

AMERICAN HOME TITLE GROUP, INC.

LIBER 8425 FOLIO 44

File No. EC-07967-04DAS

Tax ID # 04 04-325699 (EACH PARCEL TRANSFER TO OBTAIN A SEPARATE TAX ACCOUNT NUMBER FOR EACH PARCEL)

HC 0472

**This Deed**, made this 21st day of May, 2004, by and between

ESTATE OF ALVIN MAIN POOLE, CARROLL COUNTY NO. 242207, party of the first part, Grantor; and

MAIN STREET BUILDERS, INC., party of the second part, Grantee.

6/18/04

- Witnesseth -

6

That for and in consideration of the sum of One Hundred Eighty Thousand And 00/100 Dollars (\$180,000.00), which includes the amount of any outstanding Mortgage or Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantor does grant and convey to the said MAIN STREET BUILDERS, INC., in fee simple, all that lot of ground situate in the County of HOWARD, State of Maryland and described as follows, that is to say:

PARCEL ONE: 22-1/2 SQ. PERCHES - LIBER 202, FOLIO 535

All that parcel of land called "Windsor Forest", or whatever the same may be called, which is contained within the following metes and bounds, courses and distances, to wit: BEGINNING in the center of the Mount Airy and Montgomery public road and running North thirteen degrees West nine perches; then South sixty-three degrees West four perches; South thirty-six degrees East nine perches; then North twenty-four degrees East one perch to the beginning in said road; containing twenty-two and one-half square perches of land, more or less.

20  
20  
900.00  
1800.00  
900.00  
AMM

Being the same property described in a Deed dated January 31, 1948 and recorded among the Land Records of Howard County, Maryland at Liber 202, folio 535, from Roby H. Mullinix and Ruth E. Mullinix, his wife, and Everett W. Mullinix and Dorothy J. Mullinix, his wife, to Alvin A. Poole and Mary K. Poole, his wife.

PARCEL TWO: 2,622 SQ. FEET - LIBER 250, FOLIO 68

BEGINNING for the same at a point in the center of said Parrsville Road and at the end of the third line of the secondly described of those pieces or parcels of ground which by deed dated November 21, 1901, and recorded among said Land Records in Liber J.H.O. No 74, folio 487, etc., were granted and conveyed by Alonso L. Gosnell to Zachariah Mullinix and running thence with two new lines of division now made, the first of which crosses an iron pipe driven in the ground at a point 14.85 feet from the beginning thereof (1) North 39 degrees 10 minutes West 149 feet to an iron pipe now set in the ground (2) North 33 degrees 35 minutes East 115.80 feet to an iron pipe now set in the ground at a point 51.40 feet distant from the beginning of the eight line of that piece or parcel of ground which by deed dated September 4, 1884, and recorded among said Land Records in Liber L.J.W. No. 48, folio 273, etc., was granted and conveyed by Jonathon Mullinix to Zachariah Mullinix, thence running reversely with a part of said last named line and to its origin as now surveyed (3) South 10 degrees 37 minutes East 51.40 feet to the end of the first line of that piece

or parcel of ground which by deed dated January 31, 1948, and recorded among said Land Records in Liber M.W.B. No. 202, folio 535, etc., was granted and conveyed by Roby W. Mullinix, et. al., to the said Alvin M. Poole and Mary K. Poole, his wife, thence running with and binding on the second and third lines of said last named land (4) South 58 degrees 33 minutes West 78.91 feet to an iron pipe now set in the ground and (5) South 36 degrees 00 minutes East 148.50 feet to the place of beginning, containing 2,622 square feet of land, more or less.

Being the same property described in a Deed dated October 27, 1953 and recorded among the Land Records of Howard County, Maryland at Liber 250, folio 68, from Ada Elisabeth Flynn and William Flynn, Sr., her husband to Alvin H. Poole and Mary K. Poole, his wife.

PARCEL THREE: 1.490 ACRES – LIBER 315, FOLIO 458

BEGINNING for the same at an iron pipe now set in the tenth line of the lands which, by deed dated May 22, 1937, and recorded among the Land Records of Howard County in Liber B.M.Jr. No. 157, folio 88, etc., was granted and conveyed by William Buxton and wife to Leslie N. Kelley, and is more particularly described in a deed dated April 1, 1931, and recorded among the aforesaid Land Records in Liber B.M. Jr. No. 141, folio 22, etc., by Ida M. Penn to William Buxton and wife, and running with a part of said tenth line to the end thereof, as now surveyed, (1) South ten degrees thirty-seven minutes east five hundred nineteen and sixty one-hundredth feet (S 10° 37' E 519.60') to a point in the center of the Parrsville Road; thence running with a part of the eleventh line of the said land and with the said road, (2) North twenty-four degrees thirty minutes east four hundred forty-one and fifty-four one-hundredths feet (N 24°30' E 441.54'); thence leaving the said road and running with the third line of the land which, by deed dated January 21, 1933, and recorded among the aforesaid Land Records in Liber B.M.Jr. No. 147, folio 69, etc., was granted and conveyed by William Buxton and wife to Samuel E. Mullinix, and a straight line prolongation at each end of said line, (3) North sixty-eight degrees four minutes west two hundred ninety-four and twenty-five one-hundredths feet (N 68° 04' W 294.25') to the place of beginning, containing one and four hundred ninety one-thousandths (1.490) acres of land, more or less.

Being the same property described in a Deed dated June 20, 1958 and recorded among the Land Records of Howard County, Maryland at Liber 315, folio 458, from John J. Defina and Mary Defina, his wife, to Alvin Poole (a/k/a Alvin M. Poole) and Mary Poole (a/k/a Mary K. Poole), his wife.

The said Mary K. Poole having since departed this life on or about September 13, 2002, thereby vesting title in her husband, Alvin M. Poole. The said Alvin M. Poole having since departed this life on or about October 12, 2003. See Estate No. 24207 filed in the Register of Wills for Carroll County, Maryland appointing Anne Theresa Bly as Personal Representative for the Estate of Alvin Main Poole.

SUBJECT TO COVENANTS, RESTRICTIONS AND EASEMENTS OF RECORD.

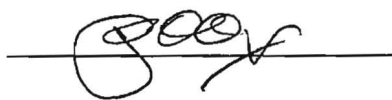
**T**ogether with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

**T**o Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said MAIN STREET BUILDERS, INC., in fee simple.

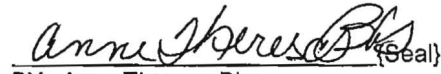
**A**nd the said party of the first part hereby covenants that it has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that it will warrant specially the property hereby granted; and that it will execute such further assurances of the same as may be requisite.

**A**s Witness the hand and seal of said Grantor, the day and year first above written.

WITNESS:



ESTATE OF ALVIN MAN POOLE

 (Seal)

BY: Anne Theresa Bly,  
Personal Representative

STATE OF MARYLAND, COUNTY OF Howard, to wit:

I hereby certify that on this 21st day of May, 2004, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared ANNE THERESA BLY, PERSONAL REPRESENTATIVE FOR THE ESTATE OF ALVIN MAIN POOLE, FILED AMONG THE REGISTER OF WILLS FOR CARROLL COUNTY AT ESTATE NO. 242207, the Grantor herein, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

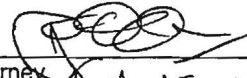
  
Notary Public

My commission



Jack R. Cooper, Notary Public  
Baltimore County  
State of Maryland  
My Commission Expires April 1, 2008

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

  
Attorney JAMES COOPER

AFTER RECORDING, PLEASE RETURN TO:  
**AMERICAN HOME TITLE GROUP, INC.**  
3454 ELLICOTT CENTER DRIVE  
SUITE 101  
ELLICOTT CITY, MD 21043

*Michael T. Robinson - Deed  
July 29-1958*

115 x 405

*NO CONSIDERATION*  
FEES SIMPLE DEED

**This Deed**, Made this 20th day of June

in the year one thousand nine hundred and fifty-eight, between John J. Defina and Mary Defina, his wife,

of Howard County, In the State of Maryland, of the first part,  
and Alvin Poole and Mary Poole, his wife, of Howard County,  
of the second part.

Witnesseth, That in consideration of the sum of Five Dollars, and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said parties of the first part

do grant and convey unto the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, his or her

heirs and assigns, in fee simple, all that lot of ground situate, lying and being in Howard County, State of Maryland, ~~now known as No.~~ in the Fourth District, and described as follows, that is to say:

BEGINNING for the same at an iron pipe now set in the tenth line of the lands which, by deed dated May 22, 1937, and recorded among the Land Records of Howard County in Liber B.H.Jr. No. 157, folio 88, etc., was granted and conveyed by William Buxton and wife to Leslie N. Kelley, and is more particularly described in a deed dated April 1, 1931, and recorded among the aforesaid Land Records in Liber B.H.Jr. No. 141, folio 22, etc., by Ida M. Penn to William Buxton and wife, and running with a part of the said tenth line to the end thereof, as now surveyed, (1) South ten degrees thirty-seven minutes east five hundred nineteen and sixty one-hundredths feet (S 10° 37' 11.60") to a point in the center of the Parrsville Road; thence running with a part of the eleventh line of the said land and with the said road, (2) North twenty-four degrees thirty minutes east four hundred forty-one and fifty-four one-hundredths feet (N 24° 30' E 441.54"); thence leaving the said road and running with the third line of the land which, by deed dated January 21, 1933, and recorded among the aforesaid Land Records in Liber B.H.Jr. No. 147, folio 69, etc., was granted and conveyed by William Buxton and wife to Samuel E. Hillinix, and a straight line prolongation at each end of said line, (3) North sixty-eight degrees four minutes west two hundred ninety-four and twenty-five one-hundredths feet (N 68° 04' W 294.25') to the place of beginning, containing one and four hundred ninety one-thousandths (1.490) acres of land, more or less.

315-459

BEING the same lot of ground which, by deed dated October 13, 1953, and recorded among the Land Records aforesaid in Liber M.W.B. No. 251, folio 242, was granted and conveyed by Leslie H. Kelley and wife to the herein named Grantors.

Together, with the buildings and improvements thereupon erected, made or being; and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in anywise appertaining.

We have and to hold, the lot of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, his or her heirs and assigns, forever, in fee simple.

And the said grantors hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property hereby granted; and that they will execute such further assurances of the same as may be requisite.

Witness the hands and seals of said grantors.

TEST:

*Jerome C. Neuman*  
Jerome C. Neuman

*John J. Dofina* (SEAL)  
John J. Dofina  
*Mary Dofina* (SEAL)  
Mary Dofina

PREPARED WITHOUT  
TITLE EXAMINATION

KOHLERMAN & DUNLAP, ATTYS.

State of Maryland, Baltimore City, to wit:

I hereby certify, that on this 20th day of June in the year one thousand nine hundred and fifty-eight, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared John J. Dofina and Mary Dofina, his wife, known to me to be the herein named Grantors,

and they acknowledged the foregoing deed to be their act.

As witness my hand and Notarial Seal

(NOTARY SEAL)

*Jerome C. Neuman*  
Jerome C. Neuman  
Notary Public.  
My commission expires May 4, 1959

Received for record June 26-1958 at 5-11  
o. o. c. p. by me, recorded and examined per  
Roby H. Mullinix, Clerk.

250 68

*W.M. to Alvin M. 11-20-53 at 3 Talbot, Talbot*



THIS DEED, Made this 27th day of October, 1953, by Ada Elizabeth Flynn and William Flynn, Sr., her husband, parties of the first part, Grantors, and Alvin M. Poole and Mary K. Poole, his wife, parties of the second part, Grantees, all of Howard County in the State of Maryland.

WITNESSETH that in consideration of the sum of Five (\$5.00) Dollars and other good and valuable considerations, the receipt of which is hereby acknowledged, the said Ada Elizabeth Flynn and William Flynn, Sr., her husband, do hereby grant and convey unto the said Alvin M. Poole and Mary K. Poole, his wife, as tenants by the entireties, forever, in fee simple, all that piece or parcel of ground situate and lying on the West side of the Parrsville Road in the Fourth Election District of Howard County, Maryland, which according to a survey made by William E. Talbot, Registered Land Surveyor, on September 16, 1953, is more particularly described as follows, that is to say:

BEGINNING for the same at a point in the center of said Parrsville Road and at the end of the third line of the secondly described of those pieces or parcels of ground which by deed dated November 21, 1901, and recorded among said Land Records in Liber J.H.O. No. 74, folio 487, etc., were granted and conveyed by Alonzo L. Gosnell to Zachariah Mullinix and running thence with two new lines of division now made, the first of which crosses an iron pipe driven in the ground at a point 14.85 feet from the beginning thereof (1) North 39 degrees 10 minutes West 149 feet to an iron pipe driven in the ground (2) North 33 degrees 35 minutes East 115.80 feet to an iron pipe now set in the ground at a point 51.40 feet distant from the beginning of the eighth line of that piece or parcel of ground which by deed dated September 4, 1884, and recorded among said Land Records in Liber L.J.W. No. 48, folio 273, etc., was granted and conveyed by Jonathon Mullinix to Zachariah Mullinix, thence running reversely with a part of said last named line and to its origin as now surveyed (3) South 10 degrees 37 minutes East 51.40 feet to the end of the first line of that piece or parcel of ground which by deed dated January 31, 1918, and recorded among said Land Records in Liber M.W.R. No. 202, folio 535, etc., was granted and conveyed by Robt. H. Mullinix, et. al., to the said Alvin M. Poole and Mary K. Poole, his wife; thence running with and binding on the second and third lines of said last

nered land (4) South 58 degrees 33 minutes West 78.91 feet to an iron pipe now set in the ground and (5) South 36 degrees 00 minutes East 148.50 feet to the place of beginning, containing 2,622 square feet of land, more or less.

BEING a part of those pieces or parcels of ground which were granted and conveyed by Gosnell and Mullinix to the said Zachariah Mullinix by the deeds dated and recorded as aforesaid. The said Zachariah Mullinix departed this life intestate on or about August 1, 1926, seized and possessed of the land hereinbefore described and hereby intended to be conveyed, leaving as his widow, Mary Owen Mullinix, and his daughter, the said Ada Elizabeth Flynn, as his only heirs at law. The said Mary Owen Mullinix departed this life intestate on or about February 13, 1928, leaving her daughter, the said Ada Elizabeth Flynn, as her only heir at law.

TOGETHER with the buildings and improvements thereon, the rights, roads, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD said land and premises above described, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the said Alvin K. Pools and Mary K. Pools, his wife, as tenants by the entireties, forever, in fee simple.

AND the said Ada Elizabeth Flynn and William Flynn, Sr., her husband, covenant that they will warrant specially the property hereby granted and conveyed, and that they will execute such other and further assurances of said land as may be requisite.

WITNESS THE HANDS AND SEALS OF SAID GRANTORS.

WITNESS:

Hilda L. Curran  
Hilda L. Curran

Ada Elizabeth Flynn (SEAL)  
Ada Elizabeth Flynn

William Flynn, Sr. (SEAL)  
William Flynn, Sr.

STATE OF MARYLAND, HOWARD COUNTY, TO WIT:

I HEREBY CERTIFY that on this 27th day of October, 1953, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Ada Elizabeth Flynn and William Flynn, Sr., her husband, the grantors named in the foregoing deed, and they acknowledged the said deed to be their act.

AS WITNESS MY HAND AND NOTARIAL SEAL.



Hilda L. Curran  
Hilda L. Curran, Notary Public

Received for record October 27 1953 at 3-50  
clock P.M. Same day recorded and examined per  
Milton W. Barley MWB, Clerk.

*Rec'd. by Hunter  
12-16-53 R. S. Talbot*

THIS DEED, made this 15th day of October, 1953, by LESLIE N. KELLEY and MARGUERITE E. KELLEY, his wife, both of Howard County, Maryland.

WITNESSETH, that for and in consideration of ten dollars and other good and valuable considerations, the receipt of all of which is hereby acknowledged, we, LESLIE N. KELLEY and MARGUERITE E. KELLEY, his wife, hereby grant and convey unto JOHN J. DePINA and MARY DePINA, his wife, as tenants by the entireties, their heirs and assigns, forever in fee simple, all that parcel of land situate along the Farrsville Road, in the Fourth District of Howard County, Maryland, which, according to a survey and description thereof made September 16, 1953, by William E. Talbott, is more particularly described as follows:



BEGINNING for the same at an iron pipe now set in the tenth line of the lands which by deed dated May 22, 1937, and recorded among the Land Records of Howard County in Liber B. M. Jr. No. 157, folio 88, was granted and conveyed to William Buxton and wife, to Leslie N. Kelley, and is more particularly described in a deed dated April 1, 1931, and recorded among the aforesaid Land Records in Liber B. M. Jr. No. 141, folio 22, etc., by Ida M. Fern to William Buxton and wife, and running with a part of the said tenth line to the end thereof, as now surveyed,

- (1) S. 10° 37' E. 519.60 feet to a point in the center of the Farrsville Road, thence running with a part of the eleventh line of the said land and with the said road
- (2) N. 24° 30' E. 441.54 feet, thence leaving the said road and running with the third line of the land, which by deed dated January 21, 1933, and recorded among the aforesaid Land Records in Liber B. M. Jr. No. 147, folio 69, etc., was granted and conveyed by William Buxton and wife, to Samuel E. Mullinix, and a straight line prolongation at each end of said line,
- (3) N. 68° 04' W. 294.25 feet to the place of beginning, containing 1.490 acres of land, more or less.

TOGETHER WITH all and singular the rights, roads, ways, waters, privileges and appurtenances thereto belonging or in anywise appertaining.

TO HAVE and TO HOLD the above described parcel of land unto the said JOHN J. DePINA and MARY DePINA, his wife, as tenants by the entireties, their heirs and assigns, forever in fee simple.

AND the said Grantors herein covenant that they will warrant specially the parcel of land hereby intended to be conveyed, and that they will execute such other and further assurances thereof as may be requisite or necessary.

WITNESS the hands and seals of the said Grantors.

Witness:

Leslie N. Kelley  
L. Pearce Bovlus

Leslie N. Kelley (SEAL)  
Leslie N. Kelley

Marguerite E. Kelley (SEAL)  
Marguerite E. Kelley

STATE OF MARYLAND, }  
COUNTY OF CARROLL, } To Wit:-

I HEREBY CERTIFY, that on this 13th day of October, 1953, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared LESLIE N. KELLEY and MARGUERITE E. KELLEY, his wife, and severally acknowledged the foregoing deed to be their respective act and deed.

WITNESS my hand and Seal Notarial.



Leslie N. Kelley  
L. Pearce Bovlus,  
Notary Public.

Received for record Dec. 2-1953 at 1-05  
o'clock P.M. Same day recorded and examined per  
Miss W. Bazley MWB, Clerk.

ROBY H. MULLINIX and  
RUTH E. MULLINIX, his wife, and  
EVERETT W. MULLINIX and  
DOROTHY J. MULLINIX, his wife.

\$.55 Recordation

DEED TO

Tax

ALVIN M. POOLE and  
MARY K. POOLE, his wife.

Stamps.

*Filed 2 27th + 9 AM Alvin M. Poole  
Mary K. Poole 28th 1948*

THIS DEED, made this 31st day of January, 1948, by Roby H. Mullinix and Ruth E. Mullinix, his wife, and Everett W. Mullinix and Dorothy J. Mullinix, his wife, parties of the first part, Grantors, and Alvin M. Poole and Mary K. Poole, his wife, parties of the second part, Grantees, all of Howard County, State of Maryland.

