

RE:

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

Kent Sheubrooks, Chief Division of Land Development
Jeff Williams Program Supervisor, Well & Septic Program Bureau of Environmental Health
May 28, 2019

WP-19-103, 4389 & 4401 Jennings Chapel Rd

The Health partment has reviewed the above referenced petition and objects to the proposed will ver in its current form for the following reasons:

- 1. A pe certification plan showing the proposed lot line revisions and the well and sev a disposal areas for each new lot has not been submitted to the Health Depresent or approved by the Health Depresent.
- The an accompanying the proposal is not sufficient for our review. A plan providing all the same information as the perc certification required in item 1 is need to verify the proposal is the same as what we would have approved on a perc artification plan if we are able to do so.
- 3. From what I can discern from the 500 scale plan, the proposed lot line may encrucient on the 10' setback or overlap the sewage disposal areas as shown.
- 4. The sting lot lines do not match the information from our previously approved rtifications plans or from the record plat F-99-055.
- 5. A second disposal area approved on a perc certification plan in 2010 is not show on the exhibits.

DataBase No.

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

Division of Land Development

DATE: _ Departn Agencie 	nent of Planning and Zoning Research Resource Conservation (Historic/Ag Pres) Public Service and Zoning Administration Address Coordinator	nits	DPZ Fil	-	See:
	MD Aviation Administration WSSC (Non-Residential Only)			DPW, Construction DPW, Bureau of U	n and Inspection
RE:	4389 & 4401 Jennings Chap	el Road			
ENCLO	SED FOR YOUR ≡ Signature		1	Review & Commen	ts Files
THE EN	CLOSED ≡ Original			Pre-Packaged Plan	n Set
Plans	Alternative Compliance Application Planning Board Application ASDP/CSDP Application DED Application/Checklist DED Fee Receipt/Deeds/Cost Estimate Overall Scaled Composite Water & Sewer Plans List of Street Names	<u># of Plans</u>		FSD/FCP Declaration of Inter Prelimina APFO Ro Noise Study Sight Dist Sight Dist Sight Dist Floodplain Stormwat Industrial Road Post √ Justification Perc Plat Scenic Road Exhits Deeds Photograp Retaining Wall Cool Poster/Cool Route 1 E	Report * o Map/Drain Area Map /Worksheet and Application nt (Forest Cons) and/or Computation/Pond Safety Comps ry Road Profiles wads Test/Mitigation Plan/Traffic Study tance Analysis/Speed Flow Study n Study er Management Comps/Geo-Tech Report Waste Survey (DPW) ster Form Letter on Letter
WAS:		Tentatively Approv	ved	Recorded	
COMME		Approved		On <u>May 9, 2019</u> Due- 17 V	Working Days: 6/3/19

_____ Check, initial and return to the Department of Planning and Zoning if plan is approved with no comments.

DPZ STAFF INITIALS:



DEVELOPMENT, INC.

Creating & Preserving Real Estate Assets

April 18, 2019

Mr. Kent Sheubrooks, Chief Division of Land Development Dept. of Planning & Zoning 3430 Courthouse Dr. Ellicott City, MD 21043

RE: Waiver Petition Application 4389 & 4401 Jennings Chapel Road

Dear Kent:

On behalf of our client, we are submitting a request to waive Sections 16.102 and 16.147 of the Howard County Subdivision and Land Development Regulations.

Accordingly, we are enclosing the following items:

1) Original Waiver Petition Application and Justification.

2) Fifteen (15) copies of Waiver Petition Application and Justification.

3) Fifteen (15) prints of an Exhibit to accompany the Waiver Petition.

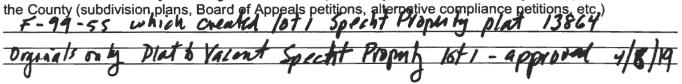
4) Check in the amount of \$450.00.

Very truly yours,

Land Design & Development, Inc. 8318 Forrest Street, Suite 200 Ellicott City, MD 21043

Howard County Department of Planning and Zoning **Division of Land Development** ALTERNATIVE COMPLIANCE APPLICATION [Alternative Compliance from Subdivision and Land Development Regulations] **DPZ File Number** Date Submitted/Accepted Site Description Pleasant Prospect Form Subdivision Name/Property Identification: (Street Address and Kor Road Name) U401 Location of property: (Proposed Use) ESIA ENCE 221 and 19 (Parcel No.) (Tax Map No.) PIA as proposed 104.16 ALLS (Total Site Area) PZZI as proposed 194.25

Provide a brief site history including reference to all previously submitted or currently active plans on file with



Alternative Compliance Request 11.

In accordance with Section 16.104 of the Howard County Subdivision and Land Development Regulations, the Department of Planning and Zoning, in conjunction with the Subdivision Review Committee may grant alternative compliances or modifications to the minimum requirements stipulated within the Regulations if it is determined that extraordinary hardships or practical difficulties may result from strict compliance with the regulations, or if it is determined that the regulations may be served to a greater extent by an alternative proposal.

In the area below, the petitioner shall enumerate the specific numerical section(s) from the Subdivision and Land Development Regulations for which an alternative compliance is being requested and provide a brief summary of the regulation. Attach a separate sheet if additional information is appropriate.

	Section Reference No.	Summary of Regulation
1.	16.102	Applicability of Regulations for the division or development of land in
		Howard County
2.	16.147	Preparation of a Final Plat - The final plat becomes the official record
		of the division of land, and no lot within the subdivision may be sold
3.		legally until a final plat has been approved and recorded by the
		Department of Planning and Zoning
4.		
5.		
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I.

III. Justification

All alternative compliance requests must be fully justified by the petitioner. Incomplete or inadequate justification may result in rejection of the application at the time of submission. Justification must be specific to the subject property. The justification provided by the petitioner should include all factors which rationalize or substantiate the request in accordance with the following criteria:

- a. Summarize any extraordinary hardships or practical difficulties which may result from strict compliance with the Regulations.
- b. Verify that the intent of the Regulations will be served to a greater extent through the implementation of the alternative proposal.
- c. Substantiate that approval of the alternative compliance will not be detrimental to the public interests.
- d. Confirm that approval of the alternative compliance will not nullify the intent of the Regulations.

