

## Bureau of Environmental Health

8930 Stanford Boulevard, Columbia, MD 21045

Main: 410-313-2640 | Fax: 410-313-2648

TDD 410-313-2323 | Toll Free 1-866-313-6300

[www.hchealth.org](http://www.hchealth.org)

Facebook: [www.facebook.com/hocohealth](http://www.facebook.com/hocohealth)

Twitter: HowardCoHealthDep

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

---

### MEMORANDUM

TO: Bob LaLush  
Division of Zoning Administration and Public Service

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

RE: **BA-15-039V**

DATE: November 18, 2015

---

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

- There is no objection to the variance with the understanding that the pool location must meet all Health Department setbacks to the well and sewage disposal system/area for Health approval of the building permit. The pool location as shown on the variance exhibit meets all Health Department setbacks.

ARL

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

Date: October 20, 2015

Hearing Examiner 12/07/15

Planning Board \_\_\_\_\_ Board of Appeals \_\_\_\_\_ Zoning Board \_\_\_\_\_

Petition No. BA-15-039V Map No. \_\_\_\_\_ Block \_\_\_\_\_ Parcel \_\_\_\_\_ Lot \_\_\_\_\_

Petitioner: \_\_\_\_\_ Patrick Fingles \_\_\_\_\_

Petitioner's Address: \_\_\_\_\_

Address of Property: \_\_\_\_\_

Return Comments by November 16, 2015 to Public Service and Zoning Administration

Owner: (if other than applicant) \_\_\_\_\_

Owner's Address: \_\_\_\_\_

Petition: \_\_\_\_\_ SEE APPLICATION \_\_\_\_\_

\*\*\*\*\*

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

COMMENTS:

*see memo*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
SIGNATURE



DPZ Office use only:  
 CASE NO. BA 15-039 V  
 DATE FILED 9/29/15

SEP 29 2015  
**RESIDENTIAL DISTRICT VARIANCE PETITION  
 TO THE HOWARD COUNTY HEARING EXAMINER**

**1. VARIANCE REQUEST**

SECTION 104 of the Zoning Regulations (describe) Need to cross a building restriction line (BRL) for the purpose of building a swimming pool

**2. PETITIONER'S NAME** Patrick Fingles

TRADING AS (IF APPLICABLE) \_\_\_\_\_

ADDRESS 1734 Underwood Rd Sykesville mo 21784

PHONE NO. (W) 443-271-5224 (H) 410 760 9080 ext 0401

EMAIL Pfingles@yahoo.com

**3. COUNSEL FOR PETITIONER** \_\_\_\_\_

COUNSEL'S ADDRESS \_\_\_\_\_

COUNSEL'S PHONE NO. \_\_\_\_\_

EMAIL \_\_\_\_\_

**4. PROPERTY IDENTIFICATION**

ADDRESS OF SUBJECT PROPERTY 1734 Underwood Rd  
Sykesville mo 21784

ELECTION DISTRICT 9A ZONING DISTRICT 03 ACREAGE 3.470 Ac

TAX MAP # 0009 GRID # 0014 PARCEL # 0341 LOT # 3

SUBDIVISION NAME (if applicable) Pipes Property

PLAT NUMBER AND DATE 10034

**5. PETITIONER'S INTEREST IN SUBJECT PROPERTY**

OWNER (including joint ownership)

OTHER (describe and give name and address of owner)

If the Petitioner is not the owner of the subject property, documentation from the owner authorizing the petition must accompany this petition.

**PLEASE READ CAREFULLY  
DATA TO ACCOMPANY PETITION**

**6. VARIANCE PLAN**

No application for a variance shall be considered complete unless the plan indicates the required setback or other requirement, and the requested variance from the subject setback or other requirement. The submitted plans shall be folded to approximately 8 ½ x 14 inches.