WITNESSETH, that in consideration of the sum of Five Dollars (\$5.00), and other good and valuable considerations, the receipt of which is hereby acknowledged, the said Roby H. Mullinix and Ruth E. Mullinix, his wife, and Everett W. Mullinix and Dorothy J. Mullinix, his wife, do hereby grant and convey unto the said Alvin M. Poole and Mary K. Poole, his wife, as tenants by the entireties, their assigns, and the survivor of them, his or her heirs and assigns, in fee simple, all that piece or parcel of land, situate and lying on the Northwest side of the Mt. Airy and Montgomery public road in the Fourth Election District of said Howard County, and which in a deed dated November 15, 1919, and recorded among the Land Records of said Howard County in Liber H.B.N. No. 108, folio 547, etc., from Nathan E. Young and wife to Charles E. Mullineaux, is more particularly described as follows, that is to say:

All that parcel of land called "Windsor Forrest", or whatever the same may be called, which is contained within the following metes and bounds, courses and distances, to wit: BEGINNING in the center of the Mount Airy and Montgomery public road and running North thirteen degrees West nine perches; then South sixty-three degrees West four perches; South thirty-six degrees East nine perches; then North twenty-four degrees East one perch to the beginning in said road; containing twenty-two and one-half square perches of land, more or less.

BEING the thirdly described of those three pieces or parcels of ground which, by deed dated December 28, 1942, and recorded among said Land Records in Liber B.M.Jr. No. 176 folio 556, etc., were granted and conveyed by Roy B. Mullineaux and Paul T. Mullineaux to the said Roby H. Mullinix and Ruth E. Mullinix, his wife, and Everett W. Mullinix. (See also deed from Myrtle Mullineaux to the said Roby H. Mullinix and others, dated October 16, 1947, and intended to be recorded among said Land Records prior to the recording of these presents.)

TOGETHER with the buildings and improvements thereon, the rights, roads, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD said land and premises above described, together

with the rights, privileges, appurtenances and advantages thereto belonging or appertaining, unto and to the proper use and benefit of the said Alvin M. Poole and Mary K. Poole, his wife, as tenants by the entireties, their assigns, and the survivor of them, his or her heirs and assigns, in fee simple.

AND the said Roby H. Mullinix and Ruth E. Mullinix, his wife, and Everett W. Mullinix and Dorothy J. Mullinix, his wife, covenant that they will warrant specially the property hereby granted and conveyed, and that they will execute such other and further assurances of said land as may be requisite.

WITNESS THE HANDS AND SEALS OF SAID GRANTORS.

WITNESS as to all:

Hilda L. Curran

Roby H. Mullinix (SEAL)

Ruth E. Mullinix (SEAL)

Everett W. Mullinix (SEAL)

Dorothy J. Mullinix (SEAL)

STATE OF MARYLAND, HOWARD COUNTY, Sect.:

I HEREBY CERTIFY, that on this 31st day of January, 1948, before me, the subscriber, a Notary Public of the State of Maryland, in and for Howard County, personally appeared Roby H. Mullinix and Ruth E. Mullinix, his wife, and Everett W. Mullinix and Dorothy J. Mullinix, his wife, the Grantors named in the foregoing deed, and they acknowledged the said deed to be their act.

AS WITNESS MY HAND AND NOTARIAL SEAL.

(SEAL'S PLACE)

Hilda L. Curran  
Notary Public.

Received for record 2<sup>nd</sup> March 1948, at 11:30 o'clock A.M. Same day recorded and examined per,

*Walter W. Pasley*  
CLERK.



# APPLICATION

## FOR PERCOLATION TESTING AND SITE EVALUATION

TEST DATE(S) \_\_\_\_\_ TEST TIME \_\_\_\_\_

AP 530253

AGENCY REVIEW: \_\_\_\_\_

DATE 12/3/08

DO NOT WRITE ABOVE THIS LINE

I HEREBY APPLY FOR THE NECESSARY TESTING/EVALUATION PRIOR TO ISSUANCE OF SEWAGE DISPOSAL SYSTEM PERMIT(S) TO:

CHECK AS NEEDED:

- CONSTRUCT NEW SEPTIC SYSTEM(S)
- REPAIR/ADD TO AN EXISTING SEPTIC SYSTEM
- REPLACE AN EXISTING SEPTIC SYSTEM

CHECK AS NEEDED:

- NEW STRUCTURE(S)
- ADDITION TO AN EXISTING STRUCTURE
- REPLACE AN EXISTING STRUCTURE

CHECK ONE:

- CREATE NEW LOT(S)
- BUILD ON AN EXISTING LOT IN A SUBDIVISION
- BUILD ON AN EXISTING PARCEL OF RECORD

IS THE PROPERTY WITHIN 2500' OF ANY RESERVOIR?

- YES
- NO

THE TYPE OF STRUCTURE IS:

- RESIDENTIAL WITH \_\_\_\_\_ PROPOSED BEDROOMS IN THE COMPLETED STRUCTURE (NOTE **UNKNOWN** IF APPROPRIATE)
- COMMERCIAL (PROVIDE DETAIL OF NUMBERS AND TYPES OF EMPLOYEES/ CUSTOMERS ON ACCOMPANYING PLAN)
- INSTITUTIONAL/GOVERNMENT (PROVIDE DETAIL OF NUMBERS AND TYPES OF EMPLOYEES/USERS ON ACCOMPANYING PLAN)

PROPERTY OWNER(S) MAIN STREET BUILDERS

DAYTIME PHONE (410) 796-2003 CELL (443) 250-3795 FAX NA

MAILING ADDRESS 5705 LANDING ROAD ELKRIDGE, MD 21075  
STREET CITY/TOWN STATE ZIP

APPLICANT JEREMY RUTTER

DAYTIME PHONE (410) 489-7900 <sup>(12)</sup> CELL (410) 982-2882 FAX (410) 489-9768 <sup>4754</sup>

MAILING ADDRESS P.O. Box 482 LISBON, MD 21765  
STREET CITY/TOWN STATE ZIP

APPLICANT'S ROLE: DEVELOPER BUILDER BUYER RELATIVE/FRIEND REALTOR CONSULTANT

PROPERTY LOCATION  
SUBDIVISION/PROPERTY NAME N/A LOT NO. 3 <sup>PARCEL</sup>

PROPERTY ADDRESS 1564 LONG CORNER ROAD MOUNT AIRY, MD 21771  
STREET TOWN/POST OFFICE

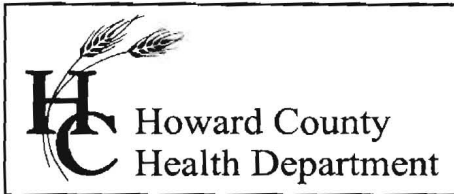
TAX MAP PAGE(S) 6 GRID 10 PARCEL(S) 83 PROPOSED LOT SIZE 1.49±

AS APPLICANT, I UNDERSTAND THE FOLLOWING: THE SYSTEM INSTALLED SUBSEQUENT TO THIS APPLICATION IS ACCEPTABLE ONLY UNTIL PUBLIC SEWERAGE IS AVAILABLE. THIS APPLICATION IS COMPLETE WHEN ALL APPLICABLE FEES AND A SUITABLE SITE PLAN HAVE BEEN RECEIVED. I ACCEPT THE RESPONSIBILITY FOR COMPLIANCE WITH ALL M.O.S.H.A. AND "MISS UTILITY" REQUIREMENTS. APPROVAL IS BASED UPON SATISFACTORY REVIEW OF A PERC CERTIFICATION PLAN.

TEST RESULTS WILL BE MAILED TO APPLICANT. \_\_\_\_\_  
SIGNATURE OF APPLICANT

HOWARD COUNTY HEALTH DEPARTMENT, BUREAU OF ENVIRONMENTAL HEALTH, WELL AND SEPTIC PROGRAM  
7178 COLUMBIA GATEWAY DRIVE COLUMBIA, MARYLAND 21046 (410) 313-2640 FAX (410) 313-2648  
TDD (410) 313-2323 TOLL FREE 1-877-4MD-DHMH





Bureau of Environmental Health  
7178 Columbia Gateway Drive, Columbia, MD 21046-2147  
(410) 313-2640 Fax (410) 313-2648  
TDD (410) 313-2323 Toll Free 1-866-313-6300  
website: www.hchealth.org

---

**Peter L. Beilenson, M.D., M.P.H., Health Officer**

September 8, 2009

To: Joseph Snodgrass, Main Street Builders  
5705 Landing Road, Elkridge, MD

From: Robert Bricker, R.S., CPSS  
Environmental Sanitarian  
Well and Septic Program

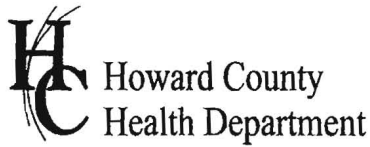
RE: 1564 and 1540 Long Corner Road Percolation Certification Plan approval

The Percolation Certification Plan for 1540 and 1564 Long Corner Road was approved September 1, 2009 by the Director, Howard County Bureau of Environmental Health. The approved plan presents the concept that adequate soil resource to assure long-term wastewater treatment for 1564 Long Corner Road is available on the property known as 1540 Long Corner Road.

The approval was granted with the knowledge that there is an area of land of undetermined ownership in which lies the wastewater discharge conduit for 1564 Long Corner Road. Access to the land resources of 1540 Long Corner Road is essential for the residents of 1564 Long Corner Road. Health Department records will include a description of the current situation and that it is unresolved at this time.

Even in the event that ownership of the strip of land lying between these two subject properties be disputed, it is imperative that the house sewer and septic tank for 1564 Long Corner Road be accessible and properly maintained. The Health Department strongly encourages that the owner(s) resolve the issue concerning the strip of land with undetermined ownership while in the process of creating the off-site sewage disposal area for 1564 Long Corner Road.

Copy: Jeremy Rutter, Heritage Land Development  
Robert Vogel, P.E.,  
Sang Oh, Esq.  
Bert Nixon, Director, Bureau of Environmental Health  
Michael Davis, Asst. Director, Bureau of Environmental Health



# APPLICATION

## FOR PERCOLATION TESTING AND SITE EVALUATION

TEST DATE(S) \_\_\_\_\_ TEST TIME \_\_\_\_\_ A/P \_\_\_\_\_

AGENCY REVIEW: \_\_\_\_\_ DATE \_\_\_\_\_

DO NOT WRITE ABOVE THIS LINE

I HEREBY APPLY FOR THE NECESSARY TESTING/EVALUATION PRIOR TO ISSUANCE OF SEWAGE DISPOSAL SYSTEM PERMIT(S) TO:

CHECK AS NEEDED:

- CONSTRUCT NEW SEPTIC SYSTEM(S)
- REPAIR/ADD TO AN EXISTING SEPTIC SYSTEM
- REPLACE AN EXISTING SEPTIC SYSTEM

CHECK AS NEEDED:

- NEW STRUCTURE(S)
- ADDITION TO AN EXISTING STRUCTURE
- REPLACE AN EXISTING STRUCTURE

CHECK ONE:

- CREATE NEW LOT(S)
- BUILD ON AN EXISTING LOT IN A SUBDIVISION
- BUILD ON AN EXISTING PARCEL OF RECORD

IS THE PROPERTY WITHIN 2500' OF ANY RESERVOIR?

- YES
- NO

THE TYPE OF STRUCTURE IS:

- RESIDENTIAL WITH \_\_\_\_\_ PROPOSED BEDROOMS IN THE COMPLETED STRUCTURE (NOTE **UNKNOWN** IF APPROPRIATE)
- COMMERCIAL (PROVIDE DETAIL OF NUMBERS AND TYPES OF EMPLOYEES/ CUSTOMERS ON ACCOMPANYING PLAN)
- INSTITUTIONAL/GOVERNMENT (PROVIDE DETAIL OF NUMBERS AND TYPES OF EMPLOYEES/USERS ON ACCOMPANYING PLAN)

PROPERTY OWNER(S) MAIN STREET BUILDERS

DAYTIME PHONE (410) 796-2003 CELL (443) 250-3795 FAX NA

MAILING ADDRESS 5705 LANDING ROAD ELKRIDGE, MD 21075  
STREET CITY/TOWN STATE ZIP

APPLICANT JEREMY RUTTER

DAYTIME PHONE (410) 489-7900 CELL (410) 982-2882 FAX (410) 489-9768

MAILING ADDRESS P.O. Box 482 LISBON, MD 21765  
STREET CITY/TOWN STATE ZIP

APPLICANT'S ROLE: DEVELOPER BUILDER BUYER RELATIVE/FRIEND REALTOR CONSULTANT

PROPERTY LOCATION  
SUBDIVISION/PROPERTY NAME N/A LOT NO. PARCEL 3

PROPERTY ADDRESS 1564 LONG CORNER ROAD MOUNT AIRY, MD 21771  
STREET TOWN/POST OFFICE

TAX MAP PAGE(S) 6 GRID 10 PARCEL(S) 83 PROPOSED LOT SIZE 1.49±

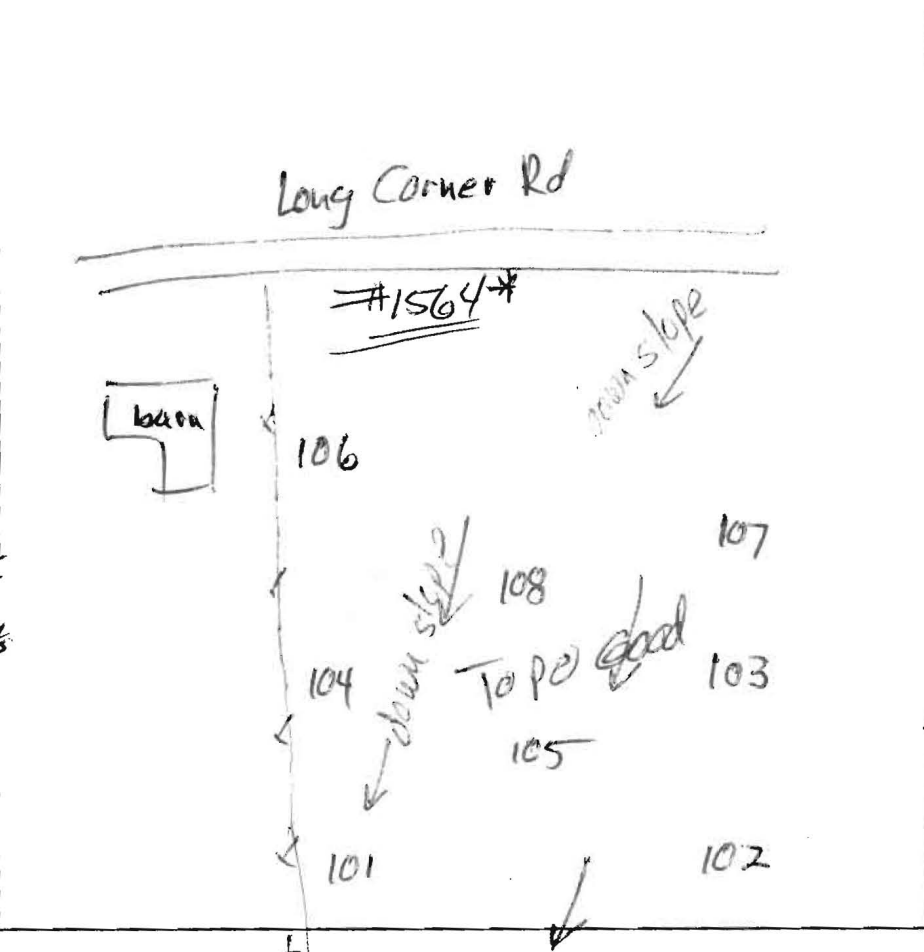
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TEST RESULTS WILL BE MAILED TO APPLICANT.

Jeremy Rutter  
SIGNATURE OF APPLICANT

HOWARD COUNTY HEALTH DEPARTMENT, BUREAU OF ENVIRONMENTAL HEALTH, WELL AND SEPTIC PROGRAM  
7178 COLUMBIA GATEWAY DRIVE COLUMBIA, MARYLAND 21046 (410) 313-2640 FAX (410) 313-2648  
TDD (410) 313-2323 TOLL FREE 1-877-4MD-DHMH

101 & 102  
 grey-brn loam  
 yel-brn chel  
 yel-brn vch loam  
 brn vfl loam  
 8.5' > 50% rock quartzite components  
 108  
 yel-brn chel  
 yel-brn vch loam  
 2.5'  
 5.3' yel vchsl  
 & brn vchsl  
 10.5' red k. in vchsl  
 11' Hard > 50% rock  
 107  
 0.7' dk grey loam  
 yel-brn chel  
 2' yel-brn vch vfl loam  
 4.5' yel & red vchsl  
 11' Hard Bottom > 50% rock



105  
 dk grey-brn loam  
 4.3' yel-brn chel  
 yel-brn vchsl  
 4.3' brn vch loam 40%  
 7' brn vch loam 45% 50%  
 11' Hard very flaky slow infiltration  
 103 & 104  
 yel-brn chel  
 3.5' yel-brn vch loam  
 5.3' yel vchsl & brn vchsl  
 10.5' Hard > 50% rock  
 106  
 0.7' dk grey loam  
 yel-brn chel  
 2' yel-brn vch loam  
 4.5' red vchsl & brn vchsl  
 11' Hard > 50% rock

DATE	TEST #	DEPTH	START	BREAK 1" DROP	STOP 2" DROP	TIME OF 2ND INCH	P/F/H	
1/6/09	101	4' / 8.5'	9:44	10:27	<< 1"		F	
1/6/09	102	4.5' / 8.5'	9:55	10:27	<< 1"		F	
1/6/09	103	5' / 10.5'	10:05	10:35	<< 1"		F	
1/6/09	105	6.3' / 11'	0	1.7	4.7	3	P	
1/6/09	103	6.3' / 4'	0	19	47	28	P	
1/6/09	104	5' / 10.5'	10:45	11:15	<< 1"		F	
1/6/09	106	5' / 11'	11:4	18.4	40.9	21.5	P	
1/6/09	107	5.5' / 11'	11:12	11:20	11:30	10	P	
1/6/09	104	6.3' / 10.5'	11:23	11:26	11:31	5	P	
1/6/09	108	11'	Visual good sidewall 5.5' P					

REMARKS: Lot of Record

SANITARIAN: RB

BACKHOE: Chuck Zapp

OTHERS: Tim Topp, Jeremy Ruff

TEST HOLES USED IN SDA: \_\_\_\_\_ AVG. PERC TIME: \_\_\_\_\_ SQ. FT/BR: \_\_\_\_\_

TRENCH WIDTH: \_\_\_\_\_ INLET DEPTH: \_\_\_\_\_ MAX. BOT DEPTH: \_\_\_\_\_ EFFECTIVE S/W: \_\_\_\_\_

000119

DECLARATION OF SEPTIC EASEMENTS

THIS DECLARATION, made this 8<sup>th</sup> day of July, 2010, by MAIN STREET BUILDERS, INC., a Maryland Corporation, (hereinafter referred to as "Declarant").

