

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
Division of Land Development

DATE: November 1, 2011DPZ File No. WP-12-074**Department of Planning and Zoning**

____ Transportation Planning
 ____ Resource Conservation (Historic/Ag Pres)
 ____ Public Service and Zoning Administration
1 Research
 ____ Address Coordinator

____ Comprehensive & Community Planning
 ____ Development Engineering Division
 ____ Other
 ____ File

See: F-11-071

Agencies

____ Soil Conservation District
 ____ Department of Inspections, Licenses & Permits
 ____ Department of Fire and Rescue Services
 ____ State Highway Administration
1 Health Department
 ____ Public School System
 ____ Recreation and Parks
 ____ WSSC (Non-Residential Only)
 ____ MD Aviation Administration

____ Tax Assessment
 ____ Verizon
 ____ BGE
 ____ Cable TV
 ____ Police
 ____ MTA
 ____ Finance
 ____ DPW, Real Estate Services
 ____ DPW, Construction and Inspection
 ____ DPW, Bureau of Utilities

RE: Property of Dr. Nadu A. Tuakli Revocable TrustENCLOSED FOR YOUR = ____ Signature Approval ☒ Review & Comments ____ FilesTHE ENCLOSED = ____ Original ____ **Pre-Packaged Plan Set****Plans**

____ Sketch Plan
 ____ Prel Equiv Sketch Plan
 ____ Preliminary Plan
 ____ Final Plat/Plat of Easement/RE Plat
 ____ Final Constr Plans (RDS)
 ____ Final Development Plan
 ____ Site Development Plan
 ____ Landscape Plan/Supplemental Plan
 ____ Grading Plan
 ____ House Type Revision/Walk-Thru Red-Line
 ____ Water and Sewer Plan

of Sheets

Supplemental Documents

____ Wetlands Report
 ____ Soils/Topo Map/Drain Area Map
 ____ FSD/FCP/Worksheet and Application
 ____ Declaration of Intent (Forest Cons)
 ____ Drainage and/or Computation/Pond Safety Comps
 ____ Preliminary Road Profiles
 ____ APFO Roads Test/Mitigation Plan/Traffic Study
 ____ Noise Study
 ____ Sight Distance Analysis/Speed Flow Study
 ____ Floodplain Study
 ____ Stormwater Management Comps/Geo-Tech Report
 ____ Industrial Waste Survey (DPW)
 ____ Road Poster Form Letter
☒ Justification Letter
 ____ Perc Plat
 ____ Scenic Road Exhibits
 ____ Deeds
 ____ Photographs
 ____ Retaining Wall Comps/Details
 ____ Poster/Community or HDC Meeting Information
 ____ Route 1 Details/Summary

Applications

7 Waiver Petition Applic/Exhibit
 ____ 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

2

WAS: ☒ Received ____ Tentatively Approved
 ____ Received and Revised ____ Approved

____ Recorded
 On November 1, 2011

COMMENTS: _____

SRC/Comments Due By: **November 29, 2011**

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

The Health Department does not oppose this proposal. DPZ STAFF INITIALS: JB

Howard County Department of Planning and Zoning
Division of Land Development
WAIVER PETITION APPLICATION

Date Submitted/Accepted 11/11/11 DPZ File Number WP-12-074
(F-11-071)

I. Site Description

Subdivision Name/Property Identification: LOG 142, PROPERTY OF DENISE A. TINKLE, REDEVELOPER
Location of property: 13170 TRINITY ROAD, CHARLESVILLE MD 21038 TRIST
(Street Address and/or Road Name)

1 SINGLE-FAMILY DWELLING
(Existing Use)

2 SINGLE-FAMILY DWELLINGS
(Proposed Use)

34
(Tax Map No.)

3
(Grid/Block No.)

9
(Parcel No.)

5
(Election District)

RR-DEO
(Zoning District)

7.5225 AC ±
(Total Site Area)

Provide a brief site history including reference to all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, waiver petitions, etc.)

