

Permits: 410-313-2455  
 Inspections: 410-313-1810  
 Automated Line: 410-313-3800

Howard County Building/Fire Permit Application  
 Department of Inspections, Licenses & Permits  
 3430 Court House Drive  
 Ellicott City, MD 21043

Permit Number:

Building Address: 17366 FREDERICK ROAD  
MT. AIRY, MD 21771

Suite/Apt. # \_\_\_\_\_ SDP/WP/BA #: \_\_\_\_\_

Census Tract: \_\_\_\_\_ Subdivision: \_\_\_\_\_

Section: \_\_\_\_\_ Area: \_\_\_\_\_ Lot: 1.26 AC

Tax Map: \_\_\_\_\_ Parcel: \_\_\_\_\_ Grid: \_\_\_\_\_

Zoning: \_\_\_\_\_ Map Coordinates: \_\_\_\_\_ Lot Size: 1.26 AC

Existing Use: SINGLE FAMILY HOUSE

Proposed Use: \_\_\_\_\_

Estimated Construction Cost: \$ \_\_\_\_\_

Description of Work: STAND ALONE  
GARAGE 2 CAR WITHOUT  
POWER OR UTILITIES

Occupant or Tenant: \_\_\_\_\_

Was tenant space previously occupied?  Yes  No

Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Property Owner's Name: JOSEPH ROBERS

Address: 17366 FREDERICK RD

City: MT. AIRY State: MD Zip Code: 21771

Home Phone: 3014614712 Work Phone: SAME

Applicant's Name & Mailing Address, (If other than stated herein):  
N/A

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Contractor Company: OAK HILL PROPERTIES

Contact Person: KEVIN ROBERS

Address: 17532 COUNTRYVIEW WAY

City: MT. AIRY State: MD Zip Code: 21771

License No.: MAR-0165

Phone: 3013705175 Fax: 3017038043

Email: KROAKHILL@aol.com

Engineer/Architect Company: NONE

Responsible Design Prof.: JOSEPH ROBERS

Address: SAME AS OWNER

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

BUILDING DESCRIPTION - COMMERCIAL	
Building Characteristics	Utilities
Height: <u>27</u>	<u>Water Supply</u>
No. of stories: <u>1 STORY</u>	<input type="checkbox"/> Public <u>N/A</u>
Gross area, sq. ft./floor:	<input type="checkbox"/> Private
	<u>Sewage Disposal</u>
Area of construction (sq. ft.): <u>464 SQ. FT.</u>	<input type="checkbox"/> Public <u>N/A</u>
	<input type="checkbox"/> Private
Use group:	Electric: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Gas: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<u>Construction type:</u>	<u>Heating System</u>
<input type="checkbox"/> Reinforced Concrete	<input type="checkbox"/> Electric <input type="checkbox"/> Oil
<input type="checkbox"/> Structural Steel	<input type="checkbox"/> Natural Gas <input type="checkbox"/> Propane Gas
<input type="checkbox"/> Masonry	<u>Sprinkler System:</u>
<input checked="" type="checkbox"/> Wood Frame	<input type="checkbox"/> N/A
<input type="checkbox"/> State Certified Modular	<input type="checkbox"/> Full
<input checked="" type="checkbox"/> Roadside Tree Project Permit	<input type="checkbox"/> Partial
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Other Suppression
<u>Roadside Tree Project Permit #</u>	No. of Heads:

BUILDING DESCRIPTION - RESIDENTIAL	
Building Characteristics	Utilities
<input type="checkbox"/> SF Dwelling <input type="checkbox"/> SF Townhouse	<u>Water Supply</u>
<u>Depth</u> <u>Width</u>	<input type="checkbox"/> Public
1 <sup>st</sup> floor:	<input checked="" type="checkbox"/> Private
2 <sup>nd</sup> floor:	<u>Sewage Disposal</u>
Basement:	<input type="checkbox"/> Public
<input type="checkbox"/> Finished Basement	<input checked="" type="checkbox"/> Private
<input type="checkbox"/> Unfinished Basement	Electric: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Crawl Space	Gas: <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Slab on Grade	<u>Heating System</u>
No. of Bedrooms:	<input type="checkbox"/> Electric
<u>Multi-family Dwelling</u>	<input type="checkbox"/> Oil
No. of efficiency units:	<input type="checkbox"/> Natural Gas
No. of 1 BR units:	<input type="checkbox"/> Propane Gas
No. of 2 BR units:	
No. of 3 BR units:	
Other Structure:	
Dimensions:	
Footings:	<input checked="" type="checkbox"/> Roadside Tree Project Permit
Roof:	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> State Certified Modular	<u>Roadside Tree Project Permit #</u>
<input type="checkbox"/> Manufactured Home	