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

- (a) Courses and distances of outline boundary lines and the size of the property
- (b) North arrow
- (c) Zoning of subject property and adjoining property
- (d) Scale of plan
- (e) Existing and proposed uses, structures, natural features and landscaping
- (f) Location and surface material of existing and proposed parking spaces, driveways, and points of access; number of existing and proposed parking spaces
- (g) Location of all building and use restriction lines
- (h) Same as (a) through (g) above, of any adjoining, confronting and vicinal properties as necessary for proper examination of the petition, or, if applicable, a copy of the subdivision plat for the community
- (i) Location of well and private sewerage easement area, if property is to be served by private water and sewer
- (j) Election District in which the subject property is located
- (k) Tax Map and parcel number on which the subject property is located
- (l) Name of local community in which the subject property is located or name of nearby community
- (m) Name, mailing address, telephone number (and e-mail address if any) of the petitioner
- (n) Name, mailing address, telephone number (and e-mail address if any) of attorney, if any
- (o) Name and mailing address of property owner
- (p) Floor area and height of structures, setback distances from property lines, and other numerical values necessary for the examination of the petition
- (q) Location of subject property in relation, by approximate dimension, to the center line of nearest intersection of two public roads
- (r) Ownership of affected roads
- (s) A detailed description of all exterior building materials for all proposed structures
- (t) Any other information as may be necessary for full and proper consideration of the petition

7. VARIANCE

A) Describe why the application of the Zoning Regulations in question to your particular property would result in practical difficulties or unnecessary hardships in complying strictly with the bulk requirements:

1. The physical character of the property is different from the character of the surrounding properties because of its  narrowness,  shallowness,  shape,  topography,

other; explain: \_\_\_\_\_

2. The uniqueness of the property prevents me from making a reasonable use of the property

because: the home was built on the back of the lot. The back yard is narrow and slopes from right to left and a severe grade

B) The intended use of the property, in the event the petition is granted: use and installation of a personal swimming pool.

C) Any other factors which the Petitioner desires to have considered: Its a wooded lot with trees on all 4 sides, the pool would not be visible to any other homes.

D) Explain why the requested variance is the minimum necessary to afford relief: Due to the slope and narrowness of the yard the only way to get the pool would be crossing the (BRL)

E) Is the property connected to: public water?: Y\_\_ N ; public sewer?: Y\_\_ N

F) If the variance is granted, would it impact the water and/or septic/sewer on the site? Y\_\_ N

G) If the variance is granted, would it increase the intensity of uses on the site? Y\_\_ N ; if yes, explain: \_\_\_\_\_

H) If the requested variance is granted, would it increase traffic to or from the site? Y\_\_ N ; if yes, explain: \_\_\_\_\_

I) Describe in detail all means of vehicular access onto the site (i.e. width, type of paving, etc.): 10 Ft wide paved Driveway.

J) Describe the topography of the site: It is a rural estate, surrounded by large mature trees, the site is steeply graded from east to west.

K) Will the existing or proposed structure be visible from adjacent properties? Y\_ NX; if yes, describe any proposed buffering or landscaping: \_\_\_\_\_

L) Describe any existing buffering or landscaping: large mature trees with wild undergrowth, (Forest)

### 8. PRIOR PETITIONS

Has any petition for the same variance, or substantially the same variance as contained herein, for the same property as the subject of this petition, been disapproved by the Hearing Examiner within twenty four (24) months of the date of this petition? ( ) YES ( ) NO

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

### 9. ADDITIONAL MATERIAL, FEES, POSTING, AND ADVERTISING

- a) If desired, supplemental pages may be attached to the petition. The following number of petitions, plans and supplemental pages must be submitted:
- *If the subject property adjoins a State road- original and 19 copies (application & plans)*
  - *If the subject property adjoins a County road- original and 16 copies (application & plans)*
- b) The undersigned agrees to furnish such additional plats, plans, reports or other material as may be required by the Department of Planning and Zoning and/or the Hearing Examiner in connection with the filing of this petition.
- c) The undersigned agrees to pay all costs in accordance with the current schedule of fees.
- d) The undersigned agrees to properly post the property at least fifteen (15) days prior to the hearing and to maintain the property posters as required, and submit an affidavit of posting at, or before the time of the hearing.
- e) The undersigned agrees to insert legal notices, to be published one (1) time in at least two (2) newspapers of general circulation in Howard County, as prepared and approved by the Department of Planning and Zoning, within at least fifteen (15) days prior to the hearing, and to pay for such advertising costs; and further agrees to submit two (2) approved certificates of the text and publication date(s) of the advertisement at or before the time of the hearing.

