



APPLICATION

check # 347 pd ✓

FOR PERCOLATION TESTING AND SITE EVALUATION

TEST DATE(S) _____ TEST TIME _____

AP 520766

AGENCY REVIEW: _____

DATE 7/7/04

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) FREDERICK WAYNE WINKLER

DAYTIME PHONE ⁴¹⁰⁻ 442-2285 CELL 410-591-3985 FAX _____

MAILING ADDRESS 2355 DUVALL ROAD DAISY MD. 21297
STREET CITY/TOWN STATE ZIP

APPLICANT _____

DAYTIME PHONE _____ CELL _____ FAX _____

MAILING ADDRESS _____
STREET CITY/TOWN STATE ZIP

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

PROPERTY LOCATION
SUBDIVISION/PROPERTY NAME _____ LOT NO. _____

PROPERTY ADDRESS 2355 DUVALL RD. WOODBYNE
STREET TOWN/POST OFFICE

TAX MAP PAGE(S) 13 GRID 4 PARCEL(S) 297-171 PROPOSED LOT SIZE _____

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. Fredrick Wayne Winkler
SIGNATURE OF APPLICANT

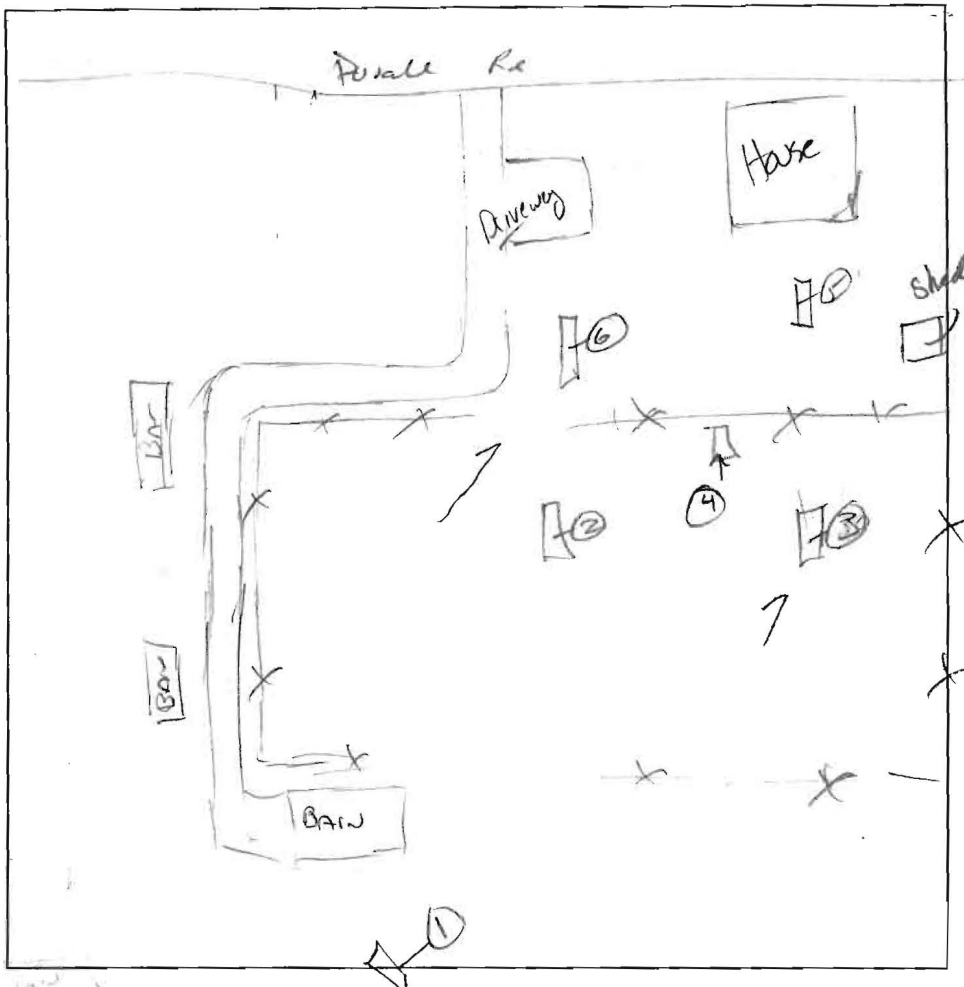
HOWARD COUNTY HEALTH DEPARTMENT, BUREAU OF ENVIRONMENTAL HEALTH, WELL AND SEPTIC PROGRAM
3525-H ELLICOTT MILLS DRIVE, ELLICOTT CITY, MARYLAND 21043-4544 (410) 313-1771 FAX (410) 313-2648
TDD (410) 313-2323 TOLL FREE 1-877-4MD-DHMH

