

Howard County
maryland

Interactive Map

Map Layers Map Legend Search

All Layers

Base Maps & Aerial Photos

Annotation Layers

HoCo Base Map Layers

- ☐ Contours 2004
- ☐ County Boundary
- ☐ Stream Centerline Buffer 75ft
- ☐ Building Permits (New)
- ☐ Scanned PDF Drawings Intern.
- ☒ Address Points
- ☐ Street Centerline
- ☐ Metro Property
- ☐ Property Boundaries

Additional Layers

Sewer Infrastructure

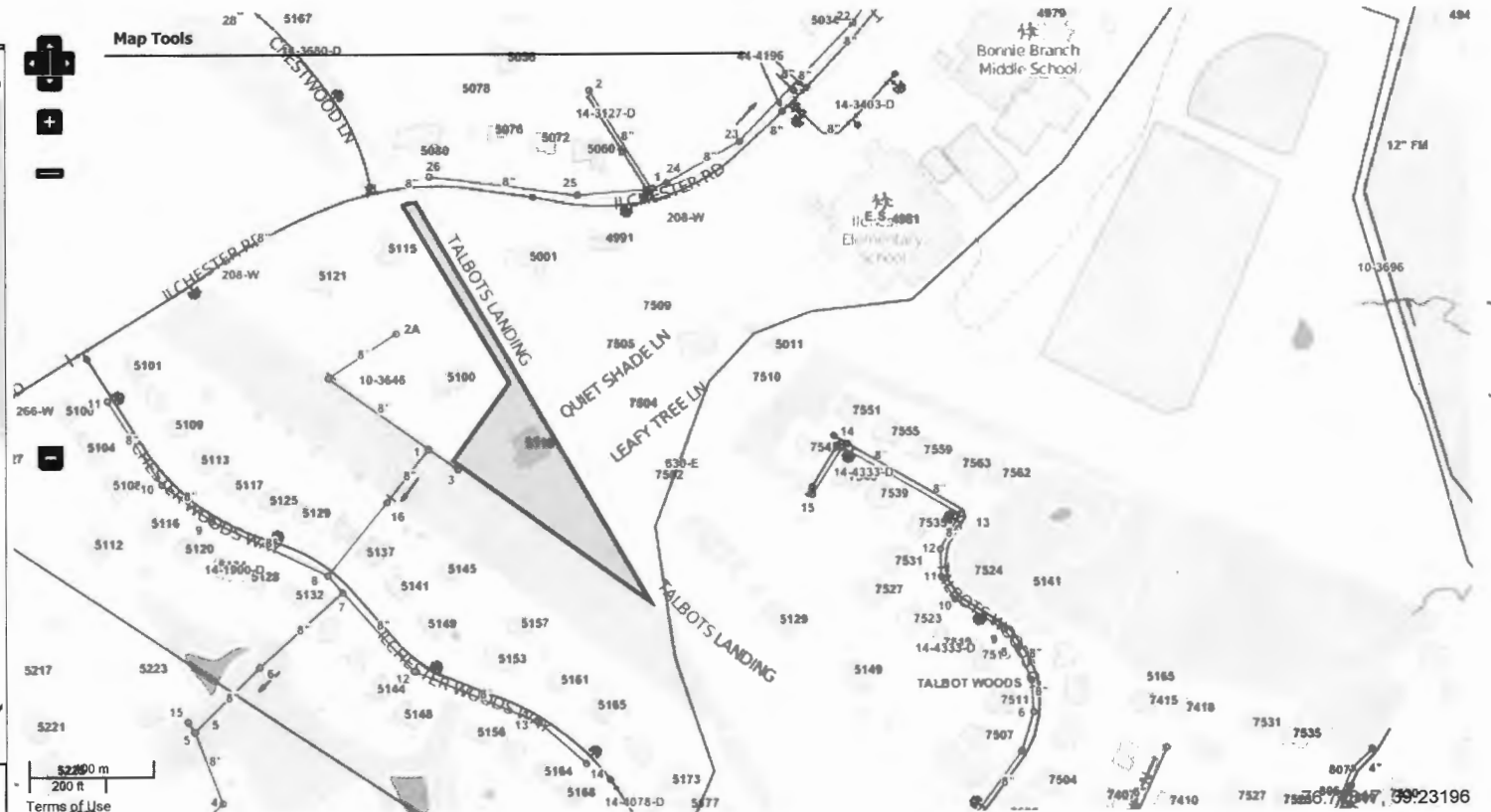
Water Infrastructure

Study Areas

Layer Overlays

- ☐ Floodplain - Draft - Small Trib
- ☐ Floodplain
- ☐ Floodplain - Historic
- ☐ Historic Districts
- ☐ Zoning
- ☐ Land Use
- ☒ Water/Sewer Labels
- ☒ Sewer Infrastructure

Terms of Use



12/11/15 - Per utilities, property connected
to public utilities on march 2, 1987.

H.O.

Howard County Department of Planning and Zoning
Division of Land Development
WAIVER PETITION APPLICATION
[Waiver from Subdivision and Land Development Regulations]

Date Submitted/Accepted _____ DPZ File Number _____

I. **Site Description**

Subdivision Name/Property Identification: WRIGHT PROPERTY (AS 5 AND 6

Location of property: 5710 TALBOT LANDING
(Street Address and/or Road Name)

RESIDENTIAL
(Existing Use)

RESIDENTIAL
(Proposed Use)

31
(Tax Map No.)

15
(Grid/Block No.)

545
(Parcel No.)

15
(Election District)

3-20
(Zoning District)

1.52 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.)

F-15-002

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.

<u>Section Reference No.</u>	<u>Summary of Regulation</u>
1. <u>16.132</u>	<u>3rd Improvements</u>
2. <u>16.134</u>	<u>Side Walks</u>
3. <u>16.135</u>	<u>STREET LIGHTING</u>
4. <u>16.136</u>	<u>STREET TREES</u>
5. <u>16.120 (b)(4)</u>	<u>LOT DESIGN</u>

III. Justification - Wright Property Lots 5 and 6. F-15-002

The currently proposed subdivision is a re-subdivision of Wright Property Lot 3 which was recorded as Plat #5410. At the time this plat was recorded, Talbots Landing was not a public road but was privately owned property. Wright Property Lot 3 is actually a pipe stem lot with access to Ilchester Road. Subsequently, Talbots Landing became a public road and the existing house on Lot 3 currently derives its access from Talbots Landing which is a "local" road. The Talbots Landing right-of-way was created by Howard County for the benefit of other properties which did not have appropriate access to a public road. The south side of the Talbot's Landing right-of-way was created concurrent with the Lot 3 pipe stem property line creating a disproportionately long public road frontage for existing Lot 3. The re-subdivision of Lot 3 to create an additional buildable lot increases the total number of lots for this subdivision to five which is then defined as a major subdivision (Howard County Regulations). Major subdivisions are subject to certain public improvements (minor subdivisions would be exempt). These potential improvements include road improvements, sidewalks, street lighting and street trees.

Specifically, it does not appear that recent major subdivisions along Talbots Landing have provided sidewalks, street lighting or street trees along Talbots Landing.

Section 16.132 (Road Improvements)

In conjunction with the current re-subdivision we would propose that the owner/developer pay a fee-in-lieu of concrete curb and gutter corresponding to the proposed Lot 6 road frontage (363 feet). As discussed above, the Talbots Landing road frontage for the current lot configuration is disproportionately long and was created by Howard County for the benefit of others. It would also be a financial hardship if the owner was required to pay additional fee-in-lieu of curb and gutter construction.

Section 16.134 (Sidewalk)

There are currently no sidewalks located along Talbots Landing. All of the major subdivisions are located along the northeast side of Talbots Landing but these projects have not provided sidewalks. Section 16.134 stipulates that sidewalk should be provided on one side of the local road. In this case, the sidewalk would be the requirement of those major subdivisions located on the opposite side of Talbot's Landing from the proposed project. Therefore, on behalf of the owner, we are requesting a waiver to sidewalk construction and fee-in-lieu of construction cost.

Section 16.135 (Street Lighting)

There is no street lighting provided along Talbots Landing and has not been provided in conjunction with other projects. Therefore, we are requesting a waiver to providing street lights.

Section 16.136 (Street Trees)

As discussed above, Talbots Landing has recently become a public road. As a result of that process, the Wright Property Lot 3 was subjected to a significant public road frontage. Since the existing and proposed houses will directly access Talbots Landing, the existing woods and individual trees located adjacent to the public road frontage will remain. These trees currently serve as the Talbots Landing streetscape. It would be a significant financial burden to require the owner/developer to install street trees or pay a fee-in-lieu. The existing trees, which will remain, function as street trees.

Section 16.120(b)(4)

The purpose of requesting a waiver of this section is to create a fee-simple strip in order to access the existing public sewer. As a result of a prior meeting with the Bureau of Engineering, Utility Design Division, it was determined that there is no longer a need for the existing public sewer easement or a public sewer extension up to Talbots Landing and therefore, a direct sewer house connection from proposed Lot 6 to the existing public sewer main is acceptable. The 10' wide strip will accommodate the proposed sewer house connection. If this waiver were not granted the petitioner would be required to extend the offsite public sewer which would be costly and time consuming. There is no longer a benefit to extend the public sewer within the existing easement other than to serve the proposed Lot 6.