WHEREAS, Declarant is the owner of three parcels of real property in Howard County, Maryland, being more particularly described in a Deed dated May 21, 2004 and recorded among the Land Records of Howard County, Maryland in Liber 8425, at folio 144, and

WHEREAS, Declarant desires to create various easements as more particularly described herein.

NOW THEREFORE, Declarant hereby declares as follows:

0  
20  
K  
1. Declarant, for itself, its successors and assigns, does hereby declare and create various easements as more particularly described herein.

2. The easement areas described in Exhibits "A", "B", "C" and "D" shall burden Parcel Three (commonly referred to as 1540 Long Corner Road) of the aforementioned Deed recorded at Liber 8425, folio 144 and shall benefit Parcels One and Two (commonly referred to as 1564 Long Corner Road) of the aforesaid Deed recorded in Liber 8425, at folio 144.

3. The above described easements shall run under, through and across the herein described easement areas.

4. The Private Septic Easement 1 (Exhibit "A") and Private Septic Easement 2 (Exhibit "B") shall be for the purpose of building, extending and/or maintaining a comprehensive septic system as may be allowed by governmental regulations (at any time now or in the future) including, but not limited to, a tank, piping, vents, conduits and/or drainage area.

5. The 20' Private Septic Access Easement (Exhibit "C") shall be for the purpose of building, extending and/or maintaining such pipes, vents, conduits, and features to fully access and utilize Private Septic Easement 1 and Private Septic Easement 2 as described herein.

6. The use of the easement areas described herein for septic disposal purposes shall be exclusively reserved for Parcels One and Two (1564 Long Corner Road). The surface of the easement area shall be used and maintained by Parcel Three (1540 Long Corner Road) so long as said use does not interfere with the rights granted herein.

7. The easements created herein shall be perpetual and shall run with and bind the land affected thereby.

8. In the event it is necessary to make openings and/or excavations, the party for whose benefit the said work is undertaken shall be responsible for restoring the land to substantially the same condition which existed prior to the work having been undertaken.

9. Any dispute arising out of this Declaration shall be decided by binding arbitration pursuant to the then existing rules and regulations of the American Arbitration Association. The Declarant and/or any owner may enforce the provisions herein.

WITNESS the hand and seal of the Declarant the day and year first above written.

WITNESSETH:

/ MAIN STREET BUILDERS, INC.

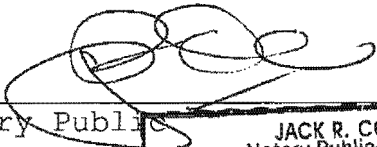


BY: Joseph E. Snodgrass, Inc. (SEAL)  
Joseph E. Snodgrass  
President

STATE OF MARYLAND, COUNTY OF HOWARD, TO WIT:

I HEREBY CERTIFY, that on this 28th day of July, 2010, before me, the subscriber, a Notary Public of the jurisdiction aforesaid, personally appeared **JOSEPH E. SNODGRASS**, who acknowledged himself to be **PRESIDENT** of **MAIN STREET BUILDERS, INC.**, a **Maryland Corporation**, and that he as such President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing in my presence, on behalf of the corporation by himself as such President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

  
Notary Public

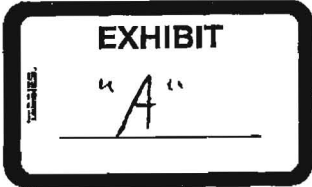
JACK R. COOPER  
Notary Public-Maryland  
Baltimore County  
My Commission Expires  
April 13, 2012

My Commission Expires: \_\_\_\_\_

AFTER RECORDING, RETURN ORIGINAL TO:  
MAIN STREET BULDERS, INC.  
5705 Landing Road  
Elkridge, MD 21075

**ROBERT H. VOGEL ENGINEERING, INC.**

ENGINEERS • SURVEYORS • PLANNERS



**DESCRIPTION OF  
PRIVATE SEPTIC EASEMENT 1  
780 SQUARE FEET OR 0.0179 ACRES**  
Through **MAIN STREET BUILDERS, INC.** Property  
Forth Election District  
Howard County, Maryland

BEGINNING for the Same at a point along the First or South 10 degrees 37 minutes East 519.60 Foot line of that thirdly described parcel in conveyance from the Estate of Alvin Main Poole to Main Street Builders, Inc. by Deed dated May 21, 2004, and recorded among the Land Records of Howard County in Liber 8425, folio 144, South 15 degrees 03 minutes 55 seconds East 372.74' as now surveyed from a 1" Iron Pipe Found at the beginning of said First line, thence running through the lands of said Main Street Builders, Inc. the three following courses, with all bearings being referred to the Maryland State Grid Meridian, viz

- 1) **North 74 degrees 56 minutes 05 seconds East 30.00 Feet**, thence
- 2) **South 15 degrees 03 minutes 55 seconds East 26.00 Feet**, thence
- 3) **South 74 degrees 56 minutes 05 seconds West 30.00 Feet** to intersect aforesaid First line of thirdly described parcel in Liber 8425/144, thence binding reversely on said line
- 4) **North 15 degrees 03 minutes 55 seconds West 26.00 Feet** to the point of beginning .....Containing **780 Square Feet or 0.0179 Acres** of land more or less.

BEING part of that thirdly described parcel of land in conveyance from the Estate of Alvin Main Poole to Main Street Builders, Inc. by Deed dated May 21, 2004, and recorded among the Land Records of Howard County in Liber 8425, folio 144.



*Thomas M. Hoffmann, Jr.*  
6-29-10

**ROBERT H. VOGEL ENGINEERING, INC.**  
**ENGINEERS • SURVEYORS • PLANNERS**

EXHIBIT

"B"

**DESCRIPTION OF  
PRIVATE SEPTIC EASEMENT 2  
5,717 SQUARE FEET OR 0.1312 ACRES**  
Through **MAIN STREET BUILDERS, INC.** Property  
Forth Election District  
Howard County, Maryland

COMMENCING for the Same at a point along the First or South 10 degrees 37 minutes East 519.60 Foot line of that thirdly described parcel in conveyance from the Estate of Alvin Main Poole to Main Street Builders, Inc. by Deed dated May 21, 2004, and recorded among the Land Records of Howard County in Liber 8425, folio 144, South 15 degrees 03 minutes 55 seconds East 231.65' as now surveyed from a 1" Iron Pipe Found at the beginning of said First line, thence running through the lands of said Main Street Builders, Inc. North 74 degrees 56 minutes 05 seconds East 5.00' to the POINT OF BEGINNING, thence continuing through the lands of said Main Street Builders, Inc. the seven following courses, with all bearings being referred to the Maryland State Grid Meridian, viz

- 1) North 15 degrees 03 minutes 55 seconds West 78.00 Feet, thence
- 2) North 72 degrees 08 minutes 41 seconds East 68.15 Feet, thence
- 3) South 35 degrees 46 minutes 28 seconds East 32.06 Feet, thence
- 4) South 04 degrees 57 minutes 32 seconds West 23.01 Feet, thence
- 5) South 08 degrees 19 minutes 17 seconds East 21.68 Feet, thence
- 6) South 54 degrees 34 minutes 38 seconds West 23.50 Feet, thence
- 7) South 74 degrees 56 minutes 05 seconds West 46.94 Feet to the point of beginning .....Containing 5,717 Square Feet or 0.1312 Acres of land more or less.

BEING part of that thirdly described parcel of land in conveyance from the Estate of Alvin Main Poole to Main Street Builders, Inc. by Deed dated May 21, 2004, and recorded among the Land Records of Howard County in Liber 8425, folio 144.



*Thomas M. Hoffman, Jr.*  
6-29-10

**ROBERT H. VOGEL ENGINEERING, INC.**  
ENGINEERS • SURVEYORS • PLANNERS

DESCRIPTION OF  
**20' PRIVATE SEPTIC ACCESS EASEMENT**  
**2,822 SQUARE FEET OR 0.0648 ACRES**  
Through **MAIN STREET BUILDERS, INC.** Property  
Forth Election District  
Howard County, Maryland



BEGINNING for the Same at a point along the First or South 10 degrees 37 minutes East 519.60 Foot line of that thirdly described parcel in conveyance from the Estate of Alvin Main Poole to Main Street Builders, Inc. by Deed dated May 21, 2004, and recorded among the Land Records of Howard County in Liber 8425, folio 144, South 15 degrees 03 minutes 55 seconds East 231.65' as now surveyed from a 1" Iron Pipe Found at the beginning of said First line, thence running through the lands of said Main Street Builders, Inc. the three following courses, with all bearings being referred to the Maryland State Grid Meridian, viz

- 1) **North 74 degrees 56 minutes 05 seconds East 20.00 Feet**, thence
- 2) **South 15 degrees 03 minutes 55 seconds East 141.09 Feet**, thence
- 3) **South 74 degrees 56 minutes 05 seconds West 20.00 Feet** to intersect aforesaid First line of thirdly described parcel in Liber 8425/144, thence binding reversely on said line
- 4) **North 15 degrees 03 minutes 55 seconds West 141.09 Feet** to the point of beginning .....Containing **2,822 Square Feet or 0.0648 Acres** of land more or less.

BEING part of that thirdly described parcel of land in conveyance from the Estate of Alvin Main Poole to Main Street Builders, Inc. by Deed dated May 21, 2004, and recorded among the Land Records of Howard County in Liber 8425, folio 144.



*Thomas M. Hoffmann, Jr.*  
629.10





Howard County  
Health Department

Bureau of Environmental Health  
7178 Columbia Gateway Drive, Columbia MD 21046  
(410) 313-2640 Fax (410) 313-2648  
TDD (410) 313-2323 Toll Free 1-866-313-6300  
website: [www.hchealth.org](http://www.hchealth.org)

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

**MEMORANDUM**

TO: Kent Sheubrooks, Chief  
Division of Land Development

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

DATE: January 24, 2013

RE: Petition # **WP-13-067, Revised**

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The Health Department has reviewed the above referenced waiver petition and has no objection to the revised version dated January 4, 2013.

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
Division of Land Development

DATE: 1/4/13

DPZ File No. WP-13-067

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
- 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

REVISED  
JAN 04 2012  
DPZ Land Development

RE: 1540 & 1564 Long Corner Rd

ENCLOSED FOR YOUR →  Signature Approval  Review & Comments  Files  
 THE ENCLOSED →  Original  Pre-Packaged Plan Set

Plans	# of Sheets	Supplemental Documents
<input type="checkbox"/> Sketch Plan	_____	<input type="checkbox"/> Wetlands Report
<input type="checkbox"/> Prel Equiv Sketch Plan	_____	<input type="checkbox"/> Soils/Topo Map/Drain Area Map
<input type="checkbox"/> Preliminary Plan	_____	<input type="checkbox"/> FSD/FCP/Worksheet and Application
<input type="checkbox"/> Final Plat/Plat of Easement/RE Plat	_____	<input type="checkbox"/> Declaration of Intent (Forest Cons)
<input type="checkbox"/> Final Constr Plans (RDS)	_____	<input type="checkbox"/> Drainage and/or Computation/Pond Safety Comps
<input type="checkbox"/> Final Development Plan	_____	<input type="checkbox"/> Preliminary Road Profiles
<input type="checkbox"/> Site Development Plan	_____	<input type="checkbox"/> APFO Roads Test/Mitigation Plan/Traffic Study
<input type="checkbox"/> Landscape Plan/Supplemental Plan	_____	<input type="checkbox"/> Noise Study
<input type="checkbox"/> Grading Plan	_____	<input type="checkbox"/> Sight Distance Analysis/Speed Flow Study
<input type="checkbox"/> House Type Revision/Walk-Thru Red-Line	_____	<input type="checkbox"/> Floodplain Study
<input type="checkbox"/> Water and Sewer Plan	_____	<input type="checkbox"/> Stormwater Management Comps/Geo-Tech Report
<input checked="" type="checkbox"/> Applications		<input type="checkbox"/> Industrial Waste Survey (DPW)
<input checked="" type="checkbox"/> Waiver Petition Applic/Exhibit	_____	<input type="checkbox"/> Road Poster Form Letter
<input type="checkbox"/> Planning Board Application	_____	<input type="checkbox"/> Response Letter
<input type="checkbox"/> ASDP/CSDP Application	_____	<input type="checkbox"/> Perc Plat
<input type="checkbox"/> DED Application/Checklist	_____	<input type="checkbox"/> Scenic Road Exhibits
<input type="checkbox"/> DED Fee Receipt/Deeds/Cost Estimate	_____	<input type="checkbox"/> Deeds
		<input type="checkbox"/> Photographs
		<input type="checkbox"/> Retaining Wall Comps/Details
		<input type="checkbox"/> Poster/Community or HDC Meeting Information
		<input type="checkbox"/> Route 1 Details/Summary

WAS:  Received  Tentatively Approved  Recorded  
 Received and Revised  Approved On 1/4/13

COMMENTS: see memo SRC/Comments Due By: \_\_\_\_\_

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 12/10/12 DPZ File Number ~~F-09-108~~ WP 13-105

I. **Site Description**

Subdivision Name/Property Identification: McKendree Springs Lots 3 & 4 and Buildable Preservation Parcel A

Location of property: 2245 McKendree Road  
(Street Address and/or Road Name)

unimproved  
(Existing Use)

3 lots and a Preservation Parcel  
(Proposed Use)

14  
(Tax Map No.)

6  
(Grid/Block No.)

128  
(Parcel No.)

Fourth  
(Election District)

RC-DEO  
(Zoning District)

13.06 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.)  
See the report by Kent Sheubrooks which is attached.

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>16.144(p) and (g)</u>	<u>Establish deadline dates to submit developer's agreements and payment of fees, post financial obligations and to submit the final subdivision plat.</u>
2. _____	_____
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.

Paragraphs a, b, c and d are as set forth in the report signed by  
Kent Sheubrooks and the Supplement which is an addendum to this Waiver.

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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. [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 (**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,
	<input type="checkbox"/>	Not Applicable	Justification Attached
	<input type="checkbox"/>		

- \_\_\_ 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.
- \_\_\_ 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 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).
- \_\_\_ 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.
- \_\_\_ 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. 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.
- \_\_\_ 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.
- \_\_\_ 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.**

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 \*

McKendree Associates, LLC

[Signature]  
(Signature of Property Owner)  
(Fee Simple Owner Only)

12/17/12  
(Date)

[Signature]  
(Signature of Petition Preparer) \* (Date) 12/17/12

C. John Serio, Managing Member  
McKendree Associates, LLC  
(Name of Property Owner)

David A. Carney, Esquire  
(Name of Petition Preparer, Surveyor/Engineering or Agent/Developer)

2245 McKendree Springs  
(Address)

10715 Charter Drive, Suite 200  
Address)

\_\_\_\_\_  
(City, State, Zip Code)

Columbia, MD 21044  
(City, State, Zip Code)

E-Mail \_\_\_\_\_

E-Mail dac@carneykelehan.com

\_\_\_\_\_  
(Telephone) (Fax)

410-740-4600 410-730-7729  
(Telephone) (Fax)

Contact Person: \_\_\_\_\_

Contact Person: David A. Carney

**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 (7 sets on County Road or  
     \_\_\_ Applications 11 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 (\_\_\_ 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

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## WAIVER PETITION APPLICATION

### Supplement McKendree Springs

Ron Wildman has been discharged from the debts. C. John Serio is now the Managing Member of McKendree Associates, LLC, the title holder of McKendree Springs, LLC. Elmer Williams who invested funds in excess of \$1 million for the development of McKendree Springs died in the last two years and his son, Greg Williams and his mother are beneficiaries of Elmer Williams' estate. All of the bills that were accrued have been paid and Greg Williams posted in an account the \$58,437.50 for two bonds that are needed to record the Final Plat of McKendree Springs. The attached letter dated October 15, 2012 explains the status of the accomplishment of McKendree Associates and the financial commitment of the Developer, McKendree Enterprises, LLC.

The same findings in the prior Waiver Decision of October 19, 2012 is applicable. Nothing has changed except they missed the first milestone granted in the approval letter dated October 19, 2011. McKendree Associates complied with the obligation furnished by Real Estate Services and furnished the necessary documentation. The bonds will be secured by posting cash by the Developer. Real Estate Services should finish the Developers Agreement sometime before December 21, 2012. We are impacted by Howard County being closed the week of December 24, 2012.

See attached Waiver Petition undated prepared by Kent Sheubrooks, Chief of Land Development, and letter dated October 19, 2011 granting the prior Waiver.

# WAIVER PETITION

Department of Planning and Zoning  
Division of Land Development

**To:** Marsha McLaughlin, Director  
Department of Planning and Zoning

**From:** Kent Sheubrooks, Chief  
Division of Land Development

**Re:** **WP-12-054 (McKendree Springs)**

**Applicant:** McKendree Associates, LLC  
1300 York Road, Suite 110  
Timonium, MD. 20193  
ATTN: Robert Mowrey

**Associated Subdivision: McKendree Springs (F-09-108: Lots 3 and 4)**

**Waiver Requests:** A waiver to **Section 16.144(p) and Section 16.144(q)** which establish deadlines dates to submit developer's agreements and payment of fees, post financial obligations and to submit the final subdivision plat.

**Site Description:** The overall subject property which is "anvil-shaped", consists of 13.06 acres of land and is located on McKendree Road on Tax Map 14, Block 6, Parcel 128 in the Fourth election district of Howard County. The property is zoned RC-DEO (Rural Conservation-Density Exchange Option). The site contains areas of impervious coverage from a previous greenhouse operation. The site also contains area of floodplain, steep slopes, wetlands, a perennial stream and associated wetland and stream buffers.

**Brief Plan/Site History Relevant to Waiver Request:**

**WP-11-073:** A waiver was requested to **Sections 16.144(p) and Section 16.144(q)** which establish deadlines dates to submit developer's agreements and payment of fees, post financial obligations and to submit the final subdivision plat. This waiver was approved on November 22, 2010 and extended milestone dates for the submission of developer's agreements and any remaining fees and sureties in association with F-09-108 to on or before October 28, 2011 and extended milestone dates for the submission of plat mylars in association with F-09-108 to on or before December 27, 2011.

**WP-10-128:** A waiver was requested to **Sections 16.144(p) and Section 16.144(q)** which establish deadlines dates to submit developer's agreements and payment of fees, post financial obligations and to submit the final subdivision plat. This waiver was approved on April 28, 2010 and extended milestone dates for the submission of developer's agreements and any remaining fees and sureties in association with F-09-108 to on or before October 28, 2010 and extended milestone dates for the submission of plat mylars in association with F-09-108 to on or before December 27, 2010.

**F-09-108:** A final subdivision plat application was originally submitted on May 22, 2009, to create Lots 3 and 4 and Buildable Preservation Parcel "A" from existing Lot 2. Both Lots 3 and 4 are just over 1 acre in size and would be served by well and septic. Buildable Preservation Parcel "A" is proposed to be 10.80 acres in size and contains the environmental features **and forest conservation easements for the McKendree Springs subdivision (as well as a forest conservation bank for the Kindler Overlook II subdivision, F-10-051)**. This plan was given "technically complete" status on December 15, 2009 and the Supplemental Grading/SWM Plan was signed on February 23, 2010.