A/P

②
 Brown L
 1 1/2'
 Brown/Yellow
 Sil 5'
 Yellow/Brown
 Red
 Sil w/ 10% Saponite 11 1/2'

③
 Brown L 1'
 Red/Yellow
 Orange
 Sil 5'
 Yellow/Orange
 Sil w/
 20% Flagg
 Saponite 6 1/2'
 Yellow/Red
 Sil
 trace
 Rocks 12'

④
 Brown L 1'
 Yellow/Red
 Orange
 Sil 7'
 Red/Orange
 Sil w/
 10% Flagg
 Saponite 8'
 Brown/Red
 Sil
 5% gravelly
 Saponite 2'



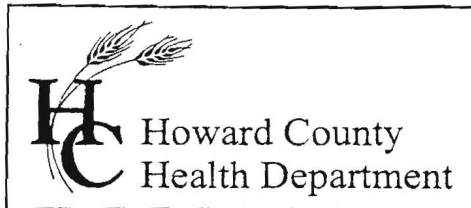
⑤
 Brown L
 Yellow/Red
 Orange
 Sil 9'
 Red/Orange
 Sil w/
 10% Flagg
 Saponite 10 1/2'
 Brown/Yellow
 Red Sil
 w/ 5-10%
 Flagg Saponite 12'

⑥
 Brown L 1'
 Yellow/Brown
 Orange
 Sil 7'
 Red/Orange
 Sil
 w/ 10%
 Saponite 8 1/2'
 Yellow/Brown
 Sil
 trace
 Rocks 12'

⑦
 Brown L 1 1/2'
 Orange/Red
 Sil 3'
 Red/Yellow
 Orange
 Sil w/
 15% gravelly
 Saponite 12'

DATE	TEST #	DEPTH	START	BREAK 1" DROP	STOP 2" DROP	TIME OF 2nd INCH	P/F/H
7/9/04	2	5' / 11 1/2'	9:46	9:48	9:52	4/min	P
	3	4 1/2' / 12'	9:57	10:00	10:05	5min	P
	4	- / 12'	- Visual -			OK	P
	6	3' / 12'	10:15	10:18	10:23	5min	P
	5	4' / 12'	9:26	10:30	10:35	5min	P
	①	- / 12'	- Visual -			OK	P

REMARKS all holes were dug per plan.
 SANITARIAN KJB BACKHOE _____ OTHERS _____
 TEST HOLES USED IN SDA _____ AVG. PERC TIME _____ SQ. FT/BR _____
 TRENCH WIDTH _____ INLET DEPTH _____ MAX. BOT DEPTH _____ EFFECTIVE SW _____



3525 H Ellicott Mills Drive, Ellicott City, MD 21043
(410) 313-2640 Fax (410) 313-2648
TDD (410) 313-2323 Toll Free 1-866-313-6300
website: www.hchealth.org

Penny E. Borenstein, M.D., M.P.H., Health Officer
July 12, 2004

Mr. Winkler
2355 Duvall Road
Daisy, MD 21797

RE: PERCOLATION TEST RESULTS
Tax Map 13, Parcels 297-171
Septic area for existing lots of record

Mr. Winkler:

Percolation testing conducted July 9, 2004 on the referenced property indicated satisfactory soil conditions. Copies of the test results are enclosed.

Further review is contingent upon submission by a registered engineer/surveyor of a percolation certification plan showing the following:

- 1) Actual locations and elevations of all excavated test holes
- 2) Suitable house locations
- 3) The existing sewage disposal area on the property
- 4) Locations of any other relevant features such as streams, swales, or existing structures
- 5) A note must be included certifying that all existing wells and septic systems within 100 feet of property boundaries have been shown
- 6) A note indicating that depicted topography reflects field-matched information
- 7) A health officer signature block stating "approved for private water and private sewer systems"
- 8) A MDE sewage disposal area statement is required

The percolation certification plat should be submitted within 60 days to allow field verification if necessary. If you have any questions regarding this matter, please contact me at the above address or by calling (410) 313-1771.

