____ *FAST TRACK PLAN*

DataBase No. _____

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
Division of Land Development

DATE: 2/18/05

DPZ File No. LP-05-092

Department of Planning and Zoning

- / Transportation Planning
- / Historic Preservation
- ____ Public Service and Zoning Administration
- / Research
- ____ Address Coordinator
- / Environmental and Community Planning (Ag Pres/Route 1)
- / Development Engineering Division
- ____ Other
- 2 File

Agencies

- / Soil Conservation District
- / Department of Inspections, Licenses & Permits
- / Department of Fire and Rescue Services
- / State Highway Administration
- / Health Department
- / Public School System
- / Recreation and Parks
- ____ WSSC
- ____ 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: Mullin Property 11975 FREDERICK RD

ENCLOSED FOR YOUR → ____ Signature Approval ✓ Review & Comments ____ Files

THE ENCLOSED → ____ Original ✓ **Pre-Packaged Plan Set**

Plans	# of Sheets
____ 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	____
Applications	
14 Waiver Petition Applic/Exhibit	1
____ Planning Board Application	____
____ ASDP/CSDP Application	____
____ DED Application/Checklist	____
____ DED Fee Receipt/Deeds/Cost Estimate	____

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
- ____ Response Letter
- ____ Perc Plat
- ____ Scenic Road Exhibits
- ____ Deeds
- ✓ Photographs
- ____ Retaining Wall Comps/Details
- ____ Poster/Community or HDC Meeting Information
- ____ Route 1 Details/Summary

WAS: ✓ Received ____ Tentatively Approved ____ Recorded

____ Received and Revised ____ Approved On 2/18/05

COMMENTS: Need to establish a 10,000 ø Sewage Disposal Easement on Parker Prop.

SRC/Comments Due By: 3/17/05

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

DPZ STAFF INITIALS JW

Howard County Department of Planning and Zoning
Division of Land Development

WAIVER PETITION APPLICATION

Date Submitted/Accepted _____ **DPZ File Number** WP-05-092

I. ***Site Description***

Subdivision Name/Property Identification: Mullin Property - Lots 1 and 2

Location of property: #11975 Frederick Road
(Street Address and/or Road Name)

Residential
(Existing Use)

Residential
(Proposed Use)

16
(Tax Map No.)

13
(Grid/Block No.)

316
(Parcel No.)

Third
(Election District)

RR-DEO
(Zoning District)

6.577 Acres
(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-04-04, F-04-05

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.	16.120 (b) (4) (iii) (b)	To allow environmental features to be located on a lot/parcel 10 acres or greater in size
2.	16.147	To allow subdivision of a deeded parcel in lieu of a final plat
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 Attachment

IV. ***Pre-Submission Meeting Requirements***

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 is listed in the Historic Sites Inventory in accordance with Section 16.605 of the Howard County Code. The property owner/developer must contact the DPZ, Division of Public Service and Zoning Administration 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.**

b. **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.

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 (**14 sets of the completed waiver application and plan exhibit if the subject property adjoins a County road; 18 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 **14** or **18** 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.

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:	✓	Information Provided	X	Information Not Provided,
	NA	Not Applicable		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, wetland and forested areas, if applicable.
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).
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).
✓ 14. Submit 2 sets of photographs for all existing on-site structures.

N/A 15. **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.

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.**

☐ Owner's authorization attached *

Arnelle Parker 2/17/05

Timothy Parker 2/17/05 — (Signature of Property Owner) (Fee Simple Owner Only) — (Date)

Terrell A. Fisher 2/17/05 — (Signature of Petition Preparer) * — (Date)

Francis J. Mullin Mary L. Mullin

Mr. and Mrs. Francis Mullin	Mr. and Mrs. Timothy Parker	Fisher, Collins & Carter, Inc.
(Name of Property Owner)		(Name of Petition Preparer, Surveyor/Engineer or Agent/Developer)
11975 Frederick Road	11880 Triadelphia Rd.	10272 Baltimore National Pike
(Address)		(Address)
Ellicott City, MD 21042-1043	Ellicott City, MD 21042-1004	Ellicott City, MD 21042
(City, State, Zip Code)		(City, State, Zip Code)
(E-mail)		(E-mail) tfisher@fcc-eng.com
410-531-2580		410-461-2855 410-750-3784
(Telephone)	(Fax)	(Telephone) (Fax)
Contact Person: Mary Mullin		Contact Person: Terry Fisher