PLEASE ATTACH A SEPARATE LETTER OF JUSTIFICATION TO SUPPORT THE ALTERNATIVE COMPLIANCE REQUESTS.

IV. Pre-Submission Meeting Requirements

+++a. Community Meeting Requirement - If no previous subdivision plans and/or zoning or conditional use petitions were processed, a pre-submission community meeting is required for the initial plan submittal of all new residential development and for new non-residential development located within 200 feet of a residential zoning district or an existing non-residential development which is located within 200 feet of a residential zoning district and proposed for a floor area expansion of more than 25% in accordance with Sections 16.156(a) and 16.128 of the Subdivision and Land Development Regulations for alternative compliance of the site development plan requirement. [See DPZ policy memo dated 3/22/04 for existing lots/parcels]. The property owner/developer must provide 3 weeks advance notice regarding the community meeting's date, time and location to all adjoining property owners identified in the records of the State Department of Assessments and Taxation and any community association that represents the geographic area of the subject property by first class mail: and sent electronically to any community association registered with the County for projects in a certain geographic area; the Howard County Council; and DPZ, which will place the meeting notice on the DPZ's website. The developer shall send a copy of the minutes and written responses to the meeting attendees and DPZ, either electronically or by first class mail. A certification that meeting notices were mailed, contact information for the attendees and a copy of the minutes and a written response with a dated return mail receipt or dated email attached to all of the major comments recorded at the meeting must be submitted to DPZ along with the initial plan application. The meeting minutes, including a written response to all questions, shall be sent to all meeting attendees within 60 days of the meeting either electronically or by first class mail [Council Bill 6-2011].

HPC Meeting Requirement - A pre-submission advisory meeting with the Historic Preservation Commission is required for new development located within a Historic District or if the site contains a historic structure (50 years or older) in accordance with Section 16.603A of the Howard County Code. Verify this requirement by checking the Historic Sites Inventory list and maps available at the DPZ public service desk or checking with the Resource Conservation Division. The property owner/developer must contact the DPZ, Resource Conservation Division for the HPC scheduling process and procedures. The property owner/developer must submit a copy of the minutes from the HPC Advisory Meeting to DPZ along with the initial subdivision or site development plan application.

MAA Meeting Requirement - For all proposed subdivisions or developments located within the BWI Airport Noise Zone or the Airport Zoning District (4 mile radius from the center of the airport), the review and approval by the Maryland Aviation Administration is required prior to signature approval of final plan road and SWM construction drawings, and/or site development plans, or alternative compliance approval of SDP. Please contact the MAA at P.O. Box 8766, BWI Airport, Maryland, 21240-0766, or (410) 859-7100. A copy of the MAA approval letter must accompany the submission of the final road/SWM construction plan original drawings, and/or site development plan original, or alternative compliance application.

provide a professional certification that environmental features do not exist on the property.

- 10. Road profile to evaluate sight distance, if the application includes a request for direct access to a major collector or more restrictive roadway classification.
- 11. Any additional information to allow proper evaluation (e.g. for alternative compliance to wetland buffers an alternative analysis and mitigation proposal are needed; for alternative compliance to SDP requirements where there is no subdivision of land, an APFO Roads Test evaluation may be needed, for alternative compliance of final plat or SDP, a copy of property deeds to confirm legal creation or status of property is needed).
- 12. Photographs, perspective sketches or cross-sections as necessary to adequately portray the alternative compliance request.
- 13. The exhibit plans should be highlighted to accurately illustrate the requested alternative compliance(s) to allow proper evaluation (i.e. proposed grading, tree clearing or other disturbances within environmentally sensitive areas or buffers).
 - _____14. Submit 2 sets of photographs for all existing on-site structures.
- 15. Identify the location of any existing wells and/or private septic systems.

16. Route 1 Manual

Compliance with the Route 1 Manual is required for new development and some alterations or enlargements located in the CE, TOD and CAC zoning districts and for other zoning districts located within the Route 1 corridor. All plan submissions, beginning with the initial subdivision or site development plan, shall show all applicable streetscape, site and building designs responding to the Route 1 Manual's requirements and recommendations. <u>All plan submissions shall provide a written summary of how the proposed design achieves the objectives of the Route 1 Manual</u>. Also, building design and schematic architectural elevation details must be included with the initial subdivision or site development plan submission.

17. Route 40 Design Manual

Compliance with the Route 40 Design Manual is required for new development and redevelopment projects located in the Traditional Neighborhood Center (TNC) zoning districts and on parcels located within the Route 40 Corridor as defined in the Route 40 Design Manual. All plan submissions within the Route 40 corridor, beginning with the initial subdivision or site development plan, shall show all applicable streetscape, site and building designs responding to the Route 40 Design Manual's requirements and recommendations. All plan submissions within the Route 40 corridor shall provide a written summary of how the proposed design achieves the objectives of the Route 40 Design Manual. Also, building design and schematic architectural elevation details must be included with the initial subdivision or site development plan submissions.



18. <u>Property Deeds</u> – Information to confirm the legal creation or status of the property to be improved. (Copy of deeds from Howard County Land Records Office or record plat name and recording reference number). A complete chronological deed history is required for all deeded residential properties. Provide 2 copies of the recorded deeds for the subject property tracing its history back to 1960.

X 19. Please complete the following:

A pre-submission meeting was held with DPZ or	۱	with
	[date]	

, if applicable.

[DPZ, Director, DLD Division Chief or other SRC representatives]

VI. Fees

The Alternative Compliance application fee shall be in accordance with the adopted fee schedule. All checks shall be made payable to the *Director of Finance*. The petition will not be accepted for processing until the fee has been paid. Incomplete, incorrect or missing information may result in the rejection of the application and could cause additional time to be required to revise the application for resubmittal and rereview. For more information or questions, contact DPZ at (410) 313-2350.