THE UNDERSIGNED HEREBY CERTIFIES AND AGREES AS FOLLOWS: (1) THAT HE/SHE IS AUTHORIZED TO MAKE THIS APPLICATION; (2) THAT THE INFORMATION IS CORRECT; (3) THAT HE/SHE WILL COMPLY WITH ALL REGULATIONS OF HOWARD COUNTY WHICH ARE APPLICABLE THERETO; (4) THAT HE/SHE WILL PERFORM NO WORK ON THE ABOVE REFERENCED PROPERTY NOT SPECIFICALLY DESCRIBED IN THIS APPLICATION; (5) THAT HE/SHE GRANTS COUNTY OFFICIALS THE RIGHT TO ENTER ONTO THIS PROPERTY FOR THE PURPOSE OF INSPECTING THE WORK PERMITTED AND POSTING NOTICES.

KEVIN B ROBERS  
 Applicant's Signature \_\_\_\_\_ Print Name \_\_\_\_\_

KROAK HILL@aol.com  
 Email Address \_\_\_\_\_ Date \_\_\_\_\_

PRESIDENT  
 Title/Company \_\_\_\_\_

Checks Payable to: DIRECTOR OF FINANCE OF HOWARD COUNTY

\*\*PLEASE WRITE NEATLY & LEGIBLY\*\*

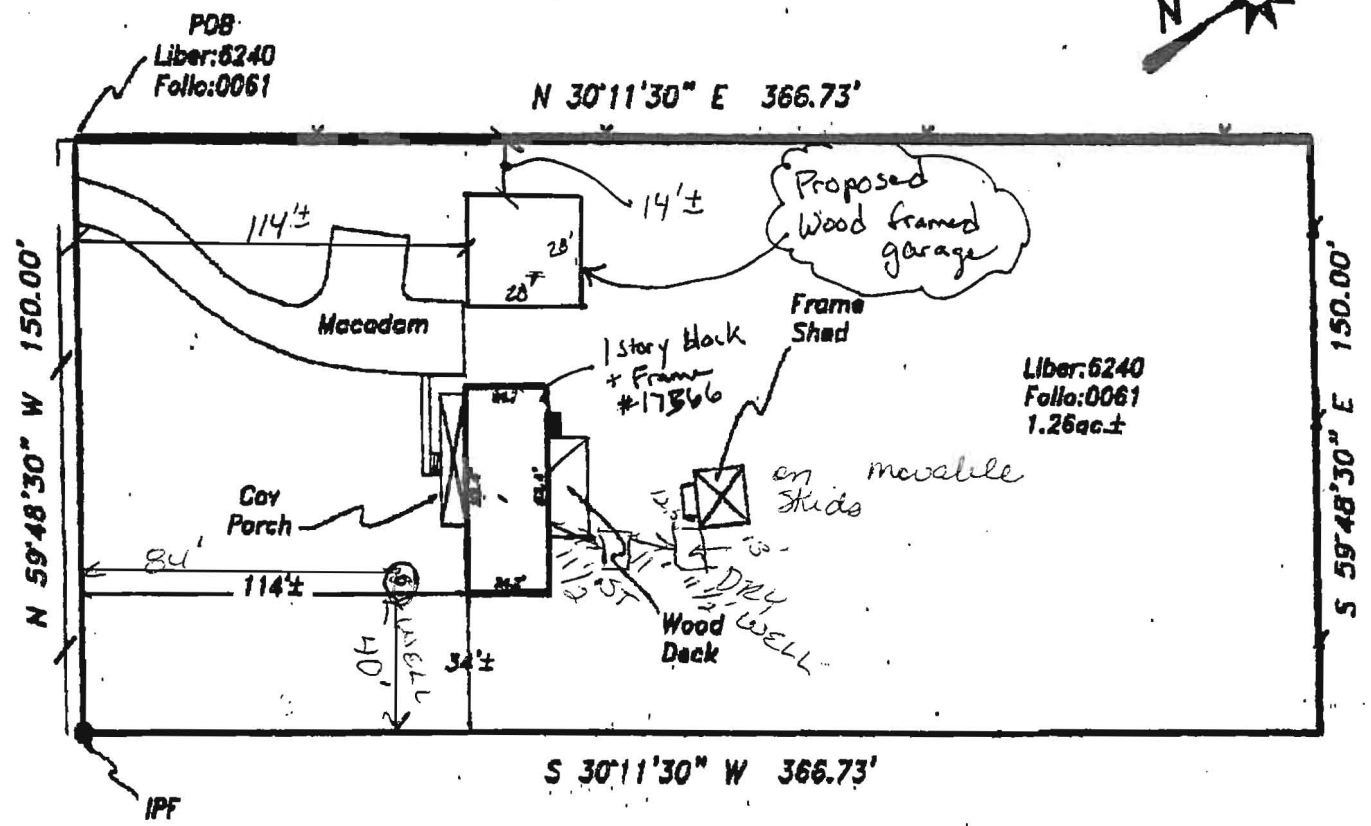
-FOR OFFICE USE ONLY-

AGENCY	DATE	SIGNATURE OF APPROVAL
State Highways		
Building Officials		
PSZA ( Zoning )		
PSZA ( Engineering )		
Health		<u>G. D. Dana Bernard</u>
Fire Protection		

Is Sediment Control approval required for issuance?  Yes  No  
 CONTINGENCY CONSTRUCTION START  
 ONE STOP SHOP

DPZ SETBACK INFORMATION
Front:
Rear:
Side:
Side St.:
All minimum setbacks met? <input type="checkbox"/> Yes <input type="checkbox"/> No
Is Entrance Permit Required? <input type="checkbox"/> Yes <input type="checkbox"/> No
Historic District? <input type="checkbox"/> Yes <input type="checkbox"/> No
Lot Coverage for New Town Zone:
SDP/Red-line approval date:

Filing Fee	\$
Permit Fee	\$
Tech Fee	\$
Excise Tax	\$
PSFS	\$