WP-10-075, EOP-11-042, F-11-071

II. Waiver Request

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 waivers 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 a waiver 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. SECTION 16.1A4.(P)

REQUIRING SUBMISSION OF FEES WITHIN 120 DAYS

2. SECTION 16.1A4.(g)

REQUIRING SUBMISSION OF ORIGINAL FINAL PLAT WITHIN 180 DAYS

3. _____

4. _____

5. _____

III. **Justification** (if additional space is needed for justification, please attach to the application)

All waiver requests must be fully justified by the petitioner. Incomplete or inadequate justification may result in rejection of the application. 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 waiver will not be detrimental to the public interests.
- d. Confirm that approval of the waiver will not nullify the intent of the Regulations.

See letter attached with support documentation.

IV. **Pre-Submission Meeting Requirements**

→→→a.

N/A

DONE WITH
F-11-071

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. [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].**

→→→b.

N/A

HDC Meeting Requirement - A pre-submission advisory meeting with the Historic District 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 HDC scheduling process and procedures. **The property owner/developer must submit a copy of the minutes from the HDC Advisory Meeting to DPZ along with the initial subdivision or site development plan**

application.

→→→c.

N/A

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 waiver 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 waiver petition application.

→→→d.

N/A

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 waiver petition application must be accompanied by copies of a detailed plot plan, subdivision plat or site development plan (**7 sets of the completed waiver application and plan exhibit if the subject property adjoins a County road; 11 sets for properties adjoining a State road**). In instances where the waiver request concerns an approval extension or if an associated plan is in active processing, only 2 sets of plans are required along with 7 or 11 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.**

Please be advised that all plan application submissions are ACCEPTED BY APPOINTMENT ONLY. 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 <http://www.co.ho.md.us/DPZ/formsfeesapplications.htm>.

B. Plan Requirement Checklist

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

Legend:	<input checked="" type="checkbox"/> Information Provided	<input checked="" type="checkbox"/> Information Not Provided, Justification Attached
	<input type="checkbox"/> NA Not Applicable	

- ✓ 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.
- N/A 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 provide a professional certification that environmental features do not exist on the property.
- N/A 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.
- N/A 11. Any additional information to allow proper evaluation (e.g. for waivers to wetland buffers an alternative analysis and mitigation proposal are needed; for waivers to SDP requirements where there is no subdivision of land, an APFO Roads Test evaluation may be needed, for waivers of final plat or SDP, a copy of property deeds to confirm legal creation or status of property is needed).
- N/A 12. Photographs, perspective sketches or cross-sections as necessary to adequately portray the waiver request.
- N/A 13. The exhibit plans should be highlighted to accurately illustrate the requested waiver(s) to allow proper evaluation (i.e. proposed grading, tree clearing or other disturbances within environmentally sensitive areas or buffers).
- N/A 14. Submit 2 sets of photographs for all existing on-site structures.
- N/A 15. Identify the location of any existing wells and/or private septic systems.

N/A 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. All plan submissions shall provide a written summary of how the proposed design achieves the objectives of the Route 1 Manual. Also, building design and schematic architectural elevation details must be included with the initial subdivision or site development plan submission.

N/A 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 submission.

- N/A 18. **Property Deeds** – 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.**

SUBMITTED
WITH
F-11-071

N/A 19. Please complete the following:

A pre-submission meeting was held with DPZ on _____ with
[date] _____, if applicable.
[DPZ, Director, DLD Division Chief or other SRC representatives]

VI. Fees

The Waiver Petition 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 petition for resubmittal and re-review. For more information or questions, contact DPZ at (410) 313-2350.

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 relax 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 *

(Signature of Property Owner) (Date) (Signature of Petition Preparer) * (Date)
(Fee Simple Owner Only)

NANDU. A. TUAKU
(Name of Property Owner)

SHARON ADLER & LANE
(Name of Petition Preparer, Surveyor/Engineering
or Agent/Developer)

13603 GILBRIDE LANE
(Address)

8726 TOWN COURT RD. SUITE 201
Address)

CHARKSVILLE MD 21029
(City, State, Zip Code)

ELICOTT CITY MD. 21043
(City, State, Zip Code)

E-Mail msanche@aol.com

E-Mail homer@sharonlane.com

202 465 2629
(Telephone) (Fax)

(410) 461-1963 (410) 461-9693
(Telephone) (Fax)

Contact Person: Robert Sanchez

Contact Person: G. SCOTT SHARON ADLER

Nadu Tuakli, MD
13603 Gilbride Lane
Clarksville, MD 21029
drtuakli@aol.com

November 1, 2011

Mr. Ken Sheubrooks, Chief
Division of Land Development
Howard County Department of Planning and Zoning

**RE: Request for Waiver Petition for Time Extension – (F-11-071, Property of
Nadu Tuakli Revocable Trust)**

Dear Chief Sheubrooks,

I am requesting a time extension to complete the conditions specified in my approval letter dated May 5, 2011. I have completed all conditions prior to final submission of original plat with the exception of the execution of real estate documents by the lien holder, JP Morgan Chase Bank, N.A.