**F-06-186:** A final subdivision plat application was originally submitted on March 28, 2006, to create Lots 1 and 2. Lot 1 is 3.00 acres and is oddly shaped, but contains no environmental features. The remaining 13.0563 acres constituted Lot 2, which was encumbered by wetlands, steep slopes, a perennial stream, wetland and stream

buffers and floodplain. Lot 2 contained 3.0627 acres of forest conservation in 2 easements. Both lots were to be served by on-site well and septic. This plat was recorded on November 5, 2007.

**WP-09-031:** A waiver was requested to **Section 16.116(a)(1)** which prohibits grading, removal of vegetative cover and trees, paving and new structures within 25 feet of a wetland, a waiver to **Section 16.116(a)(2)(iii)** which prohibits grading, removal of vegetative cover and trees, paving and new structures within 100 feet of a perennial streambank for Use III and IV streams and a waiver to **Section 16.115(c)(2)** which prohibits clearing, excavating, filling, altering drainage or impervious paving within the floodplain unless required or authorized by the Department of Planning and Zoning (DPZ) upon the advice of Department of Inspections, Licenses and Permits (DILP), Department of Public Works (DPW), Department of Recreation and Parks (DRP), Howard Soil Conservation District (HSCD) or Maryland Department of the Environment (MDE). This waiver was approved, with conditions, on January 16, 2009.

\*\*\*\*\*

**The applicant is requesting "a 365-day extension from the October 28, 2011 milestone date to submit Developer's Agreements and pay any remaining fees and a 365-day extension from December 27, 2011 to submit the final plat".**

**This is the third waiver request for extension of milestones.**

**Waiver Action:** The Division of Land Development recommends **APPROVAL** for waiver of **Sections 16.144(p) and 16.144(q)** which establish deadlines to pay fees, sign developer's agreements, provide surety and to submit a final plat.

**Waiver approval is subject to the following conditions:**

1. The Developer must submit Developer's Agreements and any remaining DPW fees and sureties in association with F-09-108 within 1 year of October 28, 2011 (**on or before October 28, 2012**) and shall submit final plat originals in association with F-09-108 for signature and recordation within 1 year of December 27, 2011 (**on or before December 27, 2012**). PLEASE NOTE: The applicant is responsible for any processing fee changes that may have occurred since the "Technically Complete" letter was issued for F-09-108.
2. All DED comments and conditions as outlined in their letter of October 12, 2011 must be addressed. Any project not having a signature approved stormwater management and sediment control plan by May 4, 2013 will require revised plans designed to meet current regulations.
3. Contact Carol Stirn at (410) 313-2350 to set up a submittal appointment for the final plat originals within this allotted time period. **The applicant is responsible for any processing fee charges that may have occurred since the last submittal associated with F-09-108.**

**Justification for Recommendation:**

**Extraordinary hardships or practical difficulties:**

Denial of the waiver petition would result in undue hardship because it would require the submission of a new subdivision plat. No site changes would occur with a new subdivision plat or submittal. The project has already been subject to complete subdivision review and has an established file history. The applicant cites issues with the housing market with the inability to move the project forward at this time. The applicant has also stated that the partially constructed house on Lot 1 still remains unsold, and the adjacent subdivision (McKendree View), has not been able to sell 7 of the new lots which have been on the market for over 3 years. The current market is not conducive to the selling of new homes. See also the justification provided by the consultant on October 11, 2011.

**Detrimental to the Public Interest:**

The extension of deadline dates for the paying of fees, signing developer's agreements and submitting plan originals will not be detrimental to the Public Interest. The subdivision has already been approved. Per the justification, "the issue of aesthetics is addressed by retaining existing vegetation during the delay which is more visually appealing than unfinished construction or partial development. The issue of public safety shall be fulfilled

since no man-made hazards will be left unattended or exposed for a long period of time." Refer to the justification provided by the consultant on October 11, 2011.

**Nullifies the Intent or Purpose of the Regulations:**

This subdivision has already been approved and therefore the Intent and Purpose of the Regulations have been upheld through the required review process. The applicant is asking for a delay of subdivision requirements not a request to circumvent them. See also the justification provided by the consultant on October 21, 2011.

\_\_\_\_\_  
Prepared by DLD Staff for the Planning Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kent Sheubrooks, Chief

\_\_\_\_\_  
Date

---

**ACTION OF THE PLANNING DIRECTOR**

\_\_\_\_ Approval Subject to \_\_\_\_\_ conditions as outlined above and/or modified on this form.

\_\_\_\_ Denial, based on the above reasons.

\_\_\_\_\_  
Marsha McLaughlin, Director

\_\_\_\_\_  
Date

Department of Planning and Zoning

KS/tmaenhardt/Waivers 2011/McKendree Springs for Marsha WP-12-054



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

[www.howardcountymd.gov](http://www.howardcountymd.gov)  
FAX 410-313-3467  
TDD 410-313-2323

October 19, 2011

McKendree Associates, LLC  
1300 York Rd., Suite 110  
Timonium, MD. 20193  
ATTN: Robert Mowrey

RE: WP-12-054 (McKendree Springs)

Dear Mr. Mowrey:

The Director of the Department of Planning and Zoning considered your request for a waiver from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request to waive Section 16.144(p) and Section 16.144(q).

**Approval is subject to the following conditions:**

1. The Developer must submit Developer's Agreements and any remaining DPW fees and sureties in association with F-09-108 within 1 year of October 28, 2011 (**on or before October 28, 2012**) and shall submit final plat originals in association with F-09-108 for signature and recordation within 1 year of December 27, 2011 (**on or before December 27, 2012**). PLEASE NOTE: The applicant is responsible for any processing fee changes that may have occurred since the "Technically Complete" letter was issued for F-09-108.
2. All DED comments and conditions as outlined in their letter of October 12, 2011 must be addressed. Any project not having a signature approved stormwater management and sediment control plan by May 4, 2013 will require revised plans designed to meet current regulations.
3. Contact Carol Stirn at (410) 313-2350 to set up a submittal appointment for the final plat originals within this allotted time period. **The applicant is responsible for any processing fee charges that may have occurred since the last submittal associated with F-09-108.**

**The Planning Director's decision was made based on the following:**

**Extraordinary hardships or practical difficulties:**

Denial of the waiver petition would result in undue hardship because it would require the submission of a new subdivision plat. No site changes would occur with a new subdivision plat or submittal. The project has already been subject to complete subdivision review and has an established file history. The applicant cites issues with the housing market with the inability to move the project forward at this time. The applicant has also stated that the partially constructed house on Lot 1 still remains unsold, and the adjacent subdivision (McKendree View), has not been able to sell 7 of the new lots which have been on the market for over 3 years. The current market is not conducive to the selling of new homes. See also the justification provided by the consultant on October 11, 2011.

**Detrimental to the Public Interest:**

The extension of deadline dates for the paying of fees, signing developer's agreements and submitting plan originals will not be detrimental to the Public Interest. The subdivision has already been approved. Per the justification, "the issue of aesthetics is addressed by retaining existing vegetation during the delay which is more visually appealing than unfinished construction or partial development. The issue of public safety shall be fulfilled since no man-made hazards will be left unattended or exposed for a long period of time." Refer to the justification provided by the consultant on October 11, 2011.

**Nullifies the Intent or Purpose of the Regulations:**

This subdivision has already been approved and therefore the Intent and Purpose of the Regulations have been upheld through the required review process. The applicant is asking for a delay of subdivision requirements not a request to circumvent them. See also the justification provided by the consultant on October 21, 2011.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This requested waiver will remain valid for the time period stated in the above conditions.

If you have any questions, please contact Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at [tmaenhardt@howardcountymd.gov](mailto:tmaenhardt@howardcountymd.gov).

Sincerely,

Kent Sheubrooks, Chief  
Division of Land Development

attachment

KS/TKM/McKendree Springs approval WP-12-054

cc: Research  
DED  
HEALTH  
Benchmark Engineering  
F-10-051 (Kindler Overlook II) file  
F-09-108 file

Mr. Carl Katenkamp  
Howard County Department of Public Works  
3430 Courthouse Drive  
Ellicott City, Maryland 21043

Re: McKendree Springs

October 15, 2012

Dear Mr. Katenkamp

As a follow up to the recent correspondence regarding finalization of the recordation of the sub-division of McKendree Springs, the following processes are in some stage of execution:

1. The agreements have been signed with Benchmark Engineering, Inc. to finalize any engineering responsibilities as they apply to the subject property.
2. The Owner of McKendree Springs is McKendree Associates, LLC (C. John Serio, Jr., Managing Partner), and McKendree Associates, LLC will remain in title until all lots are sold to a third party entity.
3. The development responsibilities will be transferred to McKendree Enterprises, LLC (Greg Williams, Managing Member) McKendree Enterprises, LLC will be the Developer of McKendree Springs in both name and financial obligations. As such McKendree Enterprises, LLC will post the checks for all surety as it relates to the subject property and the forest conservation easement #5 and #6 mitigation bank for Kindler Overlook II, P-09-003 (which is to be planted on McKendree Springs Buildable Preservation Parcel 'A').
4. David Carney of Carney, Kelehan Bresler, Bennett & Scherr has been contacted to create the documents for the Homeowners Association for the subject property.
5. McKendree Enterprises, LLC will be replacing the posted surety bond of \$53,637.50 and \$4,800.00 as was provided under F-06-186 as part of the DPW Developer Agreement and posted by McKendree Associates, LLC. The replacement financial surety will be in the form of checks.
6. The tree plantings have been identified and bid.
7. The removal of the existing structures, poles, materials have been identified and bid.
8. The home under construction on 2240 McKendree Road, Lot 1, has been transferred to a third party owner and all updated documentation is in place.

9. The forms and required documentation for the developer agreements have been completed for your department to create and funds are available in the form of checks to be posted for the surety.
10. The culvert replacement has been detailed and McKendree Enterprises, LLC is in the process of bidding. The replacement of the culvert will be completed in the appropriate calendar time frame.

As discussed, all parties are moving forward to complete the sub-division and file the required requests and documents. Please find below the names and numbers of the parties involved. Thank you.

Greg Williams, Managing Member of McKendree Enterprises, LLC, 410-984-4516  
Developer

C. John Serio, Jr., Managing Partner for McKendree Associates, LLC, 410-828-1946  
Owner in Title

Very truly yours,  
McKendree Enterprises, LLC

  
Greg Williams

**ROBERT H. VOGEL ENGINEERING, INC.**  
**ENGINEERS • SURVEYORS • PLANNERS**

December 31, 2012

Mr. Kent Sheubrooks, Chief  
Howard County Government  
Department of Planning & Zoning  
Division of Land Development  
3430 Court House Drive  
Ellicott City, Maryland 21043

**REVISED**

**JAN 04 2012**

**DPZ Land Development**

re: **LONG CORNER PROPERTIES**  
**Formerly 1540 and 1564 Long Corner**  
**WP 13-067**

Dear Mr. Sheubrooks:

Pursuant to your offices comment letter dated November 30, 2012; Robert H. Vogel Engineering, Inc. offers the following point by point response to the comments therein. In addition, please find revised exhibit for your review and approval.

**Division of Land Development**

1. The "Waiver Exhibit" has been revised to be in conformance with the revised and approved Percolation Certification Plan; see attached.
2. BA-09-042V is valid per discussion with Kent Sheubrooks. The building permit has been issued and construction completed on 1564 Long Corner Road. The building permit has been issued for 1540 Long Corner Road and construction has begun.
3. The house as currently sited reduces the previously approved setback variance. However, in order to maintain a reasonable back yard, the variance will be utilized (to a lesser extent)
4. Plan title has been renamed "Long Corner Properties".
5. The General Notes have been amended to reflect the zoning and the total land area.
6. Per discussion with Kent Sheubrooks, the house siting can be less of a reduction than that approved with the variance; i.e. rather than 75' BRL reduced to 35' the proposal is 75' BRL reduced to 54+/- as shown.
7. Yes, per the approved Percolation Certification Plan the existing 20-foot wide Private Septic Access Easement will be abandoned. The "Waiver Exhibit / Proposed Configuration" no longer shows the easement and its abandonment.
8. The requested note has been added; please refer to General Note 17.
9. The requested note has been added; please refer to General Note 18.
10. Comment noted regarding the waiver decision and road right-of-way dedication. It is also noted that the reconfiguration, by deed, negates the right-of-way dedication requirement as per the DPZ memo dated September 20, 2006.

**Howard County Health Department**

- A revised Percolation Certification Plan was sent via email to your office on Tuesday - December 18, 2012. Per Mr. Williams' email response dated Thursday - December 20, 2012; the revised Percolation Certification Plan was acceptable. The revised Percolation Certification Plan showed the required new boundary lines and septic reserve areas located on the respective properties.

8407 Main Street · Ellicott City · Maryland 21043  
Tel 410.461.7666 · Fax 410.461.8961

Page Two  
Mr. Sheubrooks  
December 31, 2012

- In addition, this "Waiver Exhibit" has been amended to reflect that shown on the revised Percolation Certification Plan

**Development Engineering Division**

It is noted, your office has no objection to this waiver

Should you have any questions regarding this plan, please do not hesitate to contact this office.

Sincerely,

**ROBERT H. VOGEL ENGINEERING, INC.**



Eric D. Salmi, Prof. L.S.

## Rob Vogel

---

**From:** Williams, Jeffrey <jewilliams@howardcountymd.gov>  
**Sent:** Thursday, December 20, 2012 1:46 PM  
**To:** Eric Salmi  
**Cc:** Bricker, Robert; rvogel@vogeleng.com  
**Subject:** RE: 1564 / 1540 LONG CORNER

This proposal looks good. Send us at least 3 copies of this for signature and once signed, if the waiver petition is amended to reflect this configuration, we will not oppose it.

---

**From:** Eric Salmi [<mailto:esalmi@vogeleng.com>]  
**Sent:** Tuesday, December 18, 2012 11:20 AM  
**To:** Williams, Jeffrey  
**Cc:** Bricker, Robert; [rvogel@vogeleng.com](mailto:rvogel@vogeleng.com)  
**Subject:** 1564 / 1540 LONG CORNER

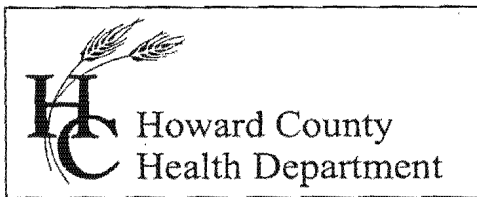
Hello

Per your meeting with Rob, please find attached the required revised Perc. Cert. Plan  
If the plan is acceptable, please let us know and we will send down prints for signature

Thanks for the help  
Eric D. Salmi, Prof. L.S.

**ROBERT H. VOGEL ENGINEERING, INC**  
8407 Main Street  
Ellicott City, Maryland 21043  
410-461-7666  
410-461-8961 FAX  
<http://www.vogeleng.com>

This email is confidential and intended solely for the use of the individual to whom it is addressed. If you have received this email in error please contact the sender and be advised that any use, dissemination, forwarding, printing, or copying of this email is strictly prohibited.



Bureau of Environmental Health  
7178 Columbia Gateway Drive, Columbia MD 21046  
(410) 313-2640 Fax (410) 313-2648  
TDD (410) 313-2323 Toll Free 1-866-313-6300  
website: [www.hchealth.org](http://www.hchealth.org)

---

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

**MEMORANDUM**

TO: Kent Sheubrooks, Chief  
Division of Land Development

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

DATE: December 5, 2012

RE: Petition # **WP-13-067**

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The Health Department has reviewed the above referenced waiver petition and objects to the waiver petition as proposed. The objection may be lifted if the proposed property lines are revised so that the existing septic reserve areas are located on their respective property.

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
Division of Land Development

DATE: October 24, 2012

DPZ File No. WP-13-067

Department of Planning and Zoning

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

- \_\_\_\_\_ Comprehensive & Community Planning
- 2 Development Engineering Division
- \_\_\_\_\_ Other
- 1 File
- \_\_\_\_\_
- \_\_\_\_\_

Agencies

- \_\_\_\_\_ Soil Conservation District
- \_\_\_\_\_ Department of Inspections, Licenses & Permits
- 1 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: Long Corner Road

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

- 7 Waiver Petition Applic/Exhibit 7
- \_\_\_\_\_ 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 \_\_\_\_\_

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

WAS:  Received \_\_\_\_\_ Tentatively Approved  
\_\_\_\_\_ Received and Revised \_\_\_\_\_ Approved

\_\_\_\_\_ Recorded  
On October 24, 2012

COMMENTS: \_\_\_\_\_

SRC/Comments Due By: **Nov. 19, 2012**

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

DPZ STAFF INITIALS: JB

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

Date Submitted/Accepted 10/24/12 DPZ File Number WP-13-067

**I. Site Description**

Subdivision Name/Property Identification: LONG CORNER ROAD

Location of property: 1540 & 1504 LONG CORNER ROAD  
(Street Address and/or Road Name)

RESIDENTIAL  
(Existing Use)

RESIDENTIAL  
(Proposed Use)

6  
(Tax Map No.)

10  
(Grid/Block No.)

83 20  
(Parcel No.)

4<sup>TH</sup>  
(Election District)

RC-DEO  
(Zoning District)

2.14  
(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.)

BDC Case # 09-042-Y (SETBACK VARIANCE)

**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. <u>16.102</u>	<u>APPLICATION (TO ALLOW ADJACENT TRANSFER)</u>
2. _____	_____
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 Attached*

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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. [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**

LONG CORNER ROAD  
TAX MAP 6, PARCELS 83 AND 278  
WAIVER PETITION

III. JUSTIFICATION

The purpose of this waiver petition is to allow the reconfiguration of the three parcels contained in the deed recorded as Liber 18425, Folio 144 by adjoiner deed. The attached deed documents the existence of the individual parcels prior to the implementation of Howard County Zoning Regulations. Additionally, on February 28, 2012 the Howard County Circuit Court "ordered, adjudged and declared" (attached) that Main Street Builders, Inc. is the owner of the 33' intervening property as shown on the attached deed recorded September 24, 2012. The liber and folio reference is currently not available from the Maryland Department of Assessments and Taxation but it is acknowledged by entering the tax account information (04-593938).

The granting of the requested waiver will permit the reconfiguration of the four subject parcels into two appropriately sized and configured parcels. Reference the attached exhibit for the existing and proposed parcel configurations. A building permit has been issued for 1540 Long Corner Road and a variance granted (BA Case No. 09-042v). Specifically, the 1564 Long Corner Road property would increase from 0.21 ac to 0.55 ac. Additionally, if approved, the existing septic system for 1540 Long Corner Road would be located on the property it serves. Currently, the existing system is located offsite with an easement. As part of the reconfiguration, the 20' access easement (on Parcel 3) which accesses the septic repair area (if needed) would be relocated away from the proposed house (1540 Long Corner Road) to a more appropriate location.

The owner is not proposing to increase density of lots or units by the approval of this waiver petition. The purpose of this waiver is to adjust parcel lines in order to consolidate parcels and create more appropriately sized and configured properties. Therefore the intent of the Regulations are served to a greater extent through the implementation of this proposal. For the reasons previously discussed, the granting of this waiver is in the Public's best interest and does not nullify the intent of the Regulations. In addition to this waiver petition we are also providing the Circuit Court Summary Judgment, SDAT record for Parcel 278, Deed for Parcel 278, Deed(s) for the parcels that make up Parcel 83 and exhibit to accompany waiver petition.