Guaranty Fund	\$
Add'l per Fee	\$
Total Fees	\$
Sub- Total Paid	\$
Balance Due	\$



*Approved as shown with out power or utility for storage.*

*Approved as shown with out power or utility for storage.*

*Approved as shown with out power or utility for storage.*

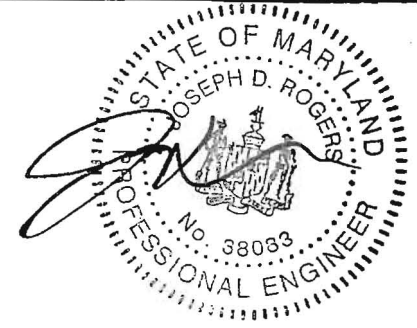
**Frederick Road**  
(MD Rt. #144)

**APPROVED**

WALKER BUILDING PERMIT #

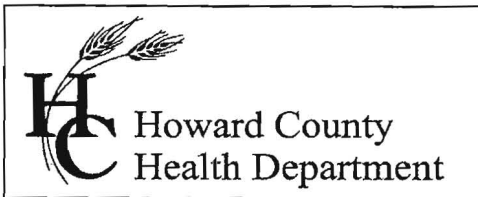
APP. SA. DATE: 6-10-12

DESC. OF WORK: Storage



**LOCATION DRAWING**  
17366 Frederick Road  
Howard County, Maryland  
Election District No. 04

Scale:	1" = 50'
Date:	3 MAY 2012
Field By:	JDR
Drawn By:	JDR
Drawing #	1



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

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

MEMORANDUM

TO: Kent Sheubrooks, Chief  
Division of Land Development

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

DATE: June 27, 2012

RE: Petition # **WP-12-179, 16377 Old Frederick Rd**

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

- The Health Department does not oppose the waiver petition. Please note that Proposed Lot 2 is not considered a buildable lot by Health Department standards until a well is constructed and a completion report approved. The well must be drilled prior to Health approval of a building permit.
- Also note that the area reserved for sand mound septic systems must remain undisturbed at all times prior to system installation. Any disturbance in that area may render it unsuitable for septic disposal and subsequently render the lot non-buildable.