Design Advisory Panel (DAP) – A pre-submission advisory meeting with the Design Advisory Panel is required for sketch and preliminary equivalent sketch plans that are submitted on or after November 3, 2008 for new development or redevelopment projects on parcels located in the U.S. Route 1 corridor that are zoned 'CE', 'CAC' or 'TOD' or that adjoin the Route 1 right-of-way and that are subject to the Route 1 Design Manual; on parcels located within the U.S. Route 40 corridor that are zoned 'TNC' or that are subject to the Route 40 Design Manual; on parcels which age-restricted adult housing is to be constructed pursuant to a conditional use; on redevelopment parcels located in the New Town Village Centers with boundaries proposed by a property owner or established by the Zoning Board or County Council; and for revitalization and redevelopment of Downtown Columbia in accordance with Sections 16.1501 and 16.1504 of the Howard County Code. The property owner/developer must contact the DPZ, Division of Comprehensive and Community Planning to verify this requirement and for information concerning the DAP meeting scheduling process and procedures. The property owner/developer must submit a copy of the DAP project design recommendations to DPZ along with the initial subdivision plan application.

V. Plan Exhibit

A. Number of Copies Required

The alternative compliance application must be accompanied by copies of a detailed plot plan, subdivision plat or site development plan (<u>15 sets of the completed alternative compliance application and plan</u> <u>exhibit if the subject property adjoins a County road; 19 sets for properties adjoining a State road</u>). In instances where the alternative compliance request concerns an approval extension or if an associated plan is in active processing, only 2 sets of plans are required along with 15 or 19 copies of the application form. Plans must be folded to a size no larger than 7-1/2" x 12". The pre-packaging of plans and supplemental reports by SRC agency will be permitted by DPZ provided that each package contains a cover letter which itemizes all plans, reports and documents included in the package.

<u>Please be advised that all plan application submissions are ACCEPTED BY</u> <u>APPOINTMENT ONLY</u>. All plan submission appointments must be scheduled with the Division of Land Development at (410) 313-2350.

Plan applications are available on the DPZ website at <u>https://howardcountymd.gov/Departments/Planning-and-Zoning/Land-Development</u>.

B. Plan Requirement Checklist

The detailed alternative compliance exhibit, plot plan, subdivision plan or site development plan must indicate the following required information relevant to the alternative compliance request to ensure acceptance of the alternative compliance application for processing.

H			
Legend:	v	Information Provided	X Information Not Provided,
Logona.	ALA.		Justification Attached
	NA	Not Applicable	JUSTITUATION ALLACTIEU

- 1. Vicinity map scale 1" = 2,000' indicating and identifying the total boundary of the property, exact site location, vicinity roads and north arrow.
- 2. Bearings and distances of property boundary lines for the entire tract and size of tract area.
- 3. North arrow and scale of plan.
- 4. Location, extent, boundary lines and area of any proposed lots.
- 5. Any existing or proposed building(s), structures, points of access, driveways, topography, natural features and other objects and/or uses on the subject and adjacent properties which may be relevant to the petition; i.e. historic structures, cemeteries or environmentally sensitive areas.
- 6. Delineation of building setback lines.
- 7. Delineation of all existing public road and/or proposed street systems.
- 8. Identification and location of all easements.
- 9. Approximate delineation of floodplain, streams, wetland and forested areas, if applicable, and/or

VII. Owner's/Petitioner's Certification

I/WE the undersigned fee simple owner(s) hereby make application to the Howard County Department of Planning and Zoning to provide an alternative compliance request of the minimum requirements of the Howard County Subdivision and Land Development Regulations. The undersigned hereby certifies the information supplied herewith is correct and complete, confirms that the regulations and policies as referred to in the attached are understood, and authorizes periodic on-site inspections by the Howard County Subdivision Review Committee agencies. ***If the applicant is the owner's agent, written documentation from owner granting that authority is required at the time of the submission**.

Owner's authorization attached * 5-6-19 (Date) (Signature of Petition Preparer) * (Signature of Property Owner) (Date) (Fee Simple Owner Only) DONALD & REAWER)1 (Name of Petition Preparer, Surveyor/Engineering/Architect (Name of Property Owner) or Agent/Developer 4407 Jeanings Chopel Rd Address) Brookeville Md 20533 (City, State, Zip Code) (City, State, Zip Code) E-Mail dreuwere Idandd.com E-Mail 707 7054 (Telephone) (Telephone) (Fax) Contact Person: Don Ren wer Contact Person:

Howard County Department of Planning and Zoning Division of Land Development

INITIAL SUBMISSION ALTERNATIVE COMPLIANCE WORKSHEET (For DPZ Use Only)

Yes, No or N/A
Fee
es x \$50 each)
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1. Subdivision and Density Requirements

a. A cluster subdivision consists of cluster lots, which are located on a portion or portions of the parcel being subdivided, and a preserved area, which is the entire residual area of the parcel being subdivided.

b. The preserved area should be retained as a single preservation parcel whenever possible. It may be divided into more than one preservation parcel only at the time that the preserved area is originally recorded and only in accordance with the purposes of the RC District with the following exception:

(1) Subdivision of a preservation parcel after recordation of the preservation parcel easement may only be permitted if the subdivision is necessary to establish a boundary line respecting agricultural, historical, or environmental features or patterns of use; and

(2) Involves either:

(a) The transfer of land between adjoining parcels that are both entirely protected by an agricultural environmental or historic preservation easement held by Howard County or a State agency; or

(b) The exchange of equivalent acreage between adjoining parcels, one of which is a preservation parcel, created in accordance with section 104.0, 105.0 or 106.0 of these Regulations, wherein the resulting configuration will better facilitate the purpose of the preservation parcel and better ensure its protection; and

(3) Such transfer may not:

(a) Result in a net increase in the number of farm tenant house rights for the parcel being enlarged; or

(b) Undermine the original agricultural, environmental, or historic preservation purpose for creating the preservation parcel; or

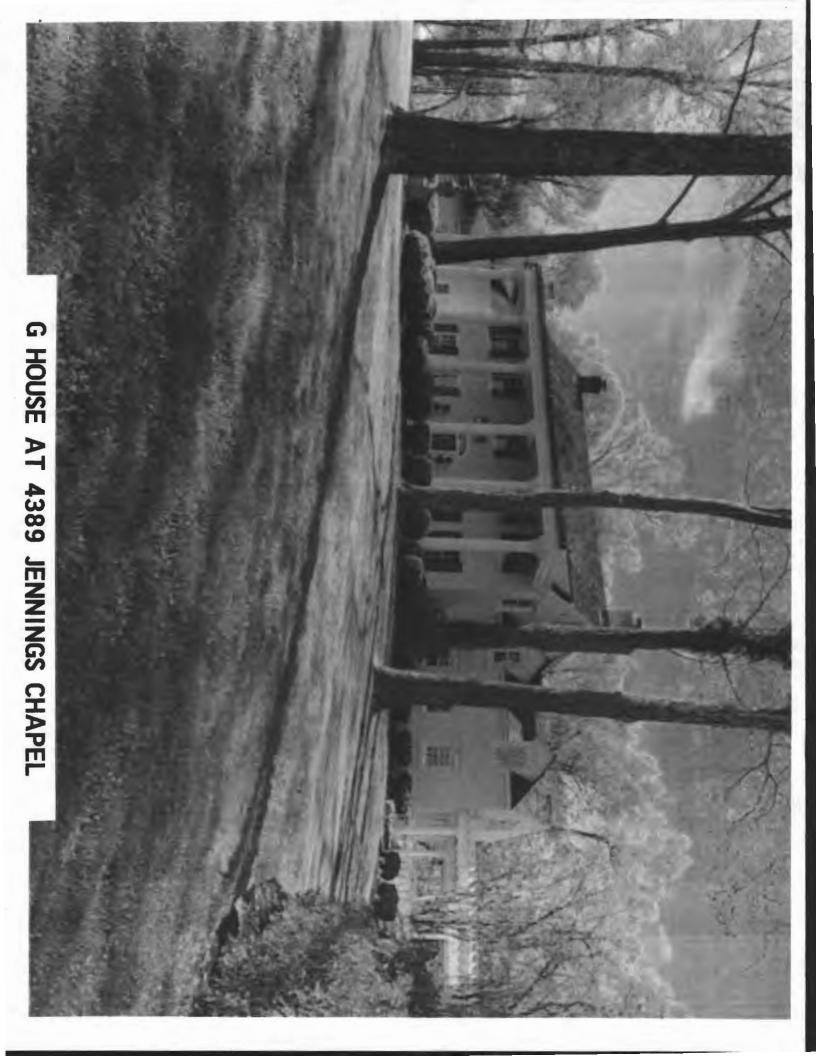
(c) Reduce the preservation parcel to less than 20 acres; and

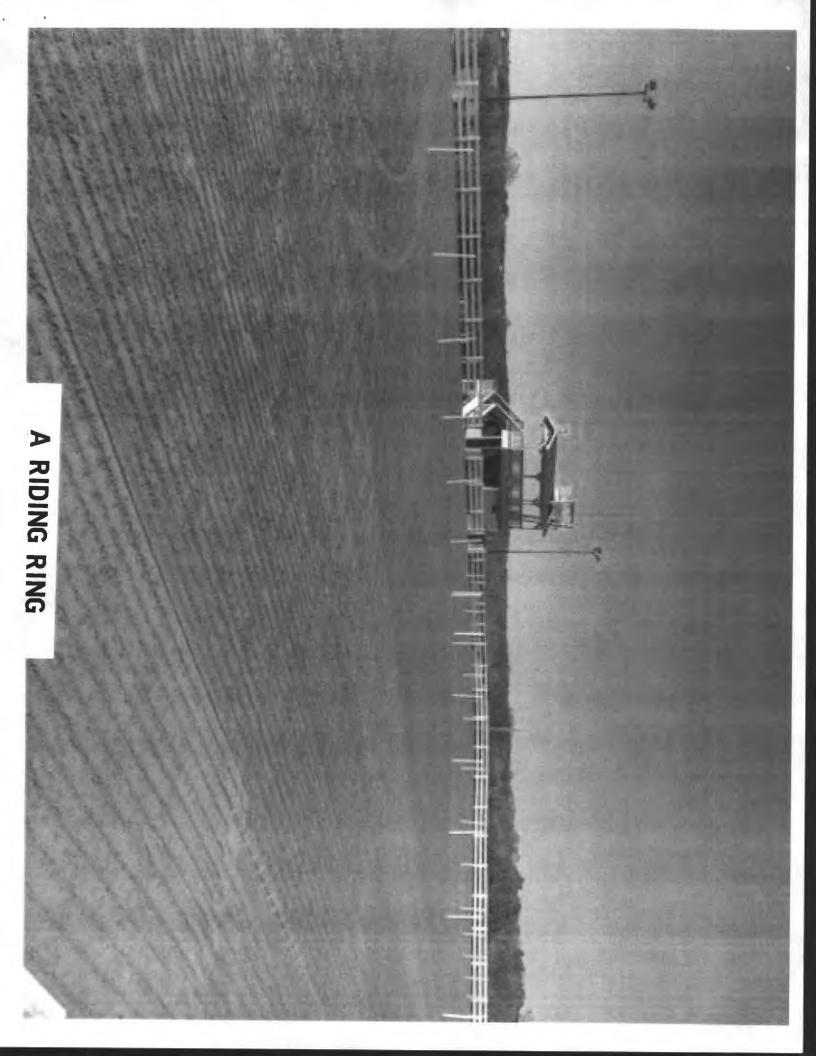
(4) Such land transfer requires consent of all easement holders. All deed(s) of easements shall be amended to reflect the land transfer.

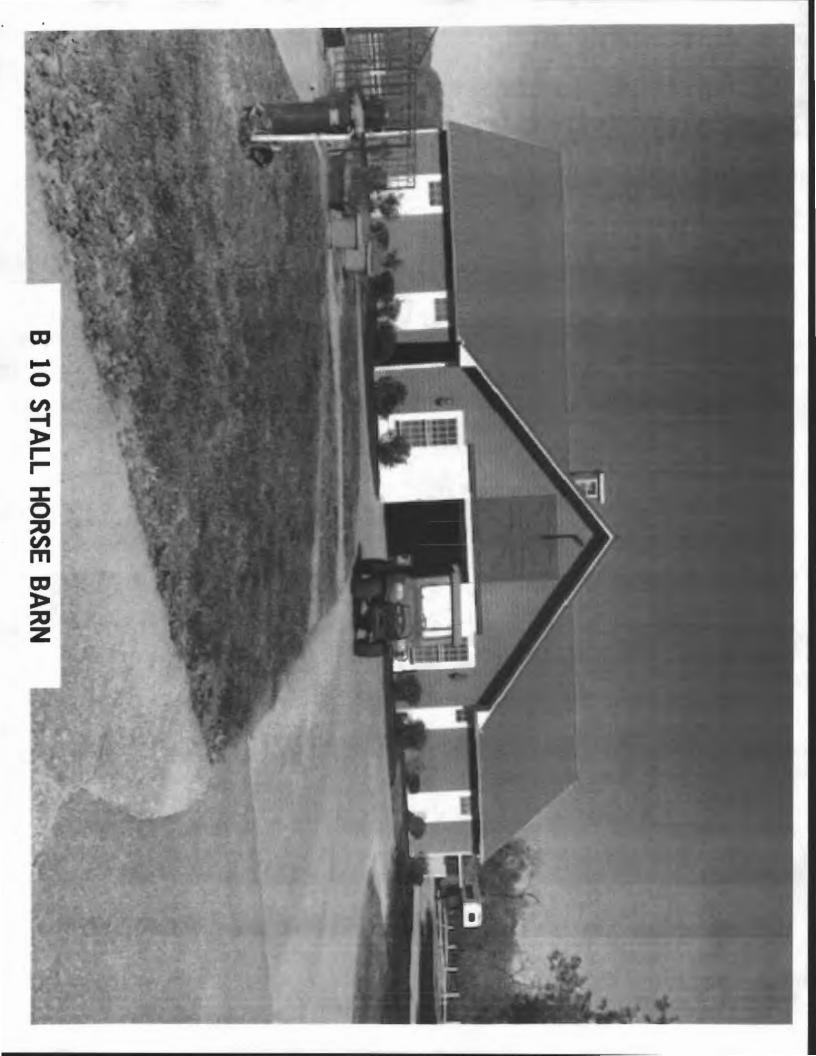
C. TWO OR MORE ADJOINING PRESERVATION PARCELS WITH THE SAME EASEMENT HOLDER MAY BE COMBINED INTO A SINGLE PRESERVATION PARCEL, WHEREIN THE RESULTING CONFIGURATION WILL BETTER FACILITATE THE PURPOSE OF THE PRESERVATION PARCEL. AT THE TIME OF THE COMBINATION IF A DEVELOPMENT RIGHT EXISTS, A LOT IN COMPLIANCE WITH THE MINIMUM CLUSTER LOT SIZE MAY BE CREATED TO ACCOMMODATE THE AN EXISTING HOUSE OR A PROPOSED HOUSE PROVIDED THAT:

(1) THE RESULTING PRESERVATION PARCEL SHALL NOT ACHIEVE ANY ADDITIONAL RESIDENTIAL DEVELOPMENT RIGHTS,

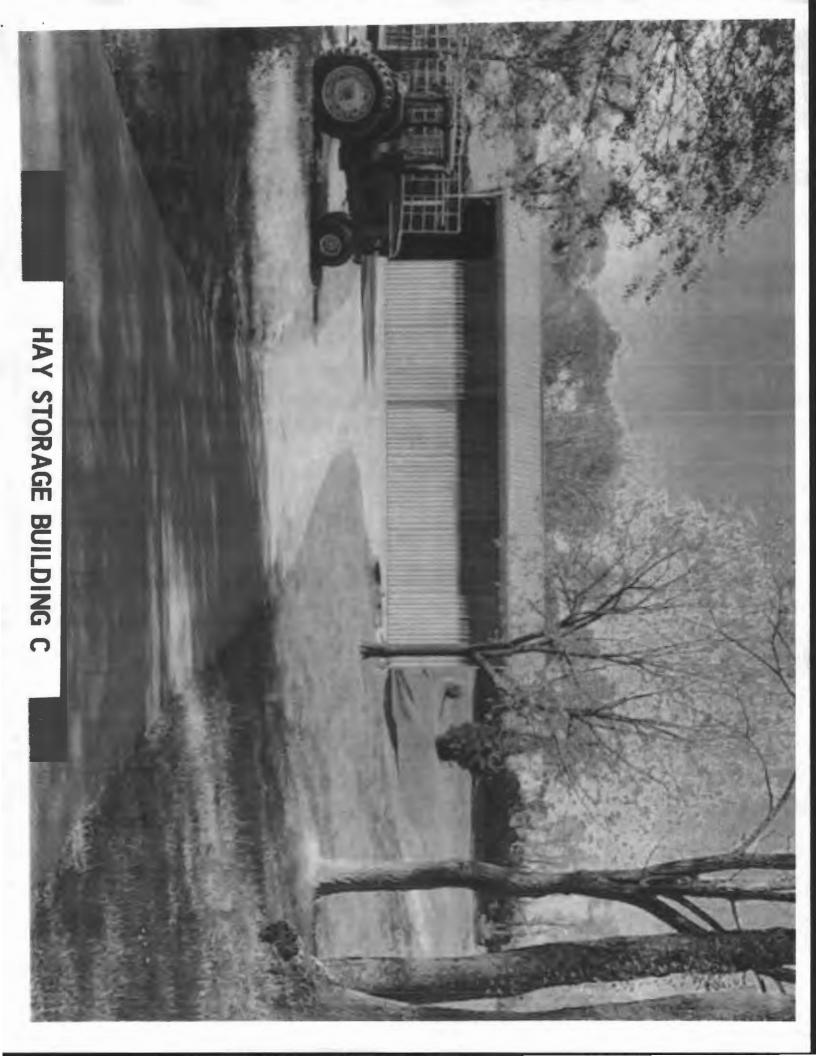
(2) SUCH LAND TRANSFER REQUIRES CONSENT OF ALL EASEMENT HOLDERS. ALL DEED(S) OF EASEMENTS SHALL BE AMENDED TO REFLECT THE LAND TRANSFER.

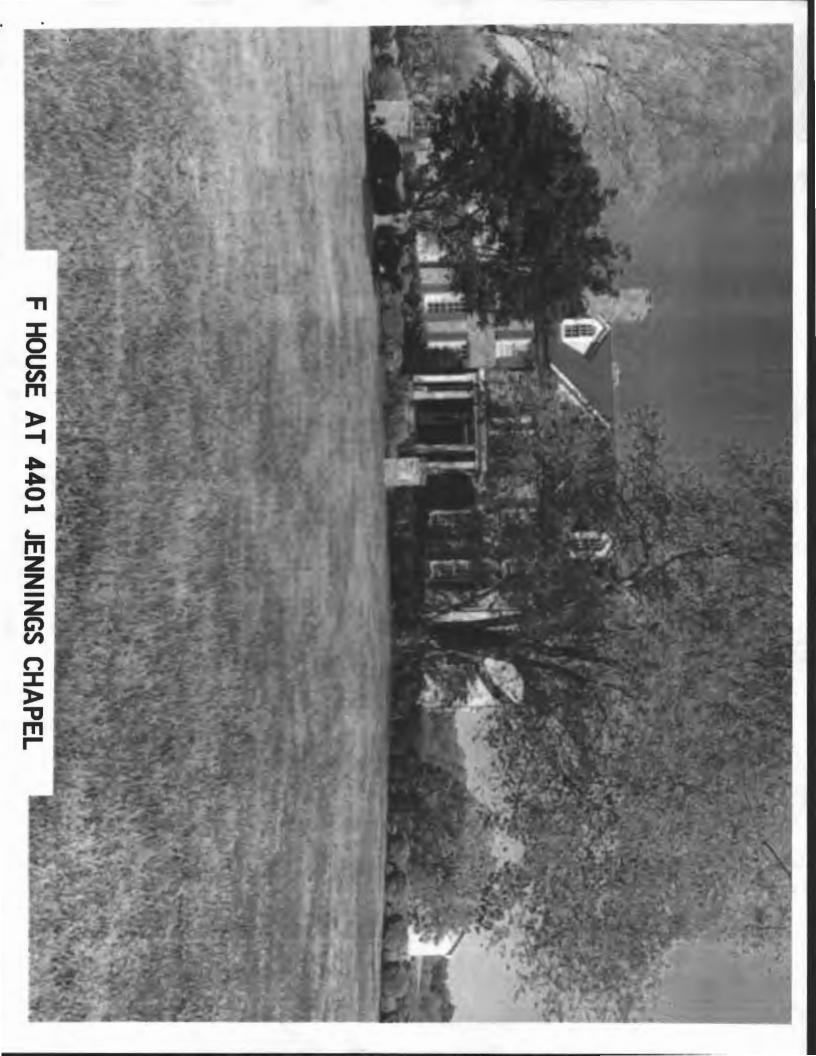


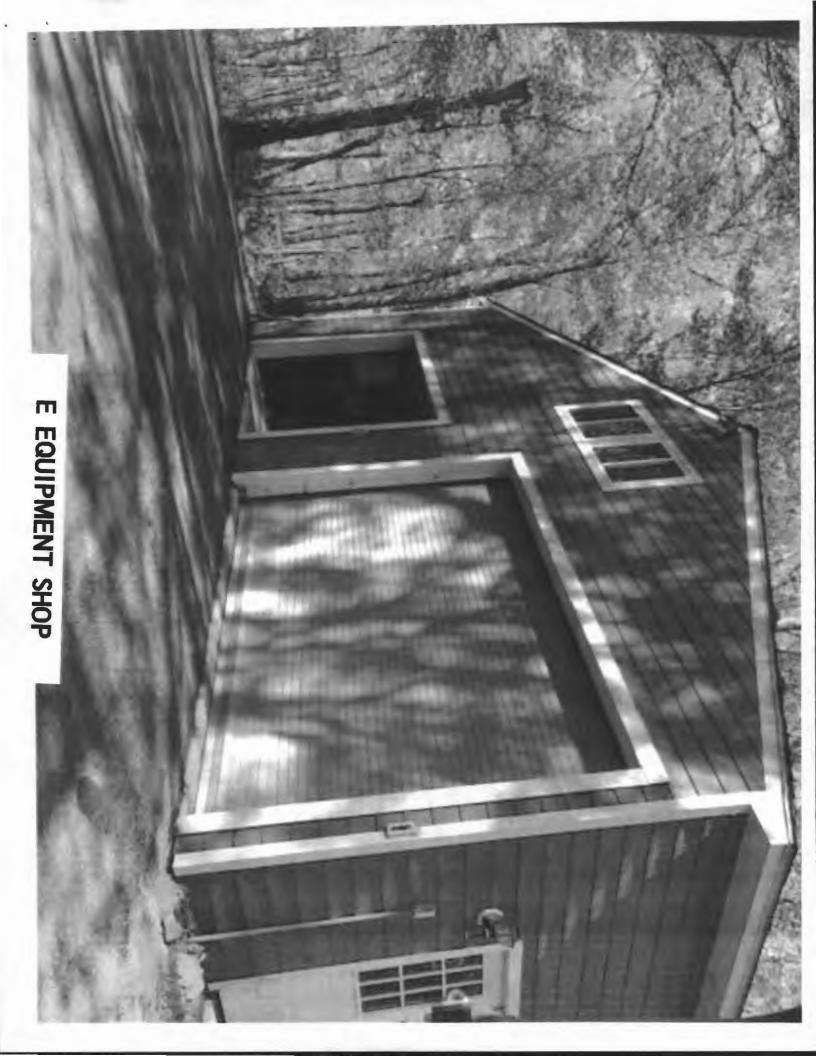


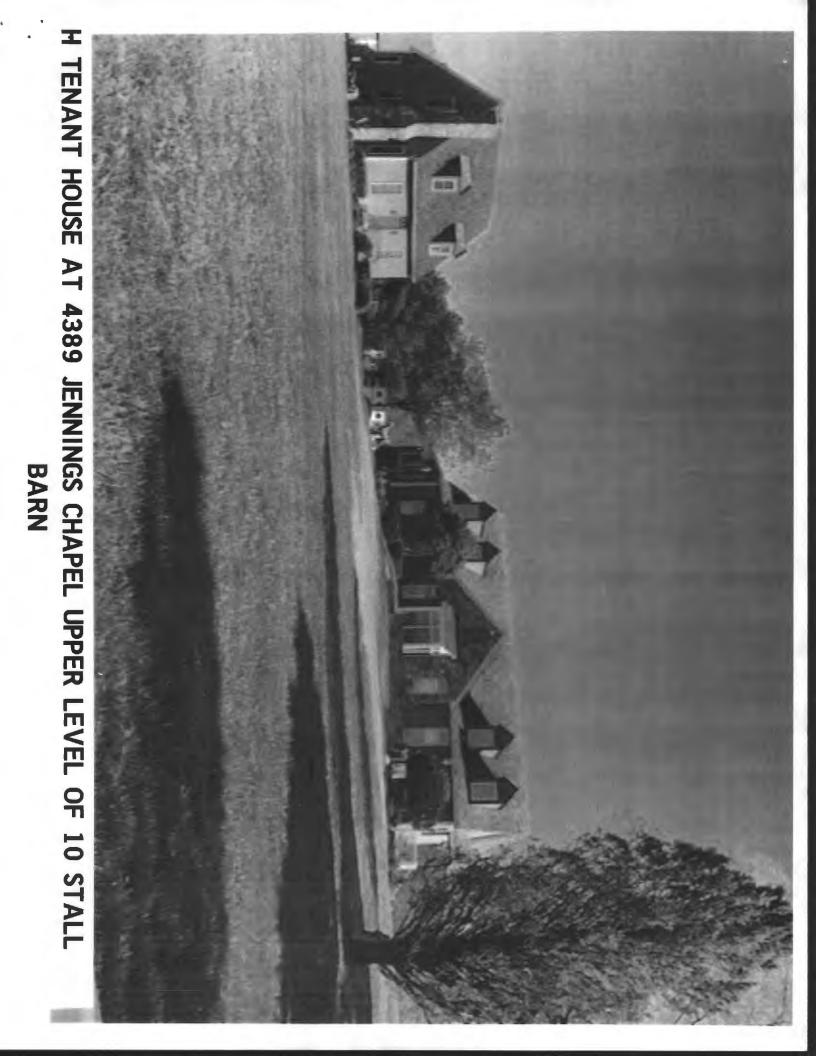


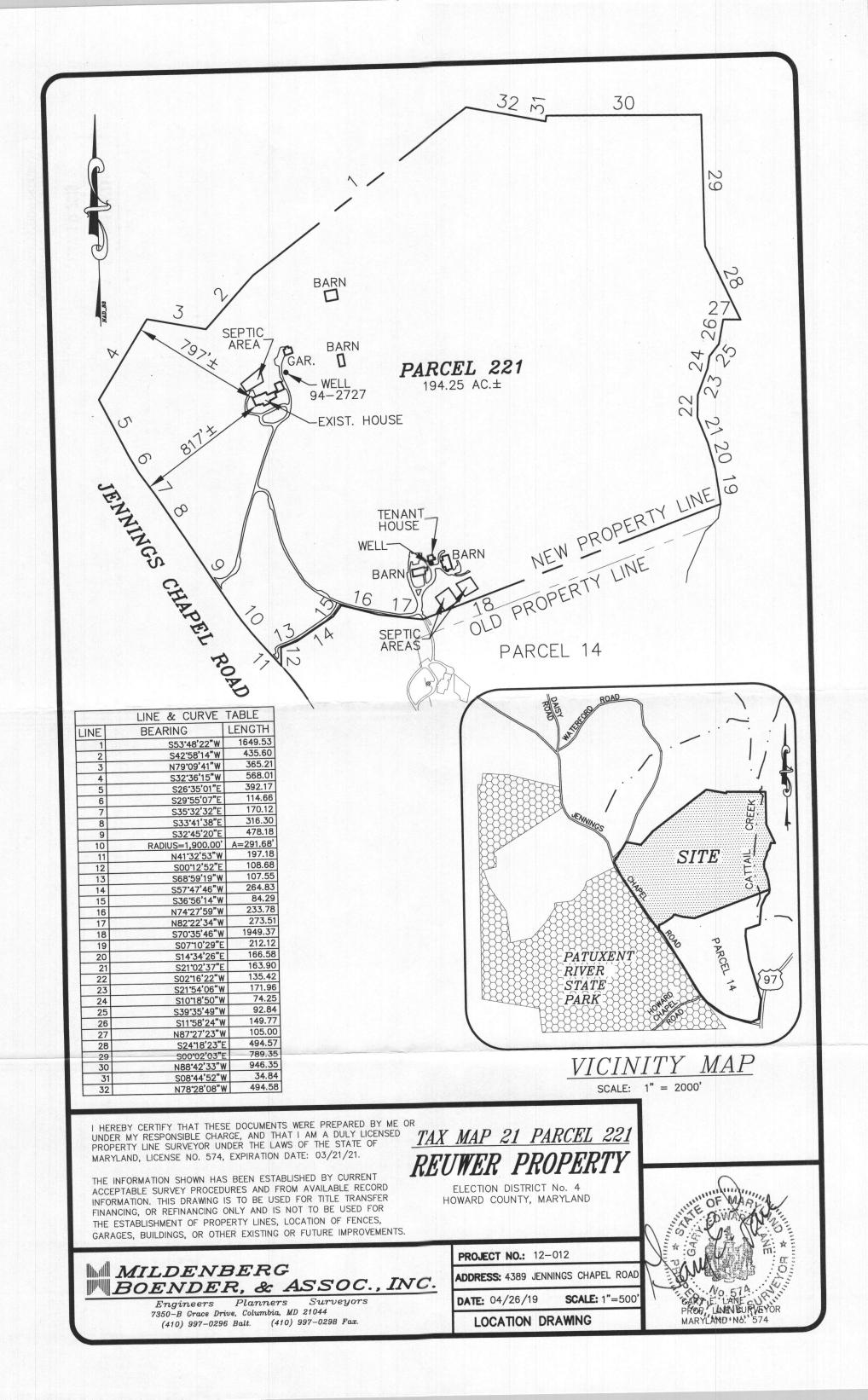


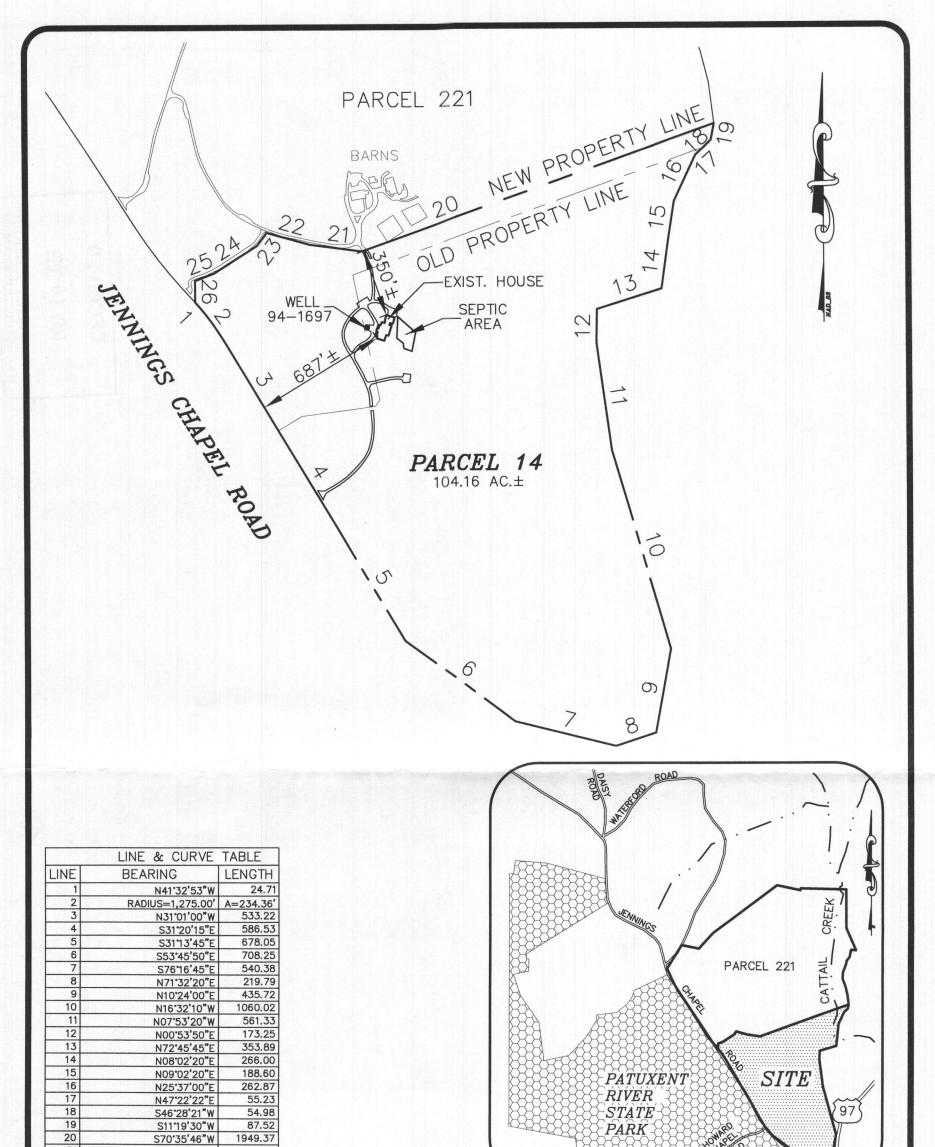












22 N74'27'59"W 233.78 23 S36'56'14"W 84.29 24 S57'47'46"W 264.83 25 S68'59'19"W 107.55 26 S00'12'52"E 108.68	$\frac{VICINITY MAP}{SCALE: 1" = 2000'}$
MARYLAND, LICENSE NO 574 EXPIRATION DATE: 03/21/21	A MAP 21 PARCEL 14 EUWER PROPERTY ELECTION DISTRICT No. 4 HOWARD COUNTY, MARYLAND
MILDENBERG BOENDER, & ASSOC., INC. Engineers Planners Surveyors 7350-B Grace Drive, Columbia, MD 21044 (410) 997-0296 Balt. (410) 997-0298 Fax.	PROJECT NO.: 12-012 ADDRESS: 4401 JENNINGS CHAPEL ROAD DATE: 04/26/19 SCALE: 1"=500' LOCATION DRAWING