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 (**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,
	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, streams, wetland and forested areas, if applicable, and/or provide a professional certification that environmental features do not exist on the property.
- EX DEEDS  
DEEDS,  
EXHIBITS,  
SUMMARY JUDGEMENT  
✓ 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 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).
- UA 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).
- PROVIDE WITH  
BA-09-042Y ✓ 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.
- UA 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.
- UA 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.
- ✓ 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.**

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 (7 sets on County Road or
  - \_\_\_ Applications 11 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 (\_\_\_ 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 \_\_\_\_\_

MAIN STREET BUILDERS, INC.	*	IN THE
	*	CIRCUIT COURT
Plaintiff	*	FOR
v.	*	HOWARD COUNTY
ROBERT A. SCRANTON, et al.	*	13-C-11-088395
Defendants	*	

\*\*\*\*\* \*\*

**ORDER**

Upon consideration of Plaintiff's Motion for Summary Judgment, and any opposition thereto, there appearing good cause therefore, it is this 23 day of Feb, 2012, hereby

1. ORDERED, ADJUDGED, and DECLARED that Plaintiff's Motion for Summary Judgment is GRANTED; and it is further
2. ORDERED, ADJUDGED, and DECLARED that Plaintiff is the fee simple owner of the Property.

  
 \_\_\_\_\_  
 Judge, Howard County Circuit Court

**ENTERED**

FEB 28 2012

CLERK, CIRCUIT COURT  
 HOWARD COUNTY

TRUE COPY TEST:



CLERK

12700

Maryland Department of Assessments and Taxation  
Real Property Data Search (vv2.2A)  
HOWARD COUNTY

[Go Back](#)  
[View Map](#)  
[New Search](#)  
[GroundRent](#)  
[Redemption](#)  
[GroundRent](#)  
[Registration](#)

**Account Identifier:** District - 04 Account Number - 593938

**Owner Information**

**Owner Name:** MAIN ST BUILDERS INC **Use:** RESIDENTIAL  
**Principal Residence:** NO  
**Mailing Address:** 5705 LANDING RD **Deed Reference:** 1)  
ELKRIDGE MD 21075- 2)

**Location & Structure Information**

**Premises Address** **Legal Description**  
LONG CORNER RD .4138 A.  
MT AIRY 21771- LONG CORNER RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0006	10	278						2	Plat Ref:

**Special Tax Areas** **Town** NONE  
**Ad Valorem**  
**Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
		0.4138 AC	

**Stories** **Basement** **Type** **Exterior**

**Value Information**

	Base Value	Value		
		As Of 01/01/2011	Phase-in Assessments As Of 07/01/2012	As Of 07/01/2013
<b>Land</b>	1,400	1,400		
<b>Improvements:</b>	0	0		
<b>Total:</b>	1,400	1,400	1,400	1,400
<b>Preferential Land:</b>	0			0

**Transfer Information**

Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

**Exemption Information**

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

**Tax Exempt:** **Special Tax Recapture:**  
**Exempt Class:** NONE

**Homestead Application Information**

**Homestead Application Status:** No Application



SUBJECT TO COVENANTS, RESTRICTIONS, EASEMENTS AND MORTGAGES, IF ANY, OF RECORD.

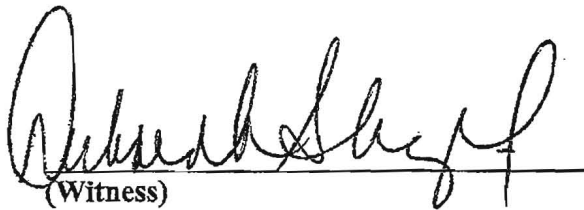
**Together** with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

**To Have and To Hold** the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said MAIN STREET BUILDERS, INC., A MARYLAND CORPORATION, Grantee, its successors and/or assigns, in fee simple.

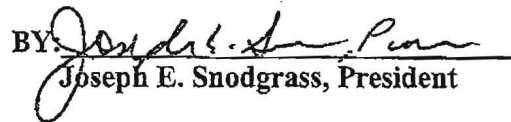
**And** by its execution and delivery of these presents, the undersigned officer of the Grantor hereby certifies that the grant set forth herein is in the ordinary course of business and is not part of a transaction in which there is a sale, lease, exchange or other transfer of all or substantially all of the property and assets of said corporation, and so certifies as of the date of the making of this instrument.

**And** the Grantor hereby covenants that it has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that it will warrant specially the property hereby granted; and that it will execute such further assurances of the same as may be requisite.

**In Witness Whereof**, Grantor has caused this Deed to be properly executed and sealed the day and year first above written.

  
(Witness)

MAIN STREET BUILDERS, INC.

BY:   
Joseph E. Snodgrass, President

9/20/12  
LB

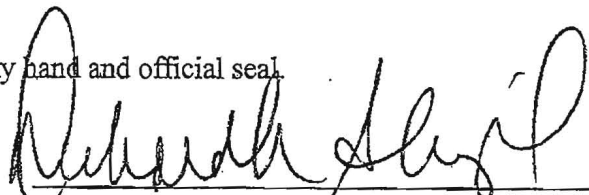
STATE OF MARYLAND  
COUNTY OF HOWARD

} ss

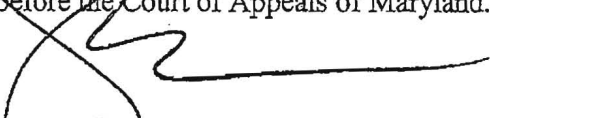
I hereby certify that on this 14th day of Sept, 2012, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **JOSEPH E. SNODGRASS**, who acknowledged himself to be the **PRESIDENT** of **MAIN STREET BUILDERS, INC., a Maryland Corporation**, the Grantor corporation, and that as such officer, being authorized to do so, executed the foregoing Deed for the purposes therein contained, by signing the name of the Corporation, by himself as such officer and further, did certify that this conveyance is not part of a transaction in which there is a sale, lease, exchange or other transfer or all, or substantially all, of the property and assets of the Corporation, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

DEBORAH A. SHIPLEY  
Notary Public-Maryland  
Howard County  
My Commission Expires  
October 20, 2014

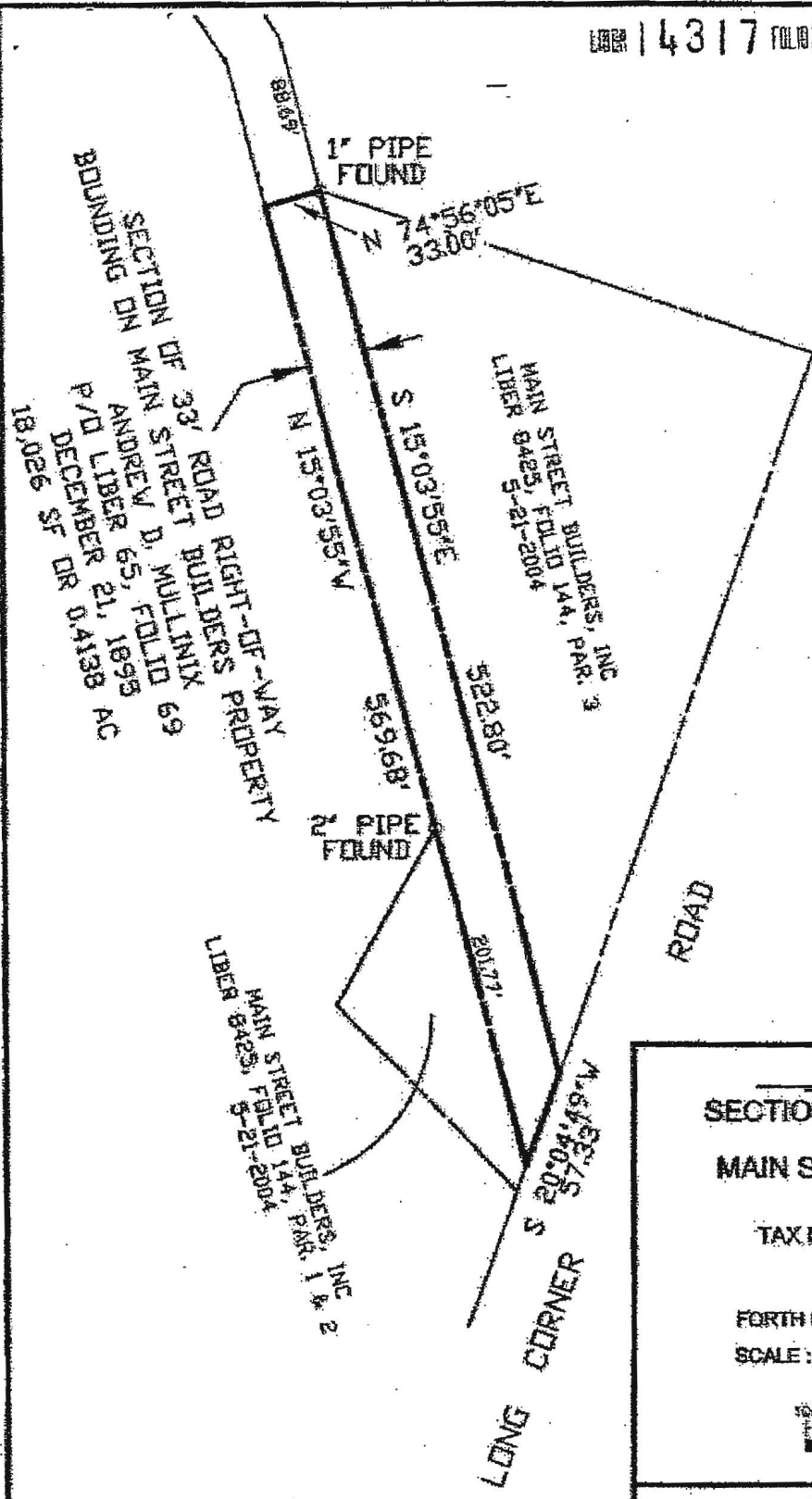
  
\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.

  
\_\_\_\_\_  
Jack R. Cooper, Attorney

AFTER RECORDING, PLEASE RETURN TO:  
AMERICAN HOME TITLE GROUP, INC.  
3454 ELLICOTT CENTER DRIVE #101  
ELLICOTT CITY, MD 21043





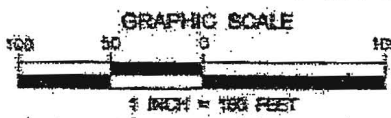
SECTION OF 33' ROAD RIGHT-OF-WAY BOUNDING ON MAIN STREET BUILDERS PROPERTY  
 P/D LIBER 65, FOLIO 69  
 DECEMBER 21, 1899 AC  
 18,026 SF OR 0.4138 AC

DPY FD GIVE #	48.00
RECORDING FEE	29.00
TR TAX COUNTY	14.00
TR TAX STATE	7.00
TOTAL	98.00
Post CHG	81.35
MRK NTN	1467
SEP 24, 2012	02:24 PM



**BOUNDARY SURVEY**  
**SECTION OF 33' ROAD RIGHT-OF-WAY**  
**BOUNDING ON**  
**MAIN STREET BUILDERS PROPERTY**  
**0.4138 ACRES**

TAX MAP 6, BETWEEN PARCELS 24 & 82  
 LONG CORNER ROAD  
 LIBER 65, FOLIO 69  
 FORTH ELECT. DIST. HOWARD COUNTY, MD.  
 SCALE: 1" = 100' MARCH 31, 2011



COMPILED BY: T.M.H.  
 DRAWN BY: T.M.H.  
 CHECKED BY: T.M.H.

**SHEET**  
**1 of 1**

**SURVEYOR'S CERTIFICATION**

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECT SUPERVISION DURING MARCH, 2011 AND WAS MADE IN ACCORDANCE WITH MARYLAND STATE SURVEY STANDARDS FOR BOUNDARY SURVEYS.

*Thomas M. Hoffmann, Jr.* 3/31/11  
 THOMAS M. HOFFMANN, JR. DATE  
 MD. REG. PROPERTY LINE SURVEYOR No. 267

**ROBERT H. VOGEL ENGINEERING, INC.**  
 ENGINEERS • SURVEYORS • PLANNERS  
 8407 MAIN STREET ELLESBETT CITY, MD. 21043 TEL: 410-461-7666 FAX: 410-461-8961

Space Reserved for Circuit

2	Conveyance Type Check Box	<input type="checkbox"/> Improved Sale Arms-Length [1]	<input checked="" type="checkbox"/> Unimproved Sale Arms-Length [2]	<input type="checkbox"/> Multiple Accounts Arms-Length [3]	<input type="checkbox"/> Not an Arms-Length Sale [9]
---	---------------------------	--	---	--	--

3	Tax Exemptions (if applicable)	Recordation	
	Cite or Explain Authority	State Transfer	
		County Transfer	

4	Consideration Amount		Finance Office Use Only	
	Purchase Price/Consideration		Transfer and Recordation Tax Consideration	
	Purchase Price/Consideration	\$	Transfer Tax Consideration	\$
	Any New Mortgage	\$	X ( ) % =	\$
	Balance of Existing Mortgage	\$	Less Exemption Amount	\$
	Other: ASSESSED VALUE	\$ 1,400.00	Total Transfer Tax	\$
	Other:	\$	Recordation Tax Consideration	\$
Full Cash Value:	\$	X ( ) per \$500 =	\$	
		TOTAL DUE	\$	

5	Fees	Amount of Fees	Doc. 1	Doc. 2	Agent:
		Recording Charge	\$ 20.00	\$	Tax Bill:
		Surcharge	\$ 40.00	\$	C.B. Credit:
		State Recordation Tax	\$ 7.50	\$	Ag. Tax/Other:
		State Transfer Tax	\$ 7.00	\$	
		County Transfer Tax	\$ 14.00	\$	
		Other	\$	\$	
Other	\$	\$			

6	Description of Property SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).	District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG		
		04	593938					<input type="checkbox"/> (5)	
		Subdivision Name		Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	SqFt/Acreage (4)	.4138 acres
		Location/Address of Property Being Conveyed (2)							
		LONG CORNER ROAD, Mount Airy, MD 21771							

7	Transferred From	Doc. 1 - Grantor(s) Name(s)	Doc. 2 - Grantor(s) Name(s)
		MAIN STREET BUILDERS, INC.	
		Doc. 1 - Owner(s) of Record, if Different from Grantor(s)	Doc. 2 - Owner(s) of Record, if Different from Grantor(s)

8	Transferred To	Doc. 1 - Grantee(s) Name(s)	Doc. 2 - Grantee(s) Name(s)
		MAIN STREET BUILDERS, INC.	
		New Owner's (Grantee) Mailing Address	
		5705 LANDING ROAD, ELKRIDGE, MD 21075	

9	Other Names to Be Indexed	Doc. 1 - Additional Names to be Indexed (Optional)	Doc. 2 - Additional Names to be Indexed (Optional)

10	Contact/Mail Information	Instrument Submitted By or Contact Person		<input checked="" type="checkbox"/> Return to Contact Person
		Name: Deborah A. Shipley		<input type="checkbox"/> Hold for Pickup
		Firm: AMERICAN HOME TITLE GROUP, INC.		<input type="checkbox"/> Return Address Provided
		Address: 3454 ELLICOTT CENTER DRIVE, #101 ELLICOTT CITY, MD 21043 Phone: (410) 750-8500		

11	IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER	
	Assessor Information	<input type="checkbox"/> No Will the property being conveyed be the grantee's principal residence? <input checked="" type="checkbox"/> No Does transfer include personal property? If yes, identify: _____ <input type="checkbox"/> No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).

Assessment Use Only - Do Not Write Below This Line							
Terminal Verification	Agricultural Verification	Whole	Part	Tran. Process Verification			
Transfer Number	Date Received:	Deed Reference:		Assigned Property No.:			
Year	20	20	Geo.	Map	Sub	Block	
Land			Zoning	Grid	Plat	Lot	
Buildings			Use	Parcel	Section	Occ. Cd.	
Total			Town Cd	Ev St	Ev Cd		

County Validation

000119

DECLARATION OF SEPTIC EASEMENTS

THIS DECLARATION, made this 8<sup>th</sup> day of July, 2010, by MAIN STREET BUILDERS, INC., a Maryland Corporation, (hereinafter referred to as "Declarant").

WHEREAS, Declarant is the owner of three parcels of real property in Howard County, Maryland, being more particularly described in a Deed dated May 21, 2004 and recorded among the Land Records of Howard County, Maryland in Liber 8425, at folio 144, and

WHEREAS, Declarant desires to create various easements as more particularly described herein.

NOW THEREFORE, Declarant hereby declares as follows:

20  
20  
~

1. Declarant, for itself, its successors and assigns, does hereby declare and create various easements as more particularly described herein.

2. The easement areas described in Exhibits "A", "B", "C" and "D" shall burden Parcel Three (commonly referred to as 1540 Long Corner Road) of the aforementioned Deed recorded at Liber 8425, folio 144 and shall benefit Parcels One and Two (commonly referred to as 1564 Long Corner Road) of the aforesaid Deed recorded in Liber 8425, at folio 144.

3. The above described easements shall run under, through and across the herein described easement areas.

4. The Private Septic Easement 1 (Exhibit "A") and Private Septic Easement 2 (Exhibit "B") shall be for the purpose of building, extending and/or maintaining a comprehensive septic system as may be allowed by governmental regulations (at any time now or in the future) including, but not limited to, a tank, piping, vents, conduits and/or drainage area.

5. The 20' Private Septic Access Easement (Exhibit "C") shall be for the purpose of building, extending and/or maintaining such pipes, vents, conduits, and features to fully access and utilize Private Septic Easement 1 and Private Septic Easement 2 as described herein.

6. The use of the easement areas described herein for septic disposal purposes shall be exclusively reserved for Parcels One and Two (1564 Long Corner Road). The surface of the easement area shall be used and maintained by Parcel Three (1540 Long Corner Road) so long as said use does not interfere with the rights granted herein.

7. The easements created herein shall be perpetual and shall run with and bind the land affected thereby.

8. In the event it is necessary to make openings and/or excavations, the party for whose benefit the said work is undertaken shall be responsible for restoring the land to substantially the same condition which existed prior to the work having been undertaken.

9. Any dispute arising out of this Declaration shall be decided by binding arbitration pursuant to the then existing rules and regulations of the American Arbitration Association. The Declarant and/or any owner may enforce the provisions herein.

WITNESS the hand and seal of the Declarant the day and year first above written.

WITNESSETH:

/ MAIN STREET BUILDERS, INC.