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

Date Submitted/Accepted 6/8/12 DPZ File Number WL-12179

**I. Site Description**

Subdivision Name/Property Identification: MIDDLE TRAIL FARMS LOOP-HOLE  
 Location of property: 16377 FREDERICK ROAD, MOUNT AIRY, MD 21771  
(Street Address and/or Road Name)

SINGLE FAMILY RESIDENTIAL  
(Existing Use)

7, 7, 7, 7, 2  
(Tax Map No.)

4, 4, 4, 4, 22  
(Grid/Block No.)

RC-DEO  
(Zoning District)

SINGLE FAMILY RESIDENTIAL  
(Proposed Use)

P.463-Lot 17A, P.464-Lot 17B,  
 P.465-Lot 17C, P.409-Lot17D,  
 & P.201-Lot18C

(Parcel No.)

04-05  
(Election District)

6.75 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.)

**EXISTING PROPERTY CONSIST 5 LOTS; 17A AND 17D ON THE EAST SIDE OF PROPERTY, AND 18C, 17B AND 17C ON THE WEST SIDE OF PROPERTY. THERE IS A EXISTING HOUSE IN THE LOT 17D. TOTAL PROPERTY AREA IS 6.75 ACRES.**

**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>Section 16.102(c)(3)(i)</u>	<b>Permits resubdivisions not in accordance with the minimum lot size provided the plan improves the compliance of the existing lot that do not currently meet the zoning buk regulations by moving them closer to compliance.</b>
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.

**The owner would like to consolidate the 5 lots into just 2 building lots (1 lot for the existing house about 2 acres in size and 1 lot for the new house about 4.75 acres in size). Because they are not creating any new lots but simply eliminating 3 existing building lots, it was suggested they should process a waiver petition to reconfigure the five existing loop-hole lots through the adjoinder deed process by waiving the final plat requirement per Section 16,.147. One lot will be reconfigured around the existing house and one lot about 4.75 acres will be reconfigured for the second building lot.**

**Because all 5 of the existing lots (about 58,000 sq. ft. each) do not currently meet the RC minimum lot size requirement for 3 acres, the proposal is to move the 2 lots closer to compliance with the Zoning Regulations by establishing a 2 acre lot and a 4.75 acre lot (the 4.75 acre lot will include a large existing farm pond and is the reason for its size and that the other lot can only increase to 2 acres in size. Section 16.102(c)(3)(i) permits resubdivisions not in accordance with the minimum lot size provided the plan improves the compliance of the existing lots that do not currently meet the zoning bulk regulations by moving closer to compliance.**

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, Justification Attached
	<input type="checkbox"/> Not Applicable	
	<input type="checkbox"/> NA	

- ✓ 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.
- 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 DPZ alternative analysis and mitigation proposal are needed; for waivers to SDP requirements where Project there is no subdivision of land, an APFO Roads Test evaluation may be needed, for waivers of final Manager plat or SDP, a copy of property deeds to confirm legal creation or status of property is needed). *Commission*
- N/A 12. Photographs, perspective sketches or cross-sections as necessary to adequately portray the waiver request.
- ✓ 13. The exhibit plans should be highlighted to accurately illustrate the requested waiver(s) to allow proper evaluation (i.e. proposed grading, tree clearing or other disturbances within environmentally sensitive areas or buffers).
- ✓ 14. Submit 2 sets of photographs for all existing on-site structures.
- ✓ 15. Identify the location of any existing wells and/or private septic systems.
- N/A 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.
- N/A 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.**

N/A 19. Please complete the following: SEE ATTACHED Email dated 2/14/12 from Kent Shuebrooks