Due to the conversion of Talbots Landing to a public road, Wright Property Lot 3 was subject to a disproportionately long public road frontage (1,005 feet). Existing Lot 3 could have been re-subdivided utilizing the original pipe stem with direct access to Ilchester Road prior to the conversion of Talbots Landing. It would be extraordinary hardship to subject the proposed re-subdivision to either construction or a fee-in-lieu of construction for over 1,000 feet of road improvements, sidewalks, street trees and light poles. The costs or fees exceed any financial benefit of creating the lot. The petitioners had planned on re-subdividing their property as part of their retirement planning.

The petitioner has proposed a fee-in-lieu of construction for curb and gutter along the frontage of the proposed lot. As previously discussed there is no sidewalk along Talbots Landing and all of the major subdivision development has occurred on the northeast side of Talbots Landing. The regulations require sidewalk on one side of a local road. The existing trees located within the pipe stem and Talbots Landing frontage will remain which serve as street trees.

The approval of this waiver is not detrimental to the public and does not nullify the intent of the regulations. The existing Talbots Landing streetscape will remain the same as it currently exists.

III. *Justification*

All waiver 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 waiver will not be detrimental to the public interests.
- d. Confirm that approval of the waiver will not nullify the intent of the Regulations.

PLEASE ATTACH A SEPARATE LETTER OF JUSTIFICATION TO SUPPORT THE WAIVER 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 waivers 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].**
- b. **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. **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. **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 (**15 sets of the completed waiver application and plan exhibit if the subject property adjoins a County road; 19 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 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.**

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,
	<input checked="" type="checkbox"/> NA Not Applicable	<input checked="" type="checkbox"/> Justification Attached

- ✓
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 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.
- ✓ 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.**

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.

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 *

<u>[Signature]</u>	<u>9-23-14</u>	<u>[Signature]</u>	<u>9/30/14</u>
(Signature of Property Owner) (Fee Simple Owner Only)	(Date)	(Signature of Petition Preparer) *	(Date)
<u>ALGIRDAS J. BRASauskas</u>		<u>Robert H. Vogel</u>	<u>Engineer No. 102</u>
(Name of Property Owner)		(Name of Petition Preparer, Surveyor/Engineering or Agent/Developer)	
<u>5110 TALBOT'S LANDING</u>		<u>8407 MAIN ST</u>	
(Address)		Address)	
<u>ELLICOTT CITY, MD 21043</u>		<u>ELLICOTT CITY MD 21083</u>	
(City, State, Zip Code)		(City, State, Zip Code)	
E-Mail <u>ALBRASauskas@VERIZON.NET</u>		E-Mail <u>RVogel@Vogel-Eng.com</u>	
<u>(240) 876-4471</u>		<u>410 461-7666</u>	<u>410 461-8961</u>
(Telephone)	(Fax)	(Telephone)	(Fax)
Contact Person: <u>AL BRASauskas</u>		Contact Person: <u>Robert Vogel</u>	

Howard County Department of Planning and Zoning
Division of Land Development

INITIAL SUBMISSION
WAIVER PETITION WORKSHEET
(For DPZ Use Only)

Project Name _____
DPZ Plan Reviewer _____
Plan Consultant Representative _____

DPZ File No. _____
Submission Date _____
Time _____

I. **Application Requirements**

Indicate Yes, No or N/A

- a. Application is complete _____
b. Required number of plans and applications are provided _____
 _____ Plans (15 sets on County Road or
 _____ Applications 19 sets on State Road)
c. Supplemental Information is provided _____
d. Certification of pre-submission community meeting and summary of community
 comments with dated responses to all meeting attendees within 60 days is provided
 and three week notice given to DPZ and County Council, if applicable _____
e. Certification of pre-submission HDC advisory meeting for new projects in
 Historic District or listed in Historic Sites Inventory _____
f. Photographs of existing structures (for Historic Preservation Review) _____
g. MAA Approval Letter (if applicable) _____
h. Written summary of Route 1 Manual/Route 40 Design Manual compliance (if applic) _____
i. DAP project design recommendation for Route 1/Route 40 projects _____

II. **Fee Computation**

Fee

- Number of waivers requested _____
* Base Fee for first two waiver sections (**\$450**) _____
Fee for each additional waiver section (2 additional waivers x **\$50** each) _____
* (Maximum fee of **\$350** for Agricultural Preservation parcels)

TOTAL

III. **Certification**

Cash Receipt No. _____ Amount _____
SAP Acct 1000000000-3000-3000000000-PWPW000000000000-432530

Check issued by _____

_____ Waiver petition application is accepted for processing.

_____ Scheduled SRC meeting date.

_____ Waiver petition application is rejected.

Reason: _____

_____ Resubmission is accepted. Date _____ Staff initials _____

Comments/Notes _____