BY: Joseph E. Snodgrass, Inc (SEAL)  
Joseph E. Snodgrass  
President

STATE OF MARYLAND, COUNTY OF HOWARD, TO WIT:

I HEREBY CERTIFY, that on this 8th day of July, 2010, before me, the subscriber, a Notary Public of the jurisdiction aforesaid, personally appeared **JOSEPH E. SNODGRASS**, who acknowledged himself to be **PRESIDENT** of **MAIN STREET BUILDERS, INC., a Maryland Corporation**, and that he as such President being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing in my presence, on behalf of the corporation by himself as such President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public



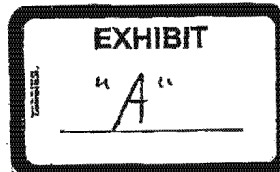
**JACK R. COOPER**  
Notary Public-Maryland  
Baltimore County  
My Commission Expires  
April 13, 2012

My Commission Expires: \_\_\_\_\_

**AFTER RECORDING, RETURN ORIGINAL TO:**  
MAIN STREET BUILDERS, INC.  
5705 Landing Road  
Elkridge, MD 21075

LIBER 12558 FOLIO 341

**ROBERT H. VOGEL ENGINEERING, INC.**  
ENGINEERS • SURVEYORS • PLANNERS



**DESCRIPTION OF  
PRIVATE SEPTIC EASEMENT 1  
780 SQUARE FEET OR 0.0179 ACRES**  
Through **MAIN STREET BUILDERS, INC.** Property  
Forth Election District  
Howard County, Maryland

BEGINNING for the Same at a point along the First or South 10 degrees 37 minutes East 519.60 Foot line of that thirdly described parcel in conveyance from the Estate of Alvin Main Poole to Main Street Builders, Inc. by Deed dated May 21, 2004, and recorded among the Land Records of Howard County in Liber 8425, folio 144, South 15 degrees 03 minutes 55 seconds East 372.74' as now surveyed from a 1" Iron Pipe Found at the beginning of said First line, thence running through the lands of said Main Street Builders, Inc. the three following courses, with all bearings being referred to the Maryland State Grid Meridian, viz

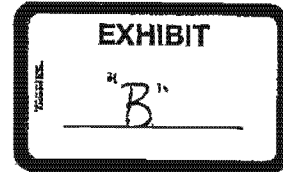
- 1) **North 74 degrees 56 minutes 05 seconds East 30.00 Feet**, thence
- 2) **South 15 degrees 03 minutes 55 seconds East 26.00 Feet**, thence
- 3) **South 74 degrees 56 minutes 05 seconds West 30.00 Feet** to intersect aforesaid First line of thirdly described parcel in Liber 8425/144, thence binding reversely on said line
- 4) **North 15 degrees 03 minutes 55 seconds West 26.00 Feet** to the point of beginning .....Containing **780 Square Feet or 0.0179 Acres** of land more or less.

BEING part of that thirdly described parcel of land in conveyance from the Estate of Alvin Main Poole to Main Street Builders, Inc. by Deed dated May 21, 2004, and recorded among the Land Records of Howard County in Liber 8425, folio 144.



*Thomas M. DeYoung*  
6-29-10

**ROBERT H. VOGEL ENGINEERING, INC.**  
ENGINEERS • SURVEYORS • PLANNERS



**DESCRIPTION OF  
PRIVATE SEPTIC EASEMENT 2  
5,717 SQUARE FEET OR 0.1312 ACRES**  
Through MAIN STREET BUILDERS, INC. Property  
Forth Election District  
Howard County, Maryland

COMMENCING for the Same at a point along the First or South 10 degrees 37 minutes East 519.60 Foot line of that thirdly described parcel in conveyance from the Estate of Alvin Main Poole to Main Street Builders, Inc. by Deed dated May 21, 2004, and recorded among the Land Records of Howard County in Liber 8425, folio 144, South 15 degrees 03 minutes 55 seconds East 231.65' as now surveyed from a 1" Iron Pipe Found at the beginning of said First line, thence running through the lands of said Main Street Builders, Inc. North 74 degrees 56 minutes 05 seconds East 5.00' to the POINT OF BEGINNING, thence continuing through the lands of said Main Street Builders, Inc. the seven following courses, with all bearings being referred to the Maryland State Grid Meridian, viz

- 1) North 15 degrees 03 minutes 55 seconds West 78.00 Feet, thence
- 2) North 72 degrees 08 minutes 41 seconds East 68.15 Feet, thence
- 3) South 35 degrees 46 minutes 28 seconds East 32.06 Feet, thence
- 4) South 04 degrees 57 minutes 32 seconds West 23.01 Feet, thence
- 5) South 08 degrees 19 minutes 17 seconds East 21.68 Feet, thence
- 6) South 54 degrees 34 minutes 38 seconds West 23.50 Feet, thence
- 7) South 74 degrees 56 minutes 05 seconds West 46.94 Feet to the point of beginning .....Containing 5,717 Square Feet or 0.1312 Acres of land more or less.

BEING part of that thirdly described parcel of land in conveyance from the Estate of Alvin Main Poole to Main Street Builders, Inc. by Deed dated May 21, 2004, and recorded among the Land Records of Howard County in Liber 8425, folio 144.



*Thomas M. Hoffman, Jr.*  
6.29.10

**ROBERT H. VOGEL ENGINEERING, INC.**  
ENGINEERS • SURVEYORS • PLANNERS

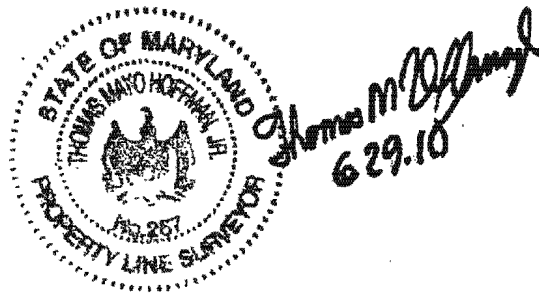


**DESCRIPTION OF**  
**20' PRIVATE SEPTIC ACCESS EASEMENT**  
**2,822 SQUARE FEET OR 0.0648 ACRES**  
Through **MAIN STREET BUILDERS, INC.** Property  
Forth Election District  
Howard County, Maryland

BEGINNING for the Same at a point along the First or South 10 degrees 37 minutes East 519.60 Foot line of that thirdly described parcel in conveyance from the Estate of Alvin Main Poole to Main Street Builders, Inc. by Deed dated May 21, 2004, and recorded among the Land Records of Howard County in Liber 8425, folio 144, South 15 degrees 03 minutes 55 seconds East 231.65' as now surveyed from a 1" Iron Pipe Found at the beginning of said First line, thence running through the lands of said Main Street Builders, Inc. the three following courses, with all bearings being referred to the Maryland State Grid Meridian, viz

- 1) **North 74 degrees 56 minutes 05 seconds East 20.00 Feet**, thence
- 2) **South 15 degrees 03 minutes 55 seconds East 141.09 Feet**, thence
- 3) **South 74 degrees 56 minutes 05 seconds West 20.00 Feet** to intersect aforesaid First line of thirdly described parcel in Liber 8425/144, thence binding reversely on said line
- 4) **North 15 degrees 03 minutes 55 seconds West 141.09 Feet** to the point of beginning .....Containing **2,822 Square Feet or 0.0648 Acres** of land more or less.

BEING part of that thirdly described parcel of land in conveyance from the Estate of Alvin Main Poole to Main Street Builders, Inc. by Deed dated May 21, 2004, and recorded among the Land Records of Howard County in Liber 8425, folio 144.





## Davis J., Michael

---

**From:** Davis J., Michael  
**Sent:** Tuesday, December 21, 2010 9:40 AM  
**To:** 'Chris Ogle'  
**Subject:** RE: 1564 well and septic\_RE: 1540 Long Corner Plot Plan

Chris,

The Health Department approved a building permit to remodel the existing dwelling, add a 143 SF addition, and a second story to the existing dwelling based on the house location/well location shown on the approved perc certification plan and building permit plot plan. The building permit was approved because the proposed addition did not extend closer to the well than existing house footprint. When we inspected the work performed to the drywell, the inspector discovered that the house location is not the location on the approved perc certification plan and the proposed addition extends much closer to the existing well. The perc certification plan will need to be corrected and a new well will need to be drilled due to the 143 SF addition encroaching closer to the existing well than the existing house foundation. Health Department approval of the building permit is being withdrawn until the issue has been resolved.

If you feel our determination that the house location is inaccurate is not correct, we can set up a meeting on-site after property corners have been surveyed and staked.

Michael J. Davis  
Assistant Director  
Bureau of Environmental Health  
Howard County Health Department

---

**From:** Chris Ogle [mailto:cogle@vogeleng.com]  
**Sent:** Monday, December 20, 2010 8:15 AM  
**To:** Davis J., Michael  
**Subject:** RE: 1564 well and septic\_RE: 1540 Long Corner Plot Plan

Mike,  
Can you please let me know what the issues are? The plot plan was based on the signed perc cert plan.  
Thanks  
Chris

---

**From:** Bricker, Robert [mailto:RBricker@howardcountymd.gov]  
**Sent:** Friday, December 17, 2010 4:54 PM  
**To:** Chris Ogle  
**Cc:** Davis J., Michael  
**Subject:** 1564 well and septic\_RE: 1540 Long Corner Plot Plan

Received, but there is a problem noted by the inspector. The house and well locations are at issue, and I see some conflicting info in different plans. Distance from existing well, construction of existing well (pit well) at 1564 long Corner may be issues. Direct questions to Mike Davis. File is on my chair. Robert

---

**From:** Chris Ogle [mailto:cogle@vogeleng.com]  
**Sent:** Friday, December 17, 2010 1:14 PM  
**To:** Bricker, Robert  
**Cc:** josephsnodgrass@verizon.net  
**Subject:** FW: 1540 Long Corner Plot Plan

Robert,  
Did you get the copy that was dropped off. Please let me know.  
Thanks

---

**From:** Joseph Snodgrass [mailto:josephsnodgrass@verizon.net]  
**Sent:** Friday, December 17, 2010 11:53 AM  
**To:** 'Chris Ogle'  
**Subject:** 1540 Long Corner Plot Plan

If I didn't let you know already I did drop off a copy of the most recent plan to his office again. They said they will put it on Bricker's desk.

---

**From:** Chris Ogle [mailto:cogle@vogeleng.com]  
**Sent:** Thursday, December 16, 2010 11:47 AM  
**To:** josephsnodgrass@verizon.net  
**Subject:** FW: 1540 Long Corner Plot Plan

Joe,  
I remember making copies for you to send to Robert. Apparently he does not have a copy. Is it possible to send him another copy. He will need it before next week. He will be off next week and the following week. He said he will stamp whatever we send him. I can make a copy anytime. Our runner ifs out at SCD and cannot do it today.  
Chris

---

**From:** Bricker , Robert [mailto:RBricker@howardcountymd.gov]  
**Sent:** Wednesday, December 15, 2010 3:11 PM  
**To:** Chris Ogle  
**Subject:** RE: 1540 Long Corner Plot Plan

Chris,  
I 'm not finding a full-size plan in the file that I can stamp. If I had one it's been removed for some reason or other. Please send the last iteration of this plan. Thanks.  
Robert

---

**From:** Chris Ogle [mailto:cogle@vogeleng.com]  
**Sent:** Friday, December 03, 2010 9:57 AM  
**To:** Bricker , Robert  
**Cc:** josephsnodgrass@verizon.net  
**Subject:** RE: 1540 Long Corner Plot Plan

Will do.

---

**From:** Bricker , Robert [mailto:RBricker@howardcountymd.gov]  
**Sent:** Friday, December 03, 2010 9:46 AM  
**To:** Chris Ogle  
**Subject:** RE: 1540 Long Corner Plot Plan

I need a paper copy to stamp (i.e. certifiy)

---

**From:** Chris Ogle [mailto:cogle@vogeleng.com]  
**Sent:** Friday, December 03, 2010 9:41 AM  
**To:** Bricker , Robert

**Cc:** josephsnodgrass@verizon.net  
**Subject:** RE: 1540 Long Corner Plot Plan

Robert,  
I changed the font to an ARIAL font which is bolder. Will you require paper copies?  
Chris

---

**From:** Bricker , Robert [mailto:RBricker@howardcountymd.gov]  
**Sent:** Friday, December 03, 2010 9:34 AM  
**To:** Chris Ogle  
**Subject:** RE: 1540 Long Corner Plot Plan

No, The septic reserve corners will serve as field references for proper locations.

---

**From:** Chris Ogle [mailto:cogle@vogeleng.com]  
**Sent:** Friday, December 03, 2010 9:33 AM  
**To:** Bricker , Robert  
**Subject:** RE: 1540 Long Corner Plot Plan

I did not add the dimensions. Do you still need them?

---

**From:** Bricker , Robert [mailto:RBricker@howardcountymd.gov]  
**Sent:** Friday, December 03, 2010 9:23 AM  
**To:** Chris Ogle  
**Subject:** RE: 1540 Long Corner Plot Plan

Chris, In that it leads to a subsurface elevation (at least it appears so to me), yes.  
The drawing is OK. Make the font larger on the septic reserve labels. I'll condition the installation permit to stake the entire septic reserve using different color flagging to designate the respective areas. The septic reserve corners will serve as field references for proper locations.  
Robert Bricker , RS/REHS

---

**From:** Chris Ogle [mailto:cogle@vogeleng.com]  
**Sent:** Friday, December 03, 2010 8:32 AM  
**To:** Bricker , Robert  
**Subject:** RE: 1540 Long Corner Plot Plan

Robert,  
Is the areaway considered part of the foundation?

---

**From:** Bricker , Robert [mailto:RBricker@howardcountymd.gov]  
**Sent:** Thursday, December 02, 2010 5:07 PM  
**To:** Chris Ogle  
**Subject:** RE: 1540 Long Corner Plot Plan

Chris,  
See attached PDF. I marked-up the Plot Plan and could not print area of dwf file that I needed. So.... Using copy of perc cert, I'm showing you preferred location for septic tank cleanout and distribution box. NOTE the labeled distance, esp. to the well and to the fence near property line. Reference cleanout and distribution box as I have and label the distances (though your distances may be slightly different). Septic Tank corner is 20 feet from foundation. Cleanout and d-box need to be outside well arcs.

Robert Bricker, RS/REHS  
Environmental Sanitarian Supervisor  
Well and Septic Program  
410-313-2691

---

**From:** Chris Ogle [mailto:cogle@vogeleng.com]  
**Sent:** Thursday, December 02, 2010 9:14 AM  
**To:** Bricker , Robert  
**Cc:** josephsnodgrass@verizon.net  
**Subject:** RE: 1540 Long Corner Plot Plan

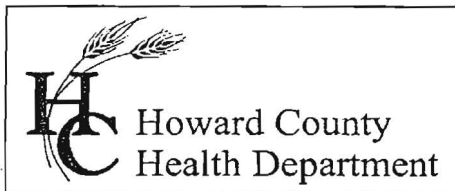
Robert,  
Revised plan. I was not able to make a full size PDF so I did a DWF. Let me know if you have a problem reading this.  
Thanks

---

**From:** Bricker , Robert [mailto:RBricker@howardcountymd.gov]  
**Sent:** Wednesday, December 01, 2010 4:49 PM  
**To:** Chris Ogle  
**Cc:** Joseph Snodgrass  
**Subject:** 1540 Long Corner Plot Plan

See attached PDF.

Robert Bricker, CPSS, RS/REHS  
Environmental Sanitarian Supervisor  
Well and Septic Program  
410-313-2691



Bureau of Environmental Health  
7178 Columbia Gateway Drive, Columbia, MD 21046-2147  
(410) 313-2640 Fax (410) 313-2648  
TDD (410) 313-2323 Toll Free 1-866-313-6300  
website: www.hchealth.org

Peter L. Beilenson, M.D., M.P.H., Health Officer

July 21, 2009

Joseph Snodgrass  
Main Street Builders  
5705 Landing Road  
Elkridge, Maryland 21075

RE: Variance request  
1540 and 1564 Long Corner Road  
Tax Map 6 Parcel 83  
Howard County, Maryland

Dear Mr. Snodgrass,

The Health Department submitted a variance request on your behalf for the potential development of the 1540 Long Corner Road (Howard County Tax Map , Parcel ). Consideration of the soil conditions and percolation test results, assumed groundwater flow patterns, landscape position, and documentation of water quality at the primary well location were some of the factors used in making our recommendation for approval.

The Maryland Department of the Environment (MDE) has accepted our recommendation to approve the variance request subject to the specific conditions that are described below. The pending approval will allow for the existing dry well serving 1564 Long Corner Road to remain upgradient and at least 200 feet distance from two alternative (re: replacement) well locations for 1540 Long Corner Road.

The variance is approvable subject to the following MDE conditions concerning the primary well:

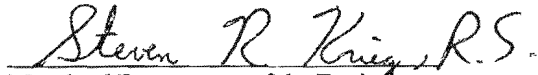
- 1)The initial well site will be drilled as a test well and must have steel casing set a minimum of 50 feet OR ten feet into the competent bedrock whichever is deeper.
- 2) Following drilling and well development, a licensed MD well pump installer will set a test pump and chlorinate the well in accordance with COMAR 26.04.04.07(N).
- 3) The pump installer will purge the well (this could be concurrent with yield testing) and after the purging, a sample must be collected by a MD certified drinking water sampler to measure if the baseline chlorine residual is no longer detectable. The well purge will continue until chlorine residual is no longer detectable, then a sample will be taken by a MD certified drinking water sampler. The sample will be analyzed by either the State Lab or a Private MD State Certified Lab for typical basic domestic wastewater constituents including: nitrates, total coliform and E. coli bacteria, chlorides, Methylene Blue Activated Surfactants (MBAS, EPA Method 425.1) and ammonia-N (EPA Method 365.1)

If you have any questions regarding this letter, you may contact me at the above address or by calling (410) 313-1771.

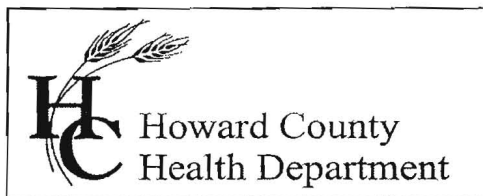
Sincerely,



Robert Bricker, R.S.  
Well and Septic Program

  
Maryland Department of the Environment

COPY: Robert Vogel, P.E., Consulting Engineer  
Jeremy Rutter, Heritage Land Development (Applicant)



Bureau of Environmental Health  
7178 Columbia Gateway Drive, Columbia MD 21046  
(410) 313-2640 Fax (410) 313-2648  
TDD (410) 313-2323 Toll Free 1-866-313-6300  
website: www.hchealth.org

---

Peter L. Beilenson, M.D., M.P.H., Health Officer

October 13, 2009

Joseph Snodgrass  
Main Street Builders, Inc.  
5705 Landing Road  
Elkridge, MD 21075

RE: **Variance Approval**  
1540 & 1564 Long Corner Road

Dear Sir:

This letter is being issued as follow up to the Health Department's verbal approval of your waiver request. The Health Department has received your waiver request dated July 14, 2009 to allow Sewage Disposal Areas to be located five (5) feet from the property line. This agency grants **approval** of the waiver. Any deviation from the perc certification plan signed on September 1, 2009 will require review by this Department.

Any questions regarding this decision may be directed to the Well and Septic Program of the Howard County Health Department.

Respectfully,

Michael J. Davis, R.S.  
Assistant Director  
Bureau of Environmental Health

c: File

# Main Street Builders

5705 Landing Road  
Elkridge, Maryland 21075  
410-796-2003 • fax 410-744-9054

July 14, 2009


Mr. Robert Bricker, R.S.  
Well and Septic Program  
Bureau of Environmental Health  
Howard County Health Department  
7178 Columbia Gateway Drive  
Columbia, Maryland 21046

Re: 1540 and 1564 Long Corner Road  
Parcel 3, P/O TM 6, Parcel 83  
PC 530253  
Variance Request

Dear Mr. Bricker,

The purpose of this variance request is to request the reduction of the 10' minimum distance between a sewage disposal area (SDA) and side lot line. This variance will permit the establishment of a new private sewage easement for 1540 Long Corner Road and a private sewage easement to accommodate a repair area for 1564 Long Corner Road. This variance request is in accordance with our previous meetings and discussions. Should you have any questions regarding this matter, please do not hesitate to contact Robert H. Vogel Engineering, Inc. (410-461-7666).