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 \*

<u>Scott Keeton</u>	<u>5/27/12</u>	<u>W. Zawislak</u>	<u>5/27/12</u>
(Signature of Property Owner) (Fee Simple Owner Only)	(Date)	(Signature of Petition Preparer) *	(Date)
<u>SCOT KEETON</u>		<u>Walter G. Zawislak, P.E.</u>	
(Name of Property Owner)		<u>Axiom Engineering Design</u>	
		(Name of Petition Preparer, Surveyor/Engineering or Agent/Developer)	
<u>5601 Faye Dr.</u>		<u>6990 Columbia Gateway Dr. ste 150</u>	
(Address)		(Address)	
<u>Greensboro, NC 27410</u>		<u>Columbia MD 21046</u>	
(City, State, Zip Code)		(City, State, Zip Code)	
E-Mail <u>scotkeeton@gmail.com</u>		E-Mail <u>w.zawislak@axiom-ed.com</u>	
<u>410 802 8980</u>	<u>336 298 7520</u>	<u>443-276-6220</u>	<u>443-276-6221</u>
(Telephone)	(Fax)	(Telephone)	(Fax)
Contact Person: <u>SCOT KEETON</u>		Contact Person: <u>Walt Zawislak</u>	

**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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June 4, 2012

Mr. Kent Shuebrooks  
Division Chief  
Division of Land Development  
Howard County Department of Planning and Zoning Howard County Health Department  
3430 Court House Drive  
Ellicott City, Maryland 21043

RE: Waiver Petition through the Adjoiner Deed Process for  
16377 Old Frederick Road

Mr. Shuebrooks:

The owner of 16377 Old Frederick Road, Tax Map 2-Parcel 201 Lot 18C, and Tax Map 7-Parcels 463 Lot 17A, 464 Lot 17-B, 465 Lot 17-C, and 409 Lot 17-D wishes to reconfigure these non-conformation lots into 2 lots, bringing them in close compliance to the bulk regulations. The properties are zoned RC-DEO and were created in the Middle Trail Farms loop-hole subdivision. The minimum lot size required is 3 acres. However each of the lots measures just over 1 acre.

In a meeting on June 1, 2011 with Mr. Shuebrooks and Mr. Chuck Dammers, it was suggested that this lot reconfiguration be processed through a wavier petition to allow adjoiner deed process in lieu of the final plat process of Section 16.147. The reconfiguration proposes eliminating 3 lots, leaving 2 lots, one approximately 4.75 acres and the other approximately 2 acres in size. The 2 acre lot will be reconfigured around the existing house and the other buildable lot will contain the existing farm pond. By reconfiguring these 5 lots into 2, they become closer to compliance with the minimum bulk regulation of 3 acres per lot. Section 16.102(c)(3)(i) permits subdivisions not in accordance with the minimum lot size provided the plan improves the compliance of the existing lots that not currently meet the zoning bulk regulations by moving them closer to compliance.

Section 16.104 of the Subdivision and Land Development Regulations defines 4 criteria used to evaluate waiver petitions:

1. Summarize any extra ordinary hardships or practical difficulties, which may result from strict compliance with the Regulations. These subject lots were legally created with the Middle Trail Farms Loop-Hole Subdivision, which permitted lots not in conformance with the Bulk regulations. The proposed reconfiguration brings one of these lots into conformance and brings the other closer to conformance by eliminating 3 of the lots.
2. Verify the Intent of the Regulations will be served to the greater extent through the implementation of an alternative proposal. With the elimination of the 3 lots and reconfiguring the remaining two lots, these properties are now in closer compliance to the bulk regulations, as permitted by Section 16.102(c)(3)(i) of the Regulations.
3. Substantiate that approval of the waiver request will not be detrimental to the public interests. The rural nature of this area of the county contains larger lots. Permitting this reconfiguration brings the

existing properties into closer compliance to the bulk regulation requirement of the minimum lot size of 3 acres.

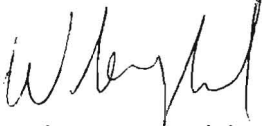
4. Confirm that approval of the waiver request will not nullify the intent and purpose of the Regulations. Approval of this waiver brings lots that were not in compliance with the Regulations, closer to compliance.