Howard County Department of Planning and Zoning
Division of Land Development

INITIAL SUBMISSION
WAIVER PETITION WORKSHEET
(For DPZ Use Only)

Project Name _____ **DPZ File No.** _____
DPZ Plan Reviewer _____ Submission Date _____
Plan Consultant Representative _____ Time _____

I. ***Application Requirements*** ***Indicate Yes, No or N/A***

a. Application is complete . . . . . _____
b. Required number of plans and applications are provided . . . . . _____
___ Plans (14 sets on County Road or
___ Applications 18 sets on State Road)
c. Supplemental Information is provided . . . . . _____
d. Certification of pre-submission HDC advisory meeting for new projects in Historic District or listed in Historic Sites Inventory . . . . . _____
e. Photographs of existing structures (for Historic Preservation Review) . . . . . _____
f. MAA Approval Letter (if applicable) . . . . . _____

_____
_____

II. ***Fee Computation*** **Fee**

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

TOTAL _____

III. ***Certification***

Cash Receipt No. _____ Account #011-005-4201 Amount _____

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 _____
_____

FISHER, COLLINS & CARTER, INC.

CIVIL ENGINEERING CONSULTANTS and LAND SURVEYORS

Terrell A. Fisher, P.E., L.S.
Earl D. Collins, P.E.
Charles J. Crovo, Sr., P.E., L.S.

Paul W. Kriebel, P.E.
Mark L. Robel, P.L.S.
Aldo M. Vitucci, P.E.

ATTACHMENT
TO WAIVER PETITION
MULLIN PROPERTY
LOTS 1 AND 2
(#11975 FREDERICK ROAD)

The proposed Mullin Property subdivision contains approximately 6.217 acres and identifies 2 buildable lots utilizing the non-cluster design offered under the RR-DEO zoning designation. Although the total site is in excess of 6 acres the current regulations require the net lot area excluding pipestem area to be a minimum of 3 acres. The subtraction of the pipestem area reduces the net lot area to be less than 3 acres. The surrounding parcels of land in both recorded subdivisions and deeded parcels contain acreages in excess of 3 acres. The intent of the Mullin Property is to be compatible with the neighborhood but due to the subtraction of pipestem areas this intention requires the Mullin property to acquire 0.36 acres to compensate for this adjustment for pipestem subtraction.

The adjoining property identified as Tax Parcel 301 on Tax Map 16 contains 5.377 acres. The portion of this parcel that adjoins the Mullin Property contains floodplain, wetland, stream and their associated environmental buffers and blends with the wetland, stream and buffers located on the Mullin Property.

This requests asks for a waiver to Section 16.147 to allow the 0.36 acres of Tax Parcel 301 to be adjoined to the Mullin deeded parcel. Presently, the 5.377 acres contained in Tax Parcel 301 is greater than the minimum 3 acres required in the RR-DEO zoned district. The transfer of the 0.36 acres does not diminish or increase the present development potential of Tax Parcel 301. Because the transfer does not adversely effect the neighborhood continuity and does not nullify the intent of the Subdivision Regulations to artificially effect density or development potential for Tax Parcel 301, we feel this waiver is sound and will not be detrimental to public interests.

In addition, this request asks for a waiver to Section 16.120 (b) (4) (iii) (b) to allow environmental features to be located on buildable lots only in excess of 10 acres.

It is our opinion that locating environmental features, i.e. floodplain, wetland, stream and their buffers on the 2 non-cluster lots in the Mullin Property subdivision will not adversely effect the intent of the regulations. Both of the proposed house sites and their associated amenities are located an adequate horizontal distance and vertical elevation from these environmental features. An alternative to this lot design offered on the Mullin Property would be to offer a cluster 2 lot subdivision and place the environmental features on a non-buildable preservation parcel. Because there are only 2 lots proposed in the Mullin Property subdivision the maintenance of the non-buildable preservation parcel may fall short of continuing attention, trash removal and fall into disrepair. We feel that both the Mullin subdivision and neighboring properties would be best served if the ownership of the environmental features are located on the lots; each owner

CENTENNIAL SQUARE OFFICE PARK • 10272 BALTIMORE NATIONAL PIKE • ELLICOTT CITY, MARYLAND 21042 • PHONE (410) 461-2855 FAX (410) 750-3784

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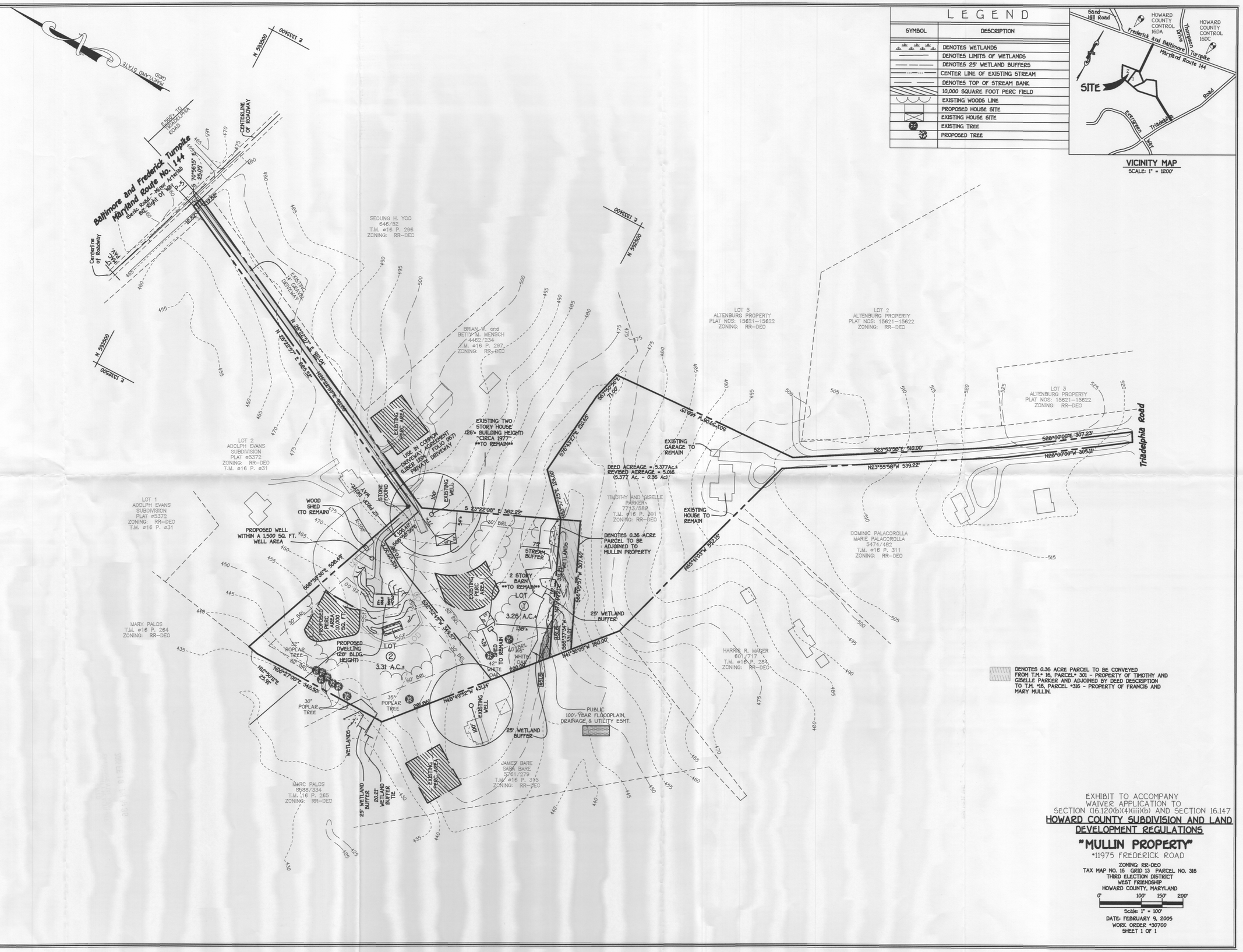
will be more compelled and certainly responsible for the continuing quality of the environmental area and protection of the environment.

WO #30700



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