J) Describe the topography of the site: It is a rural estate, surrounded by large mature trees. The site is steeply graded from east to west

K) Will the existing or proposed structure be visible from adjacent properties? Y  N ; if yes, describe any proposed buffering or landscaping: \_\_\_\_\_

L) Describe any existing buffering or landscaping: large mature trees with wild undergrowth. (Forest)

### 8. PRIOR PETITIONS

Has any petition for the same variance, or substantially the same variance as contained herein, for the same property as the subject of this petition, been disapproved by the Hearing Examiner within twenty four (24) months of the date of this petition? ( ) YES ( ) NO

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

### 9. ADDITIONAL MATERIAL, FEES, POSTING, AND ADVERTISING

- a) If desired, supplemental pages may be attached to the petition. The following number of petitions, plans and supplemental pages must be submitted:
- *If the subject property adjoins a State road- original and 19 copies (application & plans)*
  - *If the subject property adjoins a County road- original and 16 copies (application & plans)*
- b) The undersigned agrees to furnish such additional plats, plans, reports or other material as may be required by the Department of Planning and Zoning and/or the Hearing Examiner in connection with the filing of this petition.
- c) The undersigned agrees to pay all costs in accordance with the current schedule of fees.
- d) The undersigned agrees to properly post the property at least fifteen (15) days prior to the hearing and to maintain the property posters as required, and submit an affidavit of posting at, or before the time of the hearing.
- e) The undersigned agrees to insert legal notices, to be published one (1) time in at least two (2) newspapers of general circulation in Howard County, as prepared and approved by the Department of Planning and Zoning, within at least fifteen (15) days prior to the hearing, and to pay for such advertising costs; and further agrees to submit two (2) approved certificates of the text and publication date(s) of the advertisement at or before the time of the hearing.

**10. PLANNING BOARD REVIEW**

The Hearing Examiner may, at its discretion, refer a residential district variance petition to the Planning Board for review and a recommendation.

**11. SIGNATURES**

The undersigned hereby affirms that all of the statements and information contained in, or filed with, this petition are true and correct.

The undersigned has read the instructions on this form, filing herewith all of the required accompanying information.

Patrick Finglas  
Petitioners Name (please print)

[Signature] 9/21/15  
Petitioner's Signature Date

\_\_\_\_\_  
Counsel's Name (please print)

\_\_\_\_\_  
Counsel's Signature Date

\*\*\*\*\*

**For DPZ office use only: (Filing fee is \$300.00 plus \$20.00 per poster.)  
(Make checks payable to "Director of Finance")**

Hearing fee: \$ 300  
Poster fee: \$ 25  
TOTAL: \$ 325.00

Receipt No. \_\_\_\_\_

**PLEASE CALL 410-313-2350 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION**

**County Website: www.howardcountymd.gov**

Revised: 10/07

T:\shared\PubSer\Applications\ResVar

PETITIONER Patrick Fingles

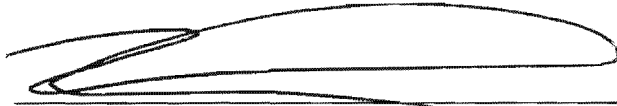
PROPERTY ADDRESS 1734 Underwood Rd sykesville mo 21784

Affidavit made pursuant to the pertinent provisions of Title 22 of the Howard County Code as amended.

THE UNDERSIGNED DOES HEREBY DECLARE THAT NO OFFICER OR EMPLOYEE OF HOWARD COUNTY, WHETHER ELECTED OR APPOINTED, HAS RECEIVED PRIOR HERETO OR WILL RECEIVE SUBSEQUENT HERETO, ANY MONETARY OR MATERIAL CONSIDERATION, ANY SERVICE OR THING OF VALUE, DIRECTLY OR INDIRECTLY, UPON MORE FAVORABLE TERMS THAN THOSE GRANTED TO THE PUBLIC GENERALLY IN CONNECTION WITH THE SUBMISSION, PROCESSING, ISSUANCE, GRANT OR AWARD OF THE ATTACHED APPLICATION FOR A RESIDENTIAL DISTRICT VARIANCE AS REQUESTED FOR THE PROPERTY REFERENCED ABOVE.

I WE, DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THE AFOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY, OUR, KNOWLEDGE, INFORMATION AND BELIEF.

\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Signature

9/24/2015  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



Underwood Rd

Underwood Rd

1734 Underwood Rd

For Sale