In an email from Kent Shuebrooks dated February 14, 2012, he confirmed that no pre-submission community meeting was necessary because "the proposal is to decrease the number of lots...The pre-submission community meeting is only necessary if you are proposing to create new lots beyond what already exists." In this same email Mr. Shuebrooks confirmed that the simplified ECP can be submitted before building permit and is not required as part of the waiver petition.

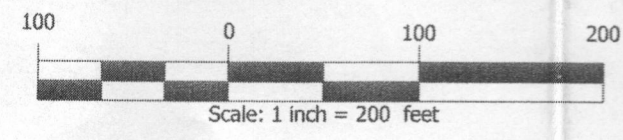
Thank you for your time and effort in this matter. If have any questions, or require any addition information, please contact us at 443-276-6220.

Sincerely,

**AXIOM ENGINEERING DESIGN, LLC**



Walter G. Zawislak, PE  
Senior Project Manager

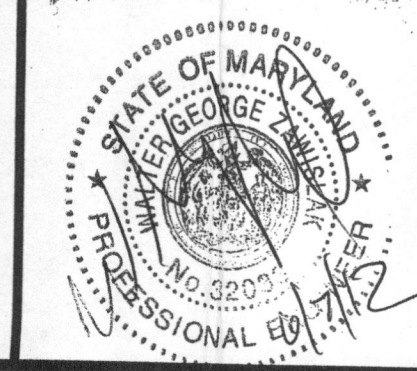


THIS AREA DESIGNATES A PRIVATE SEWAGE EASEMENT OF AT LEAST 10,000 SQUARE FEET

**Axiom Engineering Design**  
 Civil Engineering • Land Surveying • Landscape Architecture • Land Planning  
 6990 Columbia Gateway Dr, Ste 150 Office: 443.276.6220  
 Columbia, Maryland 21046 Fax: 443.276.6221  
 www.axiom-ed.com info@axiom-ed.com

PREPARED FOR:  
 Scot Keeton  
 16377 Old Frederick Rd.  
 Mt. Airy, MD 21771

WAIVER PETITION SITE PLAN  
 OLD FREDERICK RD #16377  
 Mt. Airy, Maryland  
 Tax Map 7 Gnd 0004  
 P.463-Lot 17A, P.464-Lot 17B,  
 P.465-Lot 17C, P.409-Lot 17D  
 Tax Map 2 Gnd 22  
 P.201-Lot 18C  
 Election District 04-05 Howard County, Maryland

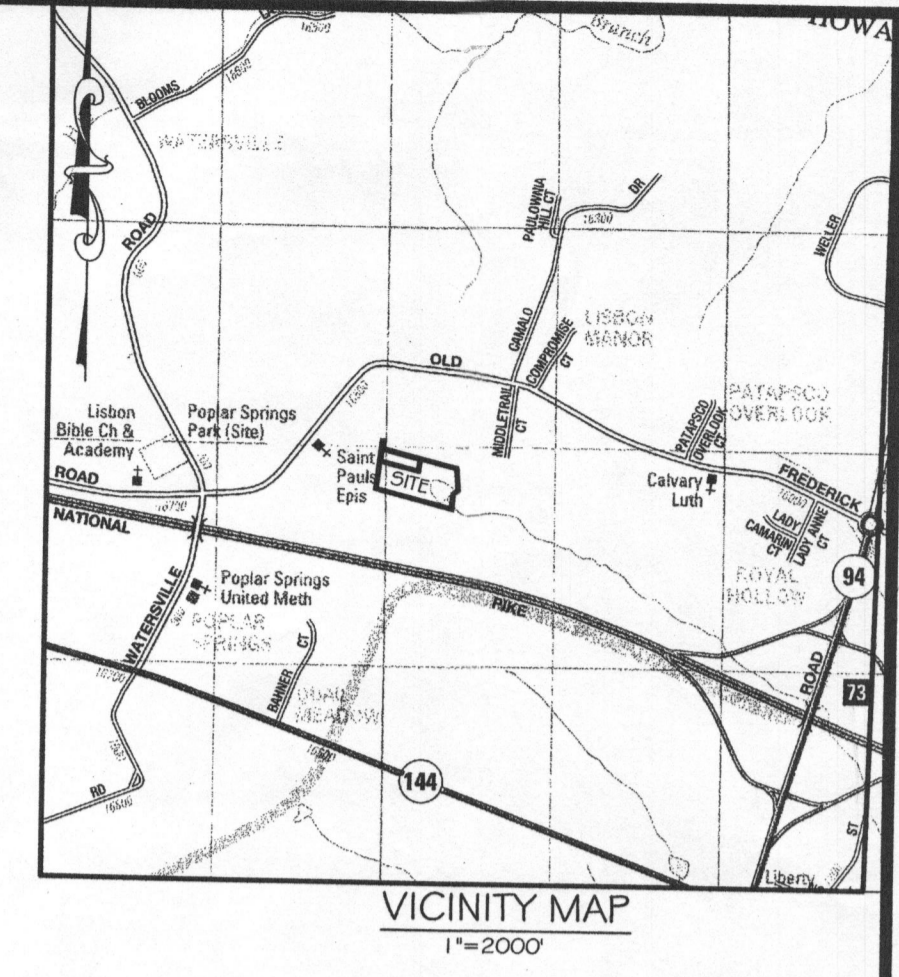


Walter G. Zawislak P.E.  
 Professional Engineer  
 6990 Columbia Gateway Drive, Suite 150, Columbia, Maryland 21046  
 Ph: 443-276-6220 Fax: 443-276-6221 w.zawislak@axiom-ed.com  
 PROFESSIONAL CERTIFICATION  
 I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM DAILY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 32033, EXPIRATION DATE 02/20/13

Drawn:	WGZ
Checked:	WGZ
Date:	6-03-2012
Project No.:	11-0026.00
Scale:	AS SHOWN
Sheet:	C 1.0

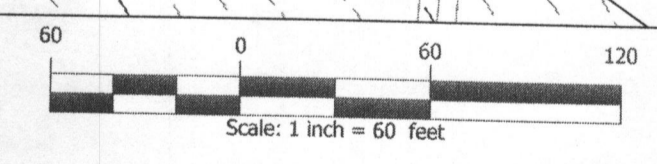
- LEGEND**
- PERCOLATION TEST LOCATION PASSED
  - EXISTING SEPTIC EASEMENT (APPROX. LOCATION)
  - NEW SEPTIC EASEMENT
  - PROPOSED LOT LINE
  - EXISTING LOT LINE
- SOIL LEGEND**
- GgB Glenelig Loam, 3 to 8% Slope
  - GgC Glenelig Loam, 8 to 15% Slope
  - GnB Glenville-Baile silt loam, 0 to 8 percent Slope

- SITE NOTES**
- ZONING: RC-DEO
  - TOPOGRAPHY SOURCE: HOWARD COUNTY GIS, SUPPLEMENTED BY FIELD SURVEY AXIOM ENGINEERING DESIGN FEBRUARY AND APRIL 2012. DATUM IS ASSUMED ON ALL FIELD SURVEYS.
  - BOUNDARY LINE SOURCE: HOWARD COUNTY GIS + DEED REVIEW
  - B.R.L. = BUILDING RESTRICTION LINE
  - PROPERTY OWNER: 16377 OLD FREDERICK ROAD MT. AIRY, MARYLAND 21771-3333 (410)802-8980
  - SITE ADDRESS: 16377 OLD FREDERICK ROAD MT. AIRY, MARYLAND 21771-3333
  - NO BOUNDARY SURVEY WAS PERFORMED ASSOCIATED WITH THE PREPARATION OF THIS PLAN.
  - ANY CHANGES TO A PRIVATE SEWAGE EASEMENT SHALL REQUIRE A REVISED PERCOLATION CERTIFICATION PLAN.
  - ALL WELLS AND SEPTIC SYSTEMS LOCATED WITHIN 100' OF THE PROPERTY BOUNDARIES AND 200' DOWN GRADIENT OF ANY WELLS AND/OR SEPTIC SYSTEMS HAVE BEEN SHOWN.
  - THE LOTS(S) SHOWN HEREON COMPLY(ES) WITH THE MINIMUM OWNERSHIP WIDTH AND LOT AREA AS REQUIRED BY THE MARYLAND DEPARTMENT OF ENVIRONMENT.
  - HOWARD COUