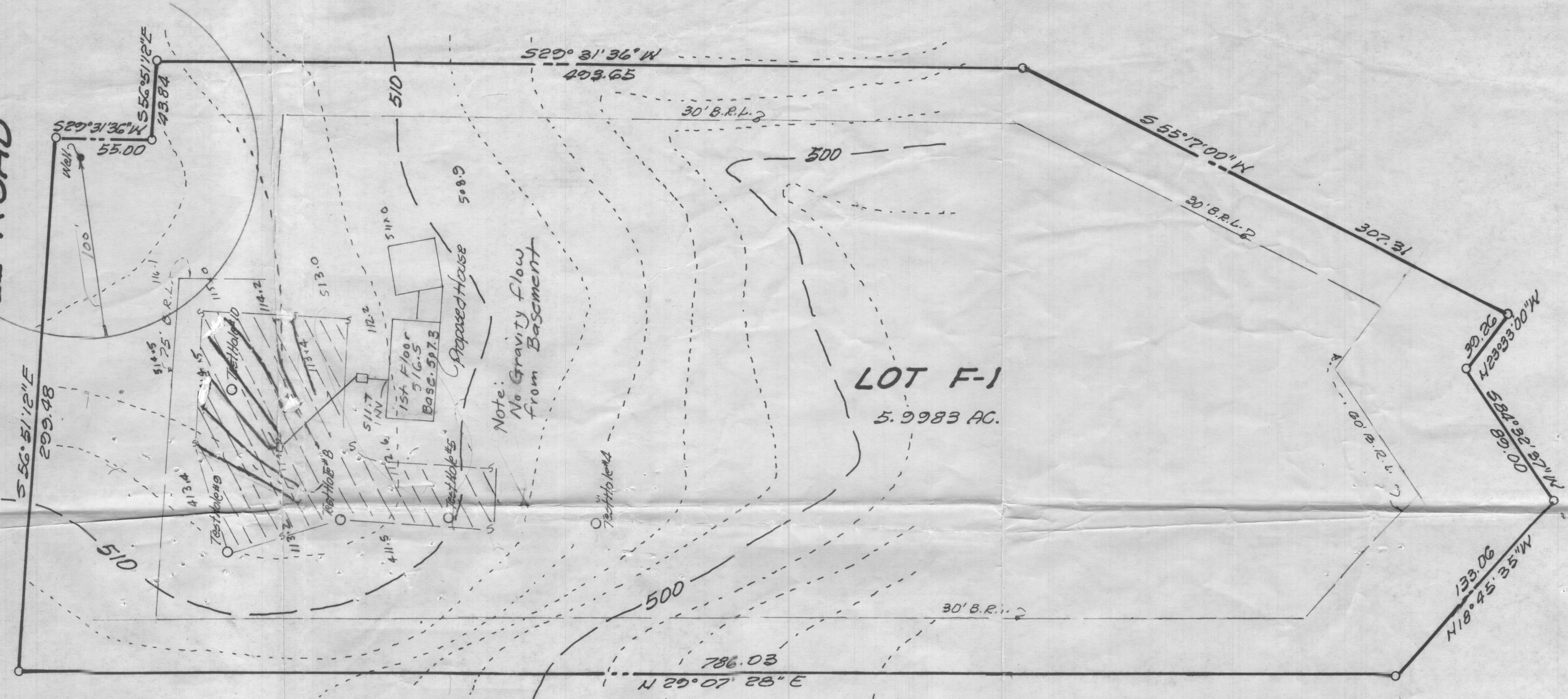
A re subdivision of Parcel F Plat

TRIADLE
MILL

ELEVATIONS OK,
DISTRIBUTION BOX
TO BE INSTALLED
AT DESIGNATED
TRENCH MAY
ADJUSTED MAY
LOCATION MAY BE
SLIGHTLY.
7/27/90 C. Williams

06/19/01

TRIADELPHIA MILL ROAD



Existing Elevation at Septic Tank	513.0
Invert in Septic Tank	511.4
Invert out Septic Tank	511.1
Existing Elevation at Distribution Box	514.5
Invert out Distribution Box	510.5
Existing Elevation at top of first trench	514.5

Bldg. Permit submitted
July 1990

WALLACE R. AMOS AND ASSOCIATES, LTD.
LAND SURVEYORS
9525 Georgia Avenue
Silver Spring, Maryland 20910
505-3727

SEPTIC FIELD LOCATION
LOT F-1
THOMPSON PROPERTY
5th ELECTION DISTRICT
HOWARD COUNTY, MARYLAND
SCALE 1"=50' JULY 1990

DATE	REVISIONS	JOB NO. 3833
		PLAT NO.
		FILE NO.