Sincerely,  
**MAIN STREET BUILDERS, INC.**

  
Joseph Snodgrass

cc: Robert H. Vogel, P.E. – Robert H. Vogel Engineering, Inc.

*9/9/09 Approved  
MJ Davis*

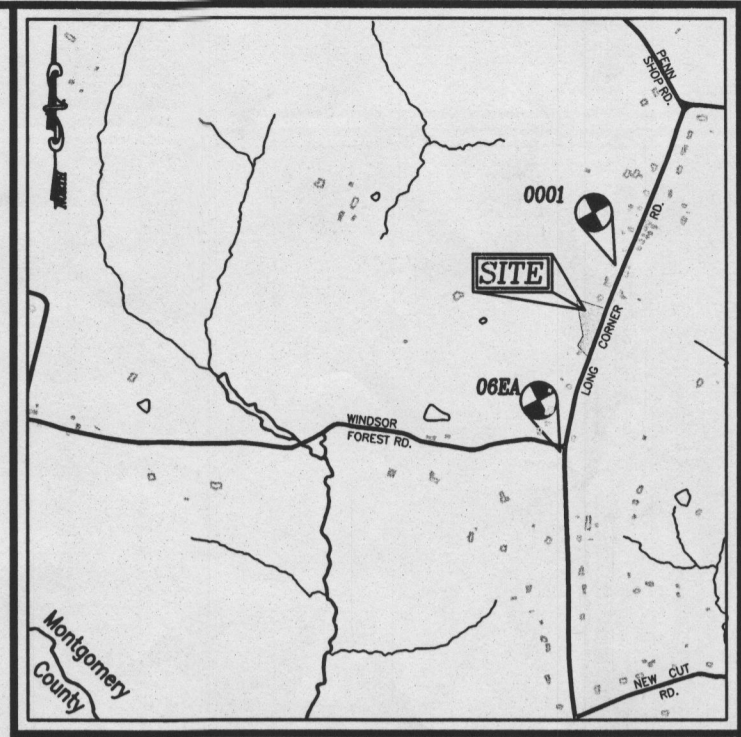
**GENERAL NOTES:**

1. THE BOUNDARY LINES SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY.
2. EXISTING SEPTIC LOCATIONS SHOWN ARE BASED ON A FIELD SURVEY.
3. ALL EXISTING WELLS AND SEPTIC AREAS WITHIN 100' OF THE SITE HAVE BEEN SHOWN TO THE BEST OF OUR KNOWLEDGE.
4. THE EXISTING PIT WELL MUST BE SEALED, AND THE WELL ABANDONMENT REPORT RECEIVED, AFTER THE YIELD FOR THE REPLACEMENT WELL IS PROVEN AND PRIOR TO HEALTH DEPARTMENT APPROVAL OF THE BUILDING PERMIT.
5. THE LOT KNOWN AS 1540 LONG CORNER ROAD COMPLIES WITH THE MINIMUM OWNERSHIP WIDTH AND LOT AREA AS REQUIRED BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT.
6. HEALTH DEPARTMENT HAS WAIVED SETBACK OF SDA FROM PROPERTY LINE FROM 10' TO 5'.
7. APPLICATION A-530253
8. THE STRUCTURE AT 1564 LONG CORNER ROAD IS LIMITED TO 3 BEDROOMS.
9. THE SEPTIC EASEMENT TO SERVE 1564 LONG CORNER ROAD CONTAINS THE EXISTING DRY WELL AND HAS AREA ADEQUATE FOR 2 REPAIR SYSTEMS.
10. THE ACCESS EASEMENT TO THE REPAIR AREA SERVING 1564 LONG CORNER ROAD HAS BEEN RECORDED.
11. THE EXISTING DRY WELL (SERVING THE RESIDENCE KNOWN AS 1564 LONG CORNER ROAD) HAS BEEN INSTALLED WITH A PVC OBSERVATION PIPE AND THE VOID FILLED WITH GRAVEL.
12. THE REPLACEMENT WELL FOR 1564 LONG CORNER ROAD MUST HAVE A STEEL CASING TO 50 FEET OR SET 10 FEET INTO COMPETENT BEDROCK, WHICHEVER IS DEEPER.
13. TOPOGRAPHY SHOWN IS AT TWO-FOOT CONTOUR INTERVALS AND HAS BEEN FIELD VERIFIED OR FIELD RUN.
14. ANY CHANGES TO A PRIVATE SEWERAGE AREA SHALL REQUIRE A REVISED PERC CERTIFICATION PLAN.
15. THE NEW WELL SERVING 1540 LONG CORNER ROAD HAS STEEL CASING TO 48 FEET DEPTH, 18 FEET INTO A LAYER OF "BLUE SLATE" ROCK.

THIS AREA DESIGNATES A PRIVATE SEWERAGE EASEMENT REQUIRED BY THE MARYLAND STATE DEPARTMENT OF THE ENVIRONMENT FOR INDIVIDUAL SEWAGE DISPOSAL. IMPROVEMENTS OF ANY NATURE IN THIS AREA ARE RESTRICTED UNTIL PUBLIC SEWAGE IS AVAILABLE. THESE EASEMENTS SHALL BE NULL AND VOID UPON CONNECTION TO A PUBLIC SYSTEM. THE COUNTY HEALTH OFFICER SHALL HAVE AUTHORITY TO GRANT ADJUSTMENTS TO THE PRIVATE SEWERAGE EASEMENT. RECORDATION OF A MODIFIED SEWERAGE EASEMENT SHALL NOT BE NECESSARY.

**BENCHMARKS**

HOWARD COUNTY BENCHMARK 0001 (CONCRETE MONUMENT)  
N 607303.2145 E 1268306.1165 ELEV. 812.778  
HOWARD COUNTY BENCHMARK 06EA (CONCRETE MONUMENT)  
N 605662.2772 E 1267824.3235 ELEV. 785.452



**VICINITY MAP**

SCALE: 1"=2000'  
ADC COORDINATE: 2 C11

**LEGEND**

---	RIGHT-OF-WAY
---	BOUNDARY LINE
---	ADJACENT BOUNDARY LINE
---	SOILS
---	CENTERLINE OF EXISTING ROAD
---	EXISTING EDGE OF PAVING
---	EXISTING 10' CONTOUR
---	EXISTING 2' CONTOUR
○	PASSED PERCOLATION TEST LOCATION
○	FAILED PERCOLATION TEST LOCATION
○	EXISTING WELL LOCATION
○	OBSERVED PROFILE
○	PROPOSED WELL LOCATION
▨	PRIVATE SEWERAGE EASEMENT
▨	OFFSITE PRIVATE SEWERAGE EASEMENT

**SEPTIC SYSTEM DESIGN**

**1564 LONG CORNER ROAD**  
NUMBER OF BEDROOMS: 3  
SQUARE FEET OF TRENCH: 450GPD/0.8=563  
TRENCH LENGTH (WIDTH ADJUSTMENT): 563/3(TRENCH WIDTH)=188LF  
TRENCH LENGTH (DEPTH ADJUSTMENT): 188x0.62=116LF PER SYSTEM

**1540 LONG CORNER ROAD**  
NUMBER OF BEDROOMS: 5  
SQUARE FEET OF TRENCH: 750GPD/0.8=938  
TRENCH LENGTH (WIDTH ADJUSTMENT): 938/3(TRENCH WIDTH)=313LF  
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**PERCOLATION CERTIFICATION:**  
I CERTIFY THAT THE LOCATIONS SHOWN HEREON ARE BASED ON FIELD LOCATIONS DONE UNDER MY DIRECT SUPERVISION, AND ARE CORRECT, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

*Thomas M. Hoffman, Jr.* 12.21.12  
THOMAS M. HOFFMAN, JR., PROFESSIONAL LAND SURVEYOR #267 DATE

APPROVED: FOR PRIVATE WATER AND PRIVATE SEWERAGE SYSTEMS

*Barbara M. Rossman* 1/14/2013  
BARBARA M. ROSSMAN, COUNTY HEALTH OFFICER DATE

**PERCOLATION CERTIFICATION PLAN**  
1540 AND 1564 LONG CORNER ROAD

TAX MAP 6 GRID 10 PARCELS 83  
4TH ELECTION DISTRICT HOWARD COUNTY, MARYLAND

**ROBERT H. VOGEL ENGINEERING, INC.**  
ENGINEERS • SURVEYORS • PLANNERS  
8407 MAIN STREET ELLICOTT CITY, MD 21043 TEL: 410.461.7666 FAX: 410.461.8961

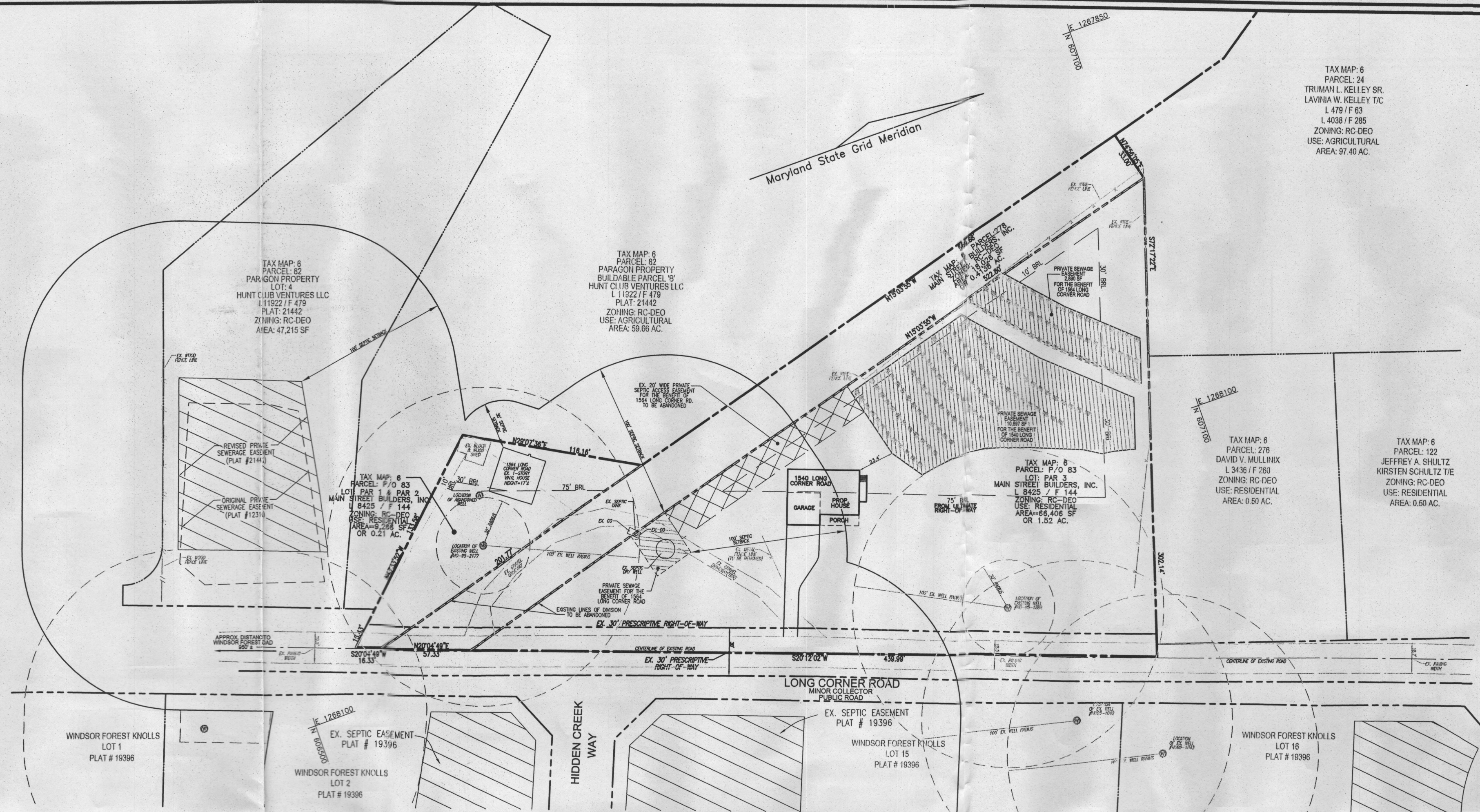
DESIGN BY: RHV	PROFESSIONAL CERTIFICATE I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 16193 EXPIRATION DATE: 09-27-2014
DRAWN BY: JCO/EDS	
CHECKED BY: RHV	
DATE: REV DEC. 2012 MAY 2011	
SCALE: 1"=30'	
W.O. NO.: 04-33.05	1 SHEET OF 1

ROBERT H. VOGEL, PE #16193

**SOILS LEGEND**

SOIL	NAME	SLOPE	CLASSIFICATION
MB2	MT AIRY CHANNERY LOAM	3%-8% MODERATELY ERODED	A

**PLAN VIEW**  
SCALE: 1"=30'

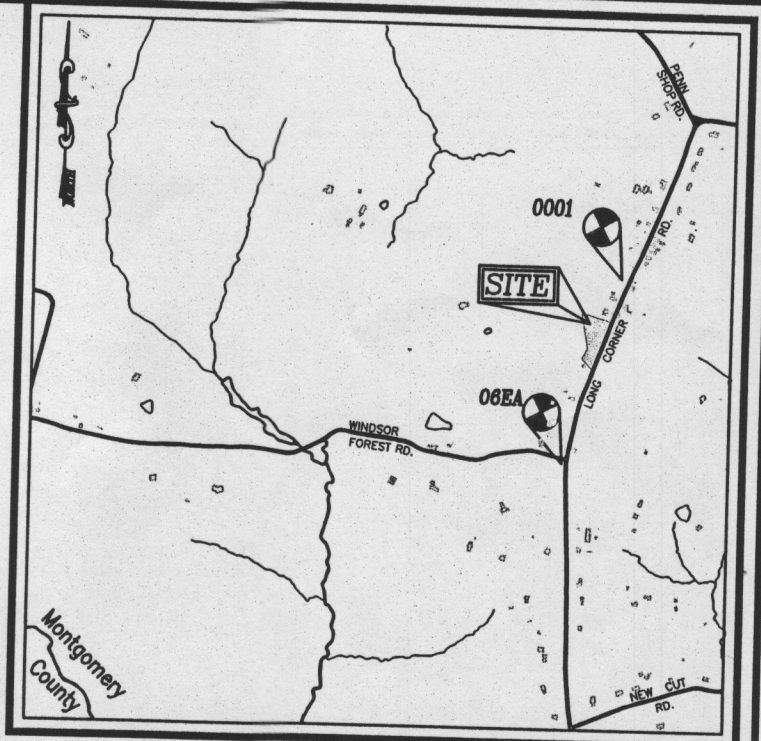


**EXISTING CONFIGURATION**  
SCALE: 1"=50'



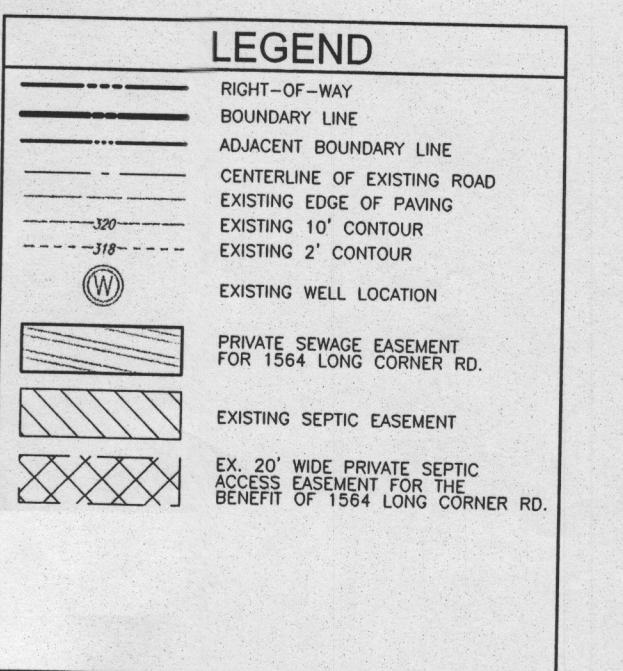
**PROPOSED CONFIGURATION**  
SCALE: 1"=50'

- GENERAL NOTES:**
- ZONING DISTRICT: RC-DEO
  - EXISTING LAND AREAS:
    - #1564 PARCEL 83 (PAR 1 & 2) 0.21 ACRES+/-
    - #1540 PARCEL 278 0.41 ACRES+/-
    - #1540 PARCEL 83 (PAR. 3) 1.52 ACRES+/-
    - TOTAL: 2.15 ACRES
  - PROPOSED LAND AREAS:
    - #1564 LONG CORNER RD 0.96 ACRES+/-
    - #1540 LONG CORNER RD 1.19 ACRES+/-
    - TOTAL: 2.15 ACRES
  - THE BOUNDARY LINES SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY.
  - EXISTING FEATURES SHOWN HEREON ARE BASED ON A FIELD SURVEY.
  - ALL EXISTING WELLS AND SEPTIC AREAS WITHIN 100' OF THE SITE HAVE BEEN SHOWN TO THE BEST OF OUR KNOWLEDGE.
  - THE WELL FOR 1540 LONG CORNER ROAD HAS BEEN COMPLETED. WELL TAG # HO-95-1884.
  - THE STRUCTURE AT 1564 LONG CORNER ROAD IS LIMITED TO 3 BEDROOMS.
  - THE SEPTIC EASEMENT TO SERVE 1564 LONG CORNER ROAD CONTAINS THE EXISTING DRY WELL AND HAS AREA ADEQUATE FOR 2 REPAIR SYSTEMS.
  - THE LOT KNOWN AS 1540 LONG CORNER ROAD COMPLIES WITH THE MINIMUM OWNERSHIP WIDTH AND LOT AREA AS REQUIRED BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT.
  - HEALTH DEPARTMENT HAS WAIVED SETBACK OF SDA FROM PROPERTY LINE FROM 10' TO 5'. APPLICATION A-530253.
  - THE ACCESS EASEMENT TO THE REPAIR AREA SERVING 1564 LONG CORNER ROAD HAS BEEN RECORDED.
  - THE EXISTING DRY WELL (SERVING THE RESIDENCE KNOWN AS 1564 LONG CORNER ROAD) HAS BEEN INSTALLED WITH A PVC OBSERVATION PIPE AND THE VOID FILLED WITH GRAVEL.
  - THE NEW WELL TO SERVE 1564 LONG CORNER ROAD HAS BEEN COMPLETED. WELL TAG # HO-95-2117.
  - TOPOGRAPHY SHOWN IS AT TWO-FOOT CONTOUR INTERVALS AND HAS BEEN FIELD VERIFIED OR FIELD RUN.
  - ANY CHANGES TO A PRIVATE SEWERAGE AREA SHALL REQUIRE A REVISED PERC CERTIFICATION PLAN.
  - REFERENCE APPROVED VARIANCE, BOARD OF APPEALS CASE NO. BA-09-042V APPROVED 1/20/10, TO REDUCE THE FRONT 75' SETBACK TO 35' FOR A SINGLE FAMILY DETACHED DWELLING IN THE RC-DEO ZONING DISTRICT.
  - IN ACCORDANCE WITH SECTION 16.102(C)(3) OF THE SUBDIVISION AND LAND DEVELOPMENT REGULATIONS, THIS PARCEL RECONFIGURATION IMPROVES THE COMPLIANCE OF EXISTING PARCELS THAT DO NOT MEET CURRENT ZONING BULK REGULATIONS BY BRINGING THE NONCOMPLYING PARCEL OR LOT AS CLOSE TO ZONING COMPLIANCE AS POSSIBLE.
  - ON FEBRUARY 28, 2012, THE HOWARD COUNTY CIRCUIT COURT ORDERED, ADJUDGED AND DECLARED THAT MAIN STREET BUILDERS, INC. IS THE OWNER OF THE 33' WIDE 0.41 ACRES OF INTERVENING PROPERTY, KNOWN AS PARCEL 278.



**VICINITY MAP**  
SCALE: 1"=2000'  
ADC COORDINATE: 2 C11

- BENCHMARKS**
- HOWARD COUNTY BENCHMARK 0001 (CONCRETE MONUMENT)  
N 607303.2145 E 1268306.1165 ELEV. 812.778
  - HOWARD COUNTY BENCHMARK 006A (CONCRETE MONUMENT)  
N 605662.2772 E 1267824.3235 ELEV. 785.452



SEWERAGE EASEMENT REQUIRED BY THE MARYLAND STATE DEPARTMENT OF THE ENVIRONMENT FOR INDIVIDUAL SEWERAGE DISPOSAL IMPROVEMENTS OF ANY NATURE IN THIS AREA ARE RESTRICTED UNTIL PUBLIC SEWERAGE IS AVAILABLE. THESE EASEMENTS SHALL BE NULL AND VOID UPON CONNECTION TO A PUBLIC SYSTEM. THE COUNTY HEALTH OFFICER SHALL HAVE AUTHORITY TO GRANT ADJUSTMENTS TO THE PRIVATE SEWERAGE EASEMENT. RECORDATION OF A MODIFIED SEWERAGE EASEMENT SHALL NOT BE NECESSARY.

**WAIVER PETITION:**  
SECTION 16.102 APPLICABILITY:  
TO ALLOW THE RECONFIGURATION OF PARCEL LINES BY DEED (ADJOINER TRANSFER).

**OWNER/DEVELOPER**  
MAIN STREET BUILDERS  
5705 LANDING ROAD  
ELKRIDGE, MARYLAND 21075  
(410) 796-2003

REVISED  
JAN 04 2012  
DPZ Land Development

**EXHIBIT TO ACCOMPANY WAIVER PETITION  
LONG CORNER PROPERTIES**

TAX MAP 6 GRID 10 PARCELS 83 AND 278  
4TH ELECTION DISTRICT HOWARD COUNTY, MARYLAND

**ROBERT H. VOGEL ENGINEERING, INC.**  
ENGINEERS • SURVEYORS • PLANNERS  
8407 MAIN STREET TEL: 410.461.7666  
ELLCOTT CITY, MD 21043 FAX: 410.461.8961

**PROFESSIONAL CERTIFICATE**

DESIGN BY: RHV  
DRAWN BY: JMR  
CHECKED BY: RHV  
DATE: REV DEC 2012  
OCTOBER 2012  
SCALE: 1"=50'  
W.O. NO.: 04-33-05

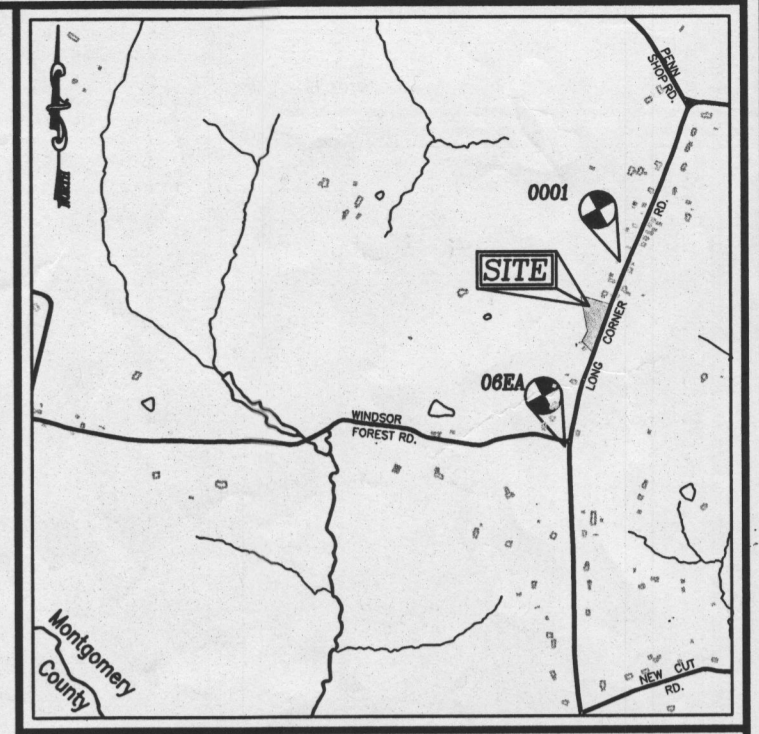
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 11943 EXPIRATION DATE: 09-27-2014

**GENERAL NOTES:**

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2. EXISTING SEPTIC LOCATIONS SHOWN ARE BASED ON A FIELD SURVEY.
3. ALL EXISTING WELLS AND SEPTIC AREAS WITHIN 100' OF THE SITE HAVE BEEN SHOWN TO THE BEST OF OUR KNOWLEDGE.
4. ALL WELLS TO BE DRILLED PRIOR TO SUBMITTAL OF BUILDING PERMIT.
5. IT IS THE DEVELOPERS RESPONSIBILITY TO SCHEDULE THE WELL DRILLING PRIOR TO BUILDING PERMIT SUBMISSION.
6. THE UNDEVELOPED LOT SHOWN HEREON COMPLIES WITH THE MINIMUM OWNERSHIP WIDTH AND LOT AREA AS REQUIRED BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT.
7. HEALTH DEPARTMENT HAS WAIVED SETBACK OF SDA FROM PROPERTY LINE FROM 10' TO 5'.
8. APPLICATION A-530253
9. THE STRUCTURE AT 1564 LONG CORNER ROAD IS LIMITED TO 3 BEDROOMS.
10. THE OFF-SITE SEPTIC EASEMENT TO SERVE 1564 LONG CORNER ROAD CONTAINS THE EXISTING DRY WELL AND HAS AREA ADEQUATE FOR 2 REPAIR SYSTEMS.
11. THE ACCESS EASEMENT TO THE REPAIR AREA SERVING 1564 LONG CORNER ROAD MUST BE RECORDED PRIOR TO BUILDING PERMIT APPROVAL.
12. SHOULD THE EXISTING DRY WELL (SERVING THE RESIDENCE KNOWN AS 1564 LONG CORNER ROAD) REMAIN, IT MUST HAVE A PVC OBSERVATION PIPE INSTALLED AND THE VOID FILLED WITH GRAVEL PRIOR TO BUILDING PERMIT APPROVAL FOR 1540 LONG CORNER ROAD OR 1564 LONG CORNER ROAD.
13. THE INITIAL WELL MUST HAVE A STEEL CASING TO A DEPTH OF 50 FEET OR SET 10 FEET INTO COMPETENT BEDROCK, WHICHEVER IS DEEPER.
14. TOPOGRAPHY SHOWN IS AT TWO-FOOT CONTOUR INTERVALS AND HAS BEEN FIELD VERIFIED OR FIELD RUN.
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**BENCHMARKS**

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 N 605662.2772 E 1267824.3235 ELEV. 785.452



**VICINITY MAP**  
 SCALE: 1"=2000'  
 ADC COORDINATE: 2 C11

TAX MAP: 6  
 PARCEL: 24  
 TRUMAN L. KELLEY SR.  
 LAVINIA W. KELLEY T/C  
 L 479 / F 63  
 L 4038 / F 285  
 ZONING: RC-DEO  
 USE: AGRICULTURAL  
 AREA: 97.40 AC.

TAX MAP: 6  
 PARCEL: 82  
 LOT: PAR A  
 HUNT CLUB VENTURES LLC  
 L 11922 / F 479  
 PLAT: 20575  
 PLAT OF "PARCEL 'A', PARAGON PROPERTY"  
 "PREVIOUSLY 'CHESTNUT HILLS'"  
 ZONING: RC-DEO  
 USE: AGRICULTURAL  
 AREA: 60.75 AC.

**LEGEND**

	RIGHT-OF-WAY
	BOUNDARY LINE
	ADJACENT BOUNDARY LINE
	EXISTING TREELINE
	EXISTING UTILITY POLE
	EXISTING SIGN
	EXISTING WATER LINE
	EXISTING SEWER LINE
	EXISTING GAS LINE
	EXISTING OVERHEAD LINES
	CENTERLINE OF EXISTING ROAD
	EXISTING EDGE OF PAVING
	EXISTING 10' CONTOUR
	EXISTING 2' CONTOUR
	PASSED PERCOLATION TEST LOCATION
	FAILED PERCOLATION TEST LOCATION
	EXISTING WELL LOCATION
	OBSERVATION HOLE
	PROPOSED WELL LOCATION
	PROPOSED OFF-SITE PRIVATE SEPTIC EASEMENT

**SEPTIC SYSTEM DESIGN**

1564 LONG CORNER ROAD  
 NUMBER OF BEDROOMS: 3  
 SQUARE FEET OF TRENCH: 450GPD/0.8=563  
 TRENCH LENGTH (WIDTH ADJUSTMENT): 563/3(TRENCH WIDTH)=188'F  
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 NUMBER OF BEDROOMS: 5  
 SQUARE FEET OF TRENCH: 750GPD/0.8=938  
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*Thomas M. Hoffman, Jr.* 3.04.10  
 THOMAS M. HOFFMAN, JR. PROFESSIONAL LAND SURVEYOR #267 DATE

APPROVED: FOR PRIVATE WATER AND PRIVATE SEWERAGE SYSTEMS

*Brian for Peter B. Silberman* 3/11/2010  
 COUNTY HEALTH OFFICER DATE  
*Superseded 5/20/2011*

**PERCOLATION CERTIFICATION PLAN**

1540 AND 1564 LONG CORNER ROAD

TAX MAP 6 GRID 10 PARCELS 83  
 4TH ELECTION DISTRICT HOWARD COUNTY, MARYLAND

**ROBERT H. VOGEL ENGINEERING, INC.**  
 ENGINEERS • SURVEYORS • PLANNERS  
 8407 MAIN STREET TEL: 410.461.7666  
 ELLICOTT CITY, MD 21043 FAX: 410.461.8961

**PROFESSIONAL CERTIFICATE**

DESIGN BY: RHV  
 DRAWN BY: JCO  
 CHECKED BY: RHV  
 DATE: FEBRUARY 2010  
 SCALE: 1"=30'  
 W.O. NO.: 04-33.05

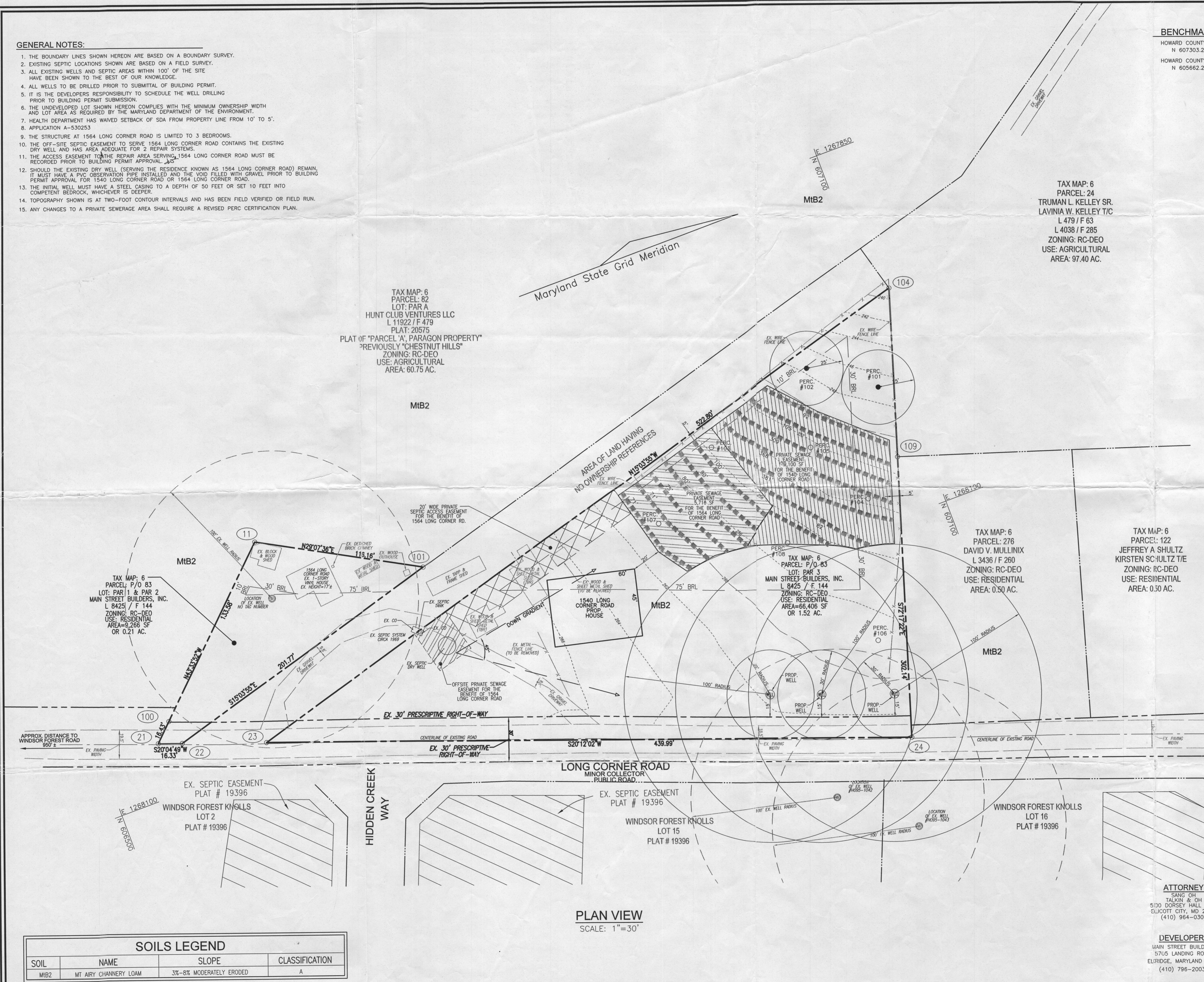
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1 SHEET OF 1

**SOILS LEGEND**

SOIL	NAME	SLOPE	CLASSIFICATION
MB2	MT AIRY CHANNERY LOAM	3%-8% MODERATELY ERODED	A

**PLAN VIEW**  
 SCALE: 1"=30'

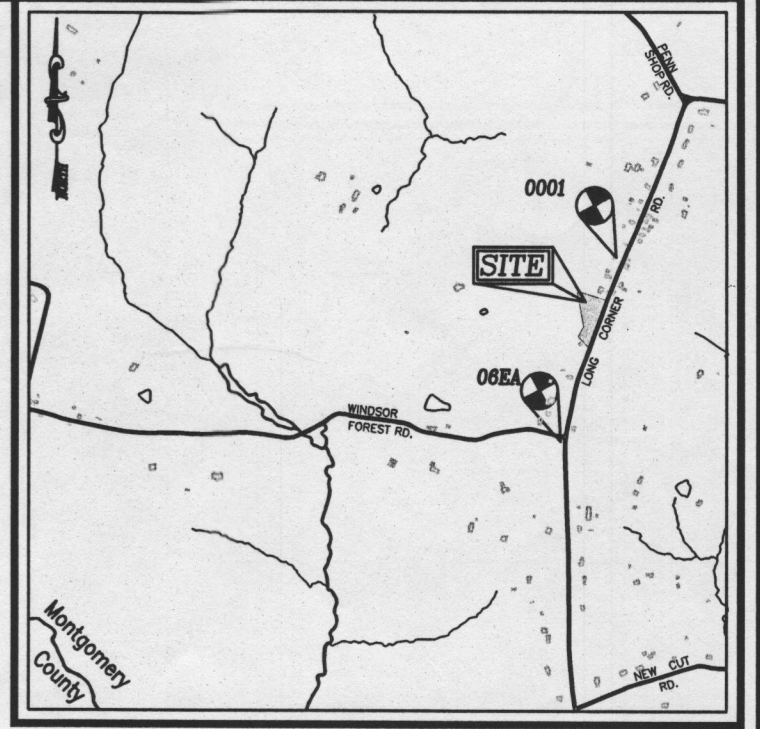


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SCALE: 1"=2000'  
ADC COORDINATE: 2 C11

**LEGEND**

- RIGHT-OF-WAY
- BOUNDARY LINE
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- SOILS
- MB2
- CENTERLINE OF EXISTING ROAD
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- OBSERVED PROFILE
- PROPOSED WELL LOCATION
- PROPOSED OFFSITE PRIVATE SEPTIC EASEMENT
- RECORDED OFFSITE SEPTIC ACCESS EASEMENT

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*Thomas M. Hoefman, Jr.* 5.09.11  
THOMAS M. HOEFMAN, JR., PROFESSIONAL LAND SURVEYOR #267 DATE

APPROVED: FOR PRIVATE WELL AND PRIVATE SEWERAGE SYSTEMS  
*Robert Peter Beilenson* 5/20/2011  
COUNTY HEALTH OFFICER DATE



**PLAN VIEW**  
SCALE: 1"=30'

**SOILS LEGEND**

SOIL	NAME	SLOPE	CLASSIFICATION
MB2	MT AIRY CHANNERY LOAM	3%-8% MODERATELY ERODED	A

**PERCOLATION CERTIFICATION PLAN**  
**1540 AND 1564 LONG CORNER ROAD**  
*Superceded 1/4/13*

TAX MAP 6 GRID 10 PARCELS 83  
4TH ELECTION DISTRICT HOWARD COUNTY, MARYLAND

**ROBERT H. VOGEL ENGINEERING, INC.**  
ENGINEERS • SURVEYORS • PLANNERS  
8407 MAIN STREET ELLICOTT CITY, MD 21043 TEL: 410.461.7666 FAX: 410.461.8961

DESIGN BY: RHY	I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 16183 EXPIRATION DATE: 09-27-2012
DRAWN BY: JCO	
CHECKED BY: RHY	
DATE: MAY 2011	
SCALE: 1"=30'	
W.O. NO.: 04-33.05	1 SHEET OF 1

**ATTORNEY**  
SANG OH TALKIN & OH  
5100 DORSEY HALL DRIVE  
ELLICOTT CITY, MD 21042  
(410) 964-0300

**DEVELOPER**  
MAIN STREET BUILDERS  
5715 LANDING ROAD  
ELKRIDGE, MARYLAND 21075  
(410) 796-2003

ROBERT H. VOGEL, PE #16183