



Bureau of Environmental Health

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Maura J. Rossman, M.D., Health Officer

MEMORANDUM

TO: Cindy Hamilton
Division of Zoning Administration and Public Service

FROM: Jeff Williams *JW*
Program Supervisor, Well & Septic Program
Bureau of Environmental Health

RE: **BA-13-040C**

DATE: March 4, 2014

The Health Department has reviewed the above referenced petition and has the following comment:

The proposed/existing parking pad and garage are located on the sewage disposal area for the property. The Health Department will require a revised perc certification plan to be submitted and approved to relocate the sewage disposal area.

JRL

Department of Planning and Zoning
Howard County, Maryland
Recommendations/Comments

Date: January 27, 2014

Hearing Examiner 3/31/14

Planning Board _____ Board of Appeals _____ Zoning Board _____

Petition No. BA 13-040C Map No. _____ Block _____ Parcel _____ Lot _____

Petitioner: Francis Stanley

Petitioner's Address: _____

Address of Property: _____

Return Comments by March 3, 2014 to Public Service and Zoning Administration

Owner: (if other than applicant) _____

Owner's Address: _____

Petition: SEE APPLICATION

To:

- _____ MD Department of Education – Office of Child Care
- _____ 3300 N. Ridge Road, Ste. 190, EC, MD 21043 (Louis Valenti)
- ✓ _____ Bureau of Environmental Health
- _____ Development Engineering Division
- _____ Department of Inspections, Licenses and Permits
- _____ Department of Recreation and Parks
- _____ Department of Fire and Rescue Services
- _____ State Highway Administration
- _____ Sgt. Karen Shinham, Howard County Police Dept.
- _____ James Irvin, Department of Public Works
- _____ Office on Aging, Terri Hansen (senior assisted living)
- _____ Police Dept., Animal Control, Deborah Baracco, (kennels)
- _____ Susan Fitzpatrick, Health Dept. (Nursing & Res. Care)
- _____ Land Development - (Religious Facility & Age-Restricted Adult Housing)
- _____ Housing and Community Development
- _____ Economic Development
- _____ Route 1 Cases – DCCP – Dace Blaumanis
- _____ Telecommunication Towers – Josh Levy (Comm. Dept.)

COMMENTS:

See Memo



SIGNATURE



DEC 19 2013

For DPZ Office use only:

BA CASE NO. BA 13-0405

Date Submitted 12/19/13

CONDITIONAL USE PETITION
TO THE HOWARD COUNTY HEARING AUTHORITY

(This application will only be accepted after a pre-submission meeting. See attached info.)

1. Conditional Use Request

Conditional Use Category Home Based Contractor

Section 131.N.

Specific Use Requested Operation asphalt paving company

2. Name of Petitioner FRANCIS STANLEY

Trading as (If applicable)

Mailing Address 12720 Triadelphia Rd Ellicott City 21042

Phone Number(s) 301-343-9234

E-Mail Address stanley12720@verizon.net

Name of Principal Contact (If different)

3. Counsel for Petitioner

Mailing Address

Phone Number(s)

E-Mail Address

4. Conditional Use Site Description

Address/Street for Property 12720 Triadelphia Rd

Tax Map 22 Grid/Block 4 Parcel 199 Lot Par I

Department of Assessments and Taxation Account No. 289036

Total Land Area of Property (3.66 Acres) (159,429 Square Feet) Check one.

Election District 03 Zoning of Property RR

Subdivision Name and Plat No. (If Applicable)

Total Land Area of Use (If different than above) 98' x 63' (Acres) (5,950 Square Feet)

Appr.

5. **Petitioner's Interest in Subject Property**

OWNER (Including joint ownership)

OTHER (Described and give name and address of owner)

Name of Owner Francis Stanley

Mailing Address 12720 Triadelphia Rd Ellicott City MD 21042

If the Petitioner is not the owner, written authorization for this petition from the owner must be submitted.

6. **Conditional Use Plan Requirements**

If the petition is approved, the conditional use plan will be made a part of the Hearing Examiner's Decision and Order, subject to modifications and conditions required by the Hearing Examiner.

The conditional use plan must be drawn to scale and must include the items listed below:

- (a) Courses and distances of outline boundary lines and the size of the property
- (b) North arrow
- (c) Zoning of subject property and adjoining properties
- (d) Scale of plan
- (e) Existing and proposed uses, structures, natural features and landscaping
- (f) Location and surface material of existing and proposed parking spaces, driveways, and points of access; number of existing and proposed parking spaces
- (g) Same as (e) and (f) above, of adjoining properties
- (h) Location of existing and/or proposed well and private septic easement area, if property is to be served by private water and septic facilities
- (i) Election District in which the subject property is located
- (j) Tax Map and Parcel Number(s) of the subject property
- (k) Name of local community in which the subject property is located or name of nearby community
- (l) Name, mailing address, telephone number (and e-mail address, if any) of the Petitioner
- (m) Name, mailing address, telephone number (and e-mail address, if any) of Counsel
- (n) Name, mailing address, telephone number of property owner
- (o) Floor area and height of structures, setback distances from property lines, and other numerical values necessary for the examination of the petition
- (p) Location of subject property in relation, by approximate dimension, to the center line of nearest intersection of two public roads
- (q) Ownership of abutting roads, right-of-way width, and existing pavement width
- (r) Any other information as may be necessary for full and proper consideration of the petition

7. **Additional Information Requirements**

- a. Information regarding noise, dust, fumes, odors, lighting, vibrations, hazards or other physical conditions resulting from the use.
- b. Supporting documentation, such as traffic studies, market studies, and noise studies as may be required by the Department of Planning and Zoning or by the Zoning Regulations.
- c. For expansions and enlargements, previous case number(s) and information regarding compliance with previous requirements and conditions.

8. **Summary of Request**

The following items should be answered by summary statements. If additional space is needed, please attach a Supplement to this petition.

- a. The present use of the subject property to house asphalt roller, paver, bobcat, trailer & appr. 2 comm. vehicles
- b. Details of the proposed use, including, **where applicable:** types of indoor and outdoor activities; hours of operation; number of employees, occupants, and/or customers; quantity and types of vehicles or equipment used; outdoor lighting to be used; quantities and capacities of materials stored; etc. No outdoor activities other than entering and exiting area. Company consists of one (1) employee and hours appr. 7:30 a.m. - 6:00 p.m. Entering/Exiting appr. 2 times daily. No customers come or go. Appr. 1 commercial vehicle and/or trailer used on daily basis.
- c. Any additional information which will be useful in the evaluation of whether the conditional use complies with the specific criteria for the conditional use category within Section 131.N. Material & accessories to be stored in enclosed garage. Site is at ~~the~~ compliant with distance from boundary/property lines. Site is also mostly surrounded by trees & shrubs blocking most view from all surrounding neighbors.
- d. Will the conditional use generate any physical conditions such as noise, dust, fumes, odors, lighting, or vibrations which would be discernible from abutting and vicinal properties? There will be no physical conditions to adjoining properties other than entering & exiting driveway appr. (2) a day.

9. Prior Petitions

Has any petition for the same, or substantially the same, conditional use as noted above for the subject property been denied by the Hearing Examiner within twenty four (24) months of the date of this petition?

Yes

No

If yes, and six (6) months have elapsed since the last hearing, an affidavit must be attached which states the new and different grounds on which this re-submittal is based.

10. Additional Materials, Fees, Posting and Advertising Requirements

a. Supplemental pages may be attached to the petition. You must submit one original petition with original signatures, and one original of any other signed documents. The following number of sets including petitions, plans and supplemental pages must be submitted:

- *If the subject property adjoins a State road- original and 20 copies (application & plans)*
- *If the subject property adjoins a County road- original and 18 copies (application & plans)*

b. The Petitioner signing below hereby agrees to furnish such additional plats, plans, reports or other material as may be required by the Department of Planning and Zoning and/or the Hearing Examiner in connection with this petition.

c. The Petitioner hereby agrees to pay all costs in accordance with the current schedule of fees.

d. The Petitioner hereby agrees to properly post the property at least thirty (30) days immediately prior to the Hearing Examiner public hearing; to maintain the public notice posters until the public hearing is concluded; and to submit an affidavit of posting at, or before the time of the initial public hearing. The Petitioner also hereby agrees to advertise the public hearing by means of legal notices as prepared and approved by the Department of Planning and Zoning to be published one (1) time in at least two (2) newspapers of general circulation in Howard County, at least thirty (30) days prior to the Hearing Examiner public hearing, and to pay for such advertising costs; and agrees to submit two (2) approved certificates of the text and publication date(s) of the advertisement at or before the time of the hearing.

11. Signatures

The Petitioner hereby affirms that he/she has read the instructions on this form, filing herewith all of the required accompanying information, and affirms that all of the statements and information contained in, or filed with, this petition are true and correct.

Francis B. Stanley 8-17-13
Signature of Petitioner Date

Francis Stanley
Print Name of Petitioner

Lorrie Stanley 8-19-13
Signature of Petitioner Date

Lorrie Stanley
Print Name of Petitioner

Signature of Attorney Date

Print Name of Attorney

12. General Standards for Conditional Uses

All requests for conditional uses must meet the following general standards set forth in Section 131.B. of the Zoning Regulations for approval:

1. The proposed conditional use plan will be in harmony with the land uses and policies indicated in the Howard County General plan for the district in which it is located. In Evaluating the plan under this standard, the Hearing Examiner shall consider:
 - a. The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site; and
 - b. If a conditional use is combined with other conditional uses or permitted uses on a site, the overall intensity and scale of uses on the site is appropriate given the adequacy of proposed buffers and setbacks.
2. The proposed use at the proposed location will not have adverse effects on vicinal properties above and beyond those ordinarily associated with such uses. In evaluating the plan under this standard, the Hearing Examiner shall consider whether:
 - a. The impact of adverse effects such as noise, dust, fumes, odors, lighting, vibrations, hazards or other physical conditions will be greater at the subject site than it would generally elsewhere in the zone or applicable other zones.
 - b. The location, nature and height of structures, walls and fences, and the nature and extent of the landscaping on the site are such that the use will not hinder or discourage the development and use of adjacent land and structures more at the subject site than it would generally in the zone or applicable other zones.
 - c. Parking areas will be of adequate size for the particular use. Parking areas, loading areas, driveways and refuse areas will be properly located and screened from public roads and residential uses to minimize adverse impacts o adjacent properties.
 - d. The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.

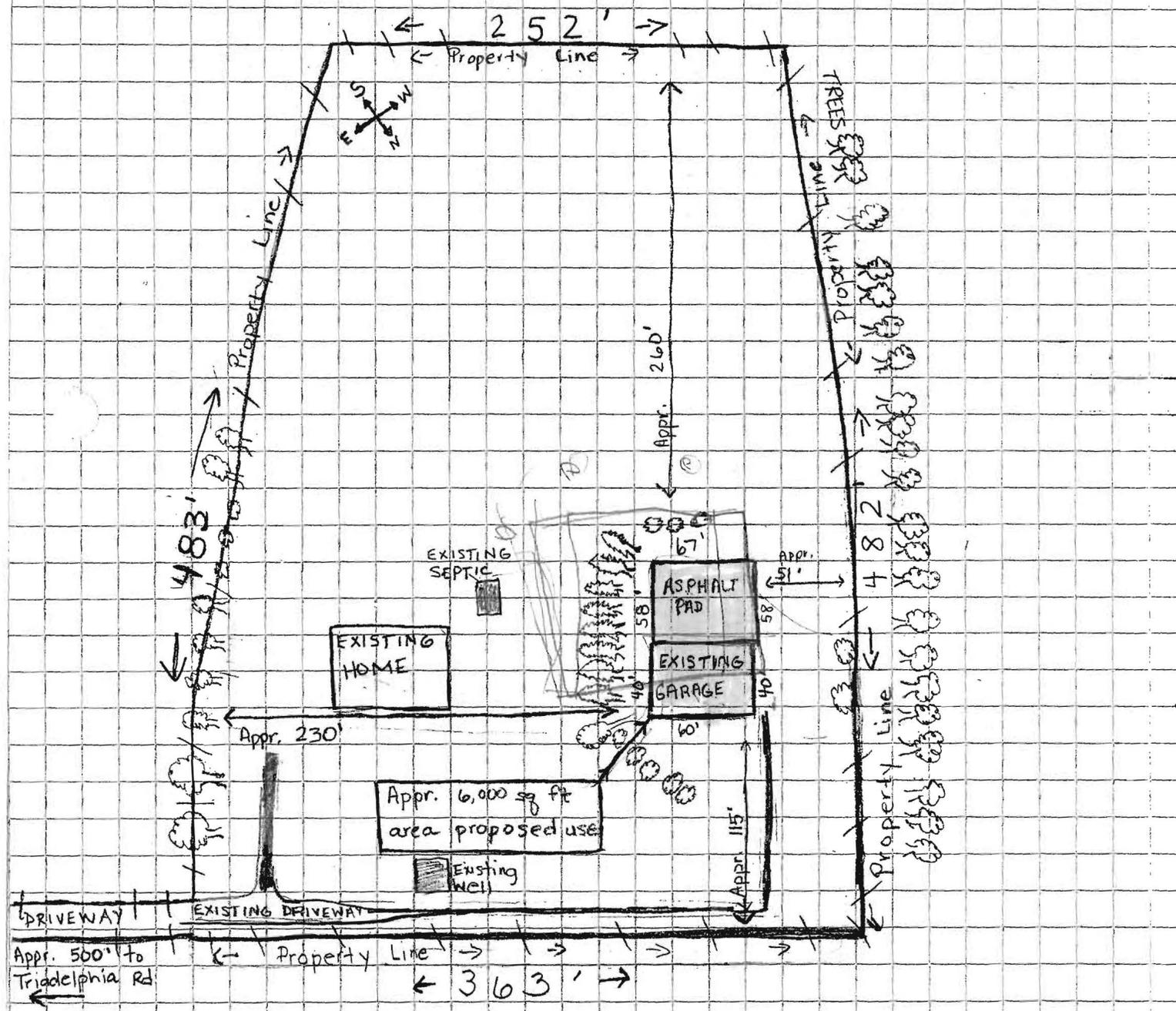
In addition to the specific requirements of the appropriate subsection within Section 131.N of the Zoning Regulations, conditional uses within residential developments in the R-ED, R-SC, R-SA-8, R-A-15, R-MH or R-VH districts are subject to the standards enumerated in Section 131.C.

12720 TRIADELPHIA RD
ELLCOTT CITY 21042

FRANCIS STANLEY
410-531-8477

TOTAL PROPERTY 3.66 ACRES

TAX MAP - 22
PARCEL - 199
ELECTION DISTRICT - 03
ZONING - RR



- = Appr. 20'
- ▭ = Proposed Area
- 🌳 = TREES
- 🌿 = SHRUBS
- ⚡ = Property Line