The original lien holder was Quicken Loans, Inc., however, they transferred the note to JP Morgan Chase Bank, N.A. As a result, the county had to draw up new documents and I have been informed by Chase that this will take 4-6 weeks to complete. As support to my petition I have made copies (7) of their correspondence regarding this matter. Thank you for your consideration and please contact me should you have any questions.

Sincerely,



Nadu Tuakli, MD
Nadu Tuakli Revocable Trust

Chase
Land Transactions (LA4-4557)
780 Kansas Lane
Monroe, LA 71203
(800) 848-9136 Customer Care
(800) 582-0542 TDD
(318) 550-3342 Facsimile



October 17, 2011

DR NADU TUAKLI
13603 GILBRIDE LN
CLARKSVILLE, MD 21029-0000
drtuakli@aol.com

Re: Subdivision
Borrower(s): TUAKLI

Dear DR NADU TUAKLI:

Thank you for your recent inquiry requesting a Subdivision of the mortgaged property.

To consider this request, we will need the following items:

1. A non-refundable processing fee of \$50.00 made payable to Chase, in the form of a money order, cashier's check or certified funds only.
2. Two surveys; the original survey showing the house and setback lines along with property access, and a survey showing the proposed area of subdivision (Mylar).
3. A legal description of each of the subdivided parcels after the proposed division.
4. A copy of the letter of approval and its conditions from the jurisdictional planning or building commission.
5. A letter explaining the details of this transaction and the reason for the request.
6. Any document required to be executed by the lender in order to indicate consent (ie. Deed of Resubdivision).
7. Completed and signed Authorization to furnish and release information by the borrower(s) if a third party is involved.

If you have previously submitted one or more of the above items, you must submit the remaining items before processing will begin.

When we receive the items listed above we will review the information and submit the documentation to the investor. In any event, Chase will not incur any expense related to your providing the documents described above. Please allow 4 to 6 weeks for processing.

Please be aware that the subdivision of your property in no way constitutes a release of your property from the mortgage. Chase's lien will remain on the entire subdivided property.

If you should decide not to pursue this matter and/or if Chase does not receive all of the required items listed above within ninety days (90) from the date of this letter, Chase will close this request. If you need more time to obtain the items listed above, please feel free to contact us and we will continue to keep your request open for an additional forty five (45) days.

Sincerely,

Pam Cowart
318-699-4106
Land Transactions

Enclosure

(Detach Here)

Please return this portion with your documentation

Tuakli, N
Loan #5089
LA4-4557

PC

RECEIVED
SANDHILL COUNTY HEALTH DEPT
2011 NO-2 PM 1:11

Nadu Tuakli, MD
13603 Gilbride Lane
Clarksville, MD 21029
drtuakli@aol.com

October 25, 2011

Ms. Pam Cowart, Chase Land Transactions
780 Kansas Lane
Monroe, LA 71203

RE: Subdivision of mortgaged property – 13170 Triadelphia Mill Rd, Clarksville, MD 21029

Dear Ms. Cowart,

I am requesting that the current lien holder JP Morgan Chase Bank, N.A. (Chase), agree to approve a subdivision of the property 13170 Triadelphia Mill Rd, Clarksville, MD 21029. I am subdividing the property from one lot to two. The purpose of the subdivision is to have an additional lot available for future family members. This is not a commercial venture nor do I have any plans to develop the additional lot.

I have received a conditional approval from Howard County Department of Planning and Zoning and have completed all conditions requested. I am at the final phase which is to sign documents and submit the final plat survey of the subdivision.

I understand that Chase's lien will remain on the entire subdivided property. I am submitting the requested information for your review. Please contact me should you have any additional questions. Thank you.

Sincerely,

Nadu Tuakli, MD