Sincerely,

Keyin J. Bell
Water and Septic Program

KB

Enclosures

cc: Mildenberg, Boender & Assoc., Inc. att. Stephanie
File



MILDENBERG,

BOENDER & ASSOC., INC.

Engineers

Planners

Surveyors

5072 Dorsey Hall Drive, Suite 202, Ellicott City, Maryland 21042 (410) 997-0296 Balt. (301) 621-5521 Wash. (410) 997-0298 Fax

January 24, 2005

Mr. Kevin Bell
Howard County Health Department
3525 Ellicott Mills Drive, Suite H
Ellicott City, MD 21043

RE: Winkler Property
Perc Certification Plat

Dear Mr. Bell :

On behalf of our clients Frederick & Agnes Winkler, we are herby enclosing the original and two (2) copies of the Perc Certification Plat for your review and signature approval.

Thank you for your time and consideration. Should you have any additional questions or comments concerning this matter, please feel free to contact our office at your earliest convenience.

Respectfully,
Mildenberg, Boender & Associates, Inc.


Stephanie Demchik, RLA
Associate

cc: Frederick & Agnes Winkler, w/enc.

July 7, 2004

Mr. Kevin Bell
Howard County Health Department
3525 Ellicott Mills Drive, Suite H
Ellicott City, MD 21043

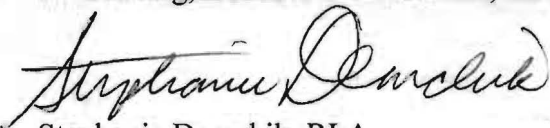
RE: Winkler Property
Revised Perc Test Plat

Dear Mr. Bell :

On behalf of our clients Frederick & Agnes Winkler, we are herby enclosing two (2) copies of the revised Perc Test Plat for your review and testing. Per your request, revisions have been made to the location of the proposed septic easement and previously tested holes have been shown on Parcel 297, the proposed well for Parcel 297 has been shown, and the existing septic easement on Parcel 74 has also been shown.

Thank you for your time and consideration. Should you have any additional questions or comments concerning this matter, please feel free to contact our office at your earliest convenience.

Respectfully,
Mildenberg, Boender & Associates, Inc.



Stephanie Demchik, RLA
Project Manager

cc: Frederick & Agnes Winkler, w/enc.



April 22, 2004

Ms. Marsha McLaughlin, Director
Department of Planning and Zoning
3430 Court House Drive
Ellicott City, MD 21043

RE: Winkler Property
Waiver Petition

Dear Mr. Rutter:

On behalf of our clients, Frederick and Agnes Winkler, and in accordance with Section 16.104 of Howard County's Subdivision and Land Development Regulations, we are requesting a waiver to the minimum requirements stipulated within Section 16.147 to allow submission of an adjoiner transfer in lieu of a final record plat to reconfigure the existing parcels. The purpose of this adjoiner transfer is to allow our clients to reduce their acreage and sell Parcel 297 with public road frontage. We are enclosing the following:

1. Eighteen (14) copies of the completed Waiver Petition Application and exhibit.
2. Two (2) copies of the deeds for the parcels.
3. The review fee made payable to the *Director of Finance* in the amount of \$450.

Thank you for your time and effort. Should you have any questions or comments concerning this matter, please do not hesitate to call.

Very truly yours
MILDENBERG, BOENDER & ASSOCIATES INC.

Stephanie Demchik, RLA
Project Manager

cc: Frederick and Agnes Winkler. w/enc.

sjd

Howard County Department of Planning and Zoning
Division of Land Development

WAIVER PETITION APPLICATION

Date Submitted/Accepted _____ DPZ File Number WP-04-128

I. **Site Description**

Subdivision Name/Property Identification: WINKLER PROPERTY

Location of property: 2355 DUVAL ROAD
(Street Address and/or Road Name)

RESIDENTIAL
(Existing Use)

RESIDENTIAL
(Proposed Use)

13
(Tax Map No.)

4
(Grid/Block No.)

297 & 171
(Parcel No.)

FOURTH
(Election District)

RC-DEO
(Zoning District)

1.463 AC & 4.184 AC
(Total Site Area)

Provide a brief site history including reference to all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, waiver petitions, etc.)

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>16.147</u>	<u>PREPARATION OF A FINAL 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.

= SEE ATTACHED =

IV. **Pre-Submission Meeting Requirements**

- a. **HDC Meeting Requirement** - A pre-submission advisory meeting with the Historic District Commission is required for new development located within a Historic District or if the site is listed in the Historic Sites Inventory in accordance with Section 16.605 of the Howard County Code. The property owner/developer must contact the DPZ, Division of Public Service and Zoning Administration for the HDC scheduling process and procedures. **The property owner/developer must submit a copy of the minutes from the HDC Advisory Meeting to DPZ along with the initial subdivision or site development plan application.**
- b. **MAA Meeting Requirement** - For all proposed subdivisions or developments located within the BWI Airport Noise Zone or the Airport Zoning District (4 mile radius from the center of the airport), the review and approval by the Maryland Aviation Administration is required prior to signature approval of final plan road and SWM construction drawings, and/or site development plans, or waiver approval of SDP. Please contact the MAA at P.O. Box 8766, BWI Airport, Maryland, 21240-0766, or (410) 859-7100. A copy of the MAA approval letter must accompany the submission of the final road/SWM construction plan original drawings, and/or site development plan original, or waiver petition application.

V. Plan Exhibit

A. Number of Copies Required

The waiver petition application must be accompanied by copies of a detailed plot plan, subdivision plat or site development plan (**14 sets of the completed waiver application and plan exhibit if the subject property adjoins a County road; 18 sets for properties adjoining a State road**). In instances where the waiver request concerns an approval extension or if an associated plan is in active processing, only 2 sets of plans are required along with 14 or 18 copies of the application form. **Plans must be folded to a size no larger than 7-1/2" x 12". The pre-packaging of plans and supplemental reports by SRC agency will be permitted by DPZ provided that each package contains a cover letter which itemizes all plans, reports and documents included in the package.**

Please be advised that all plan application submissions are ACCEPTED BY APPOINTMENT ONLY. All plan submission appointments must be scheduled with the Division of Land Development at (410) 313-2350. CAROL STERN

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"/> NA	Information Provided Not Applicable	<input checked="" type="checkbox"/> X	Information Not Provided, Justification Attached
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- 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.
- N/A 8. Identification and location of all easements.
- N/A 9. Approximate delineation of floodplain, wetland and forested areas, if applicable.
- N/A 10. Road profile to evaluate sight distance, if the application includes a request for direct access to a major collector or more restrictive roadway classification.
- 11. Any additional information to allow proper evaluation (e.g. for waivers to wetland buffers an alternative analysis and mitigation proposal are needed; for waivers to SDP requirements where there is no subdivision of land, an APFO Roads Test evaluation may be needed).
- N/A 12. Photographs, perspective sketches or cross-sections as necessary to adequately portray the waiver request.
- 13. The exhibit plans should be highlighted to accurately illustrate the requested waiver(s) to allow proper evaluation (i.e. proposed grading, tree clearing or other disturbances within environmentally sensitive areas or buffers).
- N/A 14. Submit 2 sets of photographs for all existing on-site structures.

N/A 15. Route 1 Manual

Compliance with the Route 1 Manual is required for new development and some alterations or enlargements located in the CE, TOD and CAC zoning districts and for other zoning districts located within the Route 1 corridor. All plan submissions, beginning with the initial subdivision or site development plan, shall show all applicable streetscape, site and building designs responding to the Route 1 Manual's requirements and recommendations. All plan submissions shall provide a written summary of how the proposed design achieves the objectives of the Route 1 Manual. Also, building design and schematic architectural elevation details must be included with the initial subdivision or site development plan submission.

VI. Fees

The Waiver Petition application fee shall be in accordance with the adopted fee schedule. All checks shall be made payable to the *Director of Finance*. **The petition will not be accepted for processing until the fee has been paid. Incomplete, incorrect or missing information may result in the rejection of the application** and could cause additional time to be required to revise the petition for resubmittal and re-review. For more information or questions, contact DPZ at (410) 313-2350.

VII. Owner's/Petitioner's Certification

I/WE the undersigned fee simple owner(s) hereby make application to the Howard County Department of Planning and Zoning to relax the minimum requirements of the Howard County Subdivision and Land Development Regulations. The undersigned hereby certifies the information supplied herewith is correct and complete, confirms that the regulations and policies as referred to in the attached are understood, and authorizes periodic on-site inspections by the Howard County Subdivision Review Committee agencies. ***If the applicant is the owner's agent, written documentation from owner granting that authority is required.**

Owner's authorization attached *

Agnes Patricia Winkler
Frederick Winkler 4-22-04
(Signature of Property Owner) (Date)
(Fee Simple Owner Only)

Stephanie Demchik 4/21/04
(Signature of Petition Preparer) * (Date)

FREDERICK WINKLER & AGNES WINKLER
(Name of Property Owner)

MILDENBERG, BOENDER & ASS
(Name of Petition Preparer, Surveyor/Engineer or Agent/Developer) /M

2355 DUVALL ROAD
(Address)

5072 DORSEY HALL DR, SUITE 20
(Address)

WOODBINE, MD 21797
(City, State, Zip Code)

ELLCOTT CITY, MD 21042
(City, State, Zip Code)

(E-mail) _____

(E-mail) SDEMCHIK@MBA-ENG.CO

(410) 442-2289
(Telephone) (Fax)

(410) 997-0296 (410) 997-0298
(Telephone) (Fax)

Contact Person: FREDERICK WINKLER

Contact Person: STEPHANIE DEMCHIK

**Howard County Department of Planning and Zoning
Division of Land Development**

**INITIAL SUBMISSION
WAIVER PETITION WORKSHEET
(For DPZ Use Only)**

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

- I. Application Requirements** *Indicate Yes, No or N/A*
- a. Application is complete _____
 - b. Required number of plans and applications are provided _____
 ___ Plans (14 sets on County Road or
 ___ Applications 18 sets on State Road)
 - c. Supplemental Information is provided _____
 - d. Certification of pre-submission HDC advisory meeting for new projects in
 Historic District or listed in Historic Sites Inventory _____
 - e. Photographs of existing structures (for Historic Preservation Review) _____
 - f. MAA Approval Letter (if applicable) _____

II. Fee Computation

Number of waivers requested	Fee
* Base Fee for first two waiver sections (\$450)	<u>\$450</u>
* Fee for each additional waiver section (___ additional waivers x \$50 each)	_____
* (Maximum fee of \$350 for Agricultural Preservation parcels)	_____
TOTAL	<u>\$ 950</u>

III. Certification

Cash Receipt No. _____ Account #011-005-4201 Amount \$ 450

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 _____

Winkler Property

Justification for Waiver of Subdivision Regulations, Section 16.147

Section 16.147

1. The purpose of this waiver request is to allow an adjoiner transfer between Parcel 297 and Parcel 171 to exchange land. This adjoiner transfer would create no new lots. The transfer would reduce Parcel 171, which contains the existing house, to 1.463 acres and increase Parcel 297 to 4.184 acres, which would provide Parcel 297 (currently landlocked) with public road frontage. The owner at this time wishes to retain Parcel 297 to construct a new home and sell Parcel 171, which contains his existing house. Strict compliance with the regulations will require the preparation and processing of a record plat at a high expense, long processing time, and unnecessary expense of county reviewers' time and resources. This would result in an extraordinary hardship to the owner and the county agencies.
2. The intent of the Regulations is to prevent the creation or enlargement of any parcel, which will result in an APFO exempt parcel, or the creation of any additional lot yield for a parcel. Approval of this petition will not result in either an APFO exempt parcel or creation of any additional lot yield for these parcels. The owner simply wishes to reduce his property (Parcel 171) to the 1.463-acre size of Parcel 297, and increase Parcel 297 to the 4.184-acre size of his property. The exchange of land between the parcels does not result in any additional lot yield for either parcel.
3. Approval of this waiver will not be detrimental to the public interest. The adjoiner transfer would not increase the lot yield of either of the resulting parcels. As currently zoned, no future subdivisions of either property are possible.
4. Approval of this waiver will not have the effect of nullifying the intent and purpose of the regulations. No additional lot yield or APFO exempt parcels will be created by the granting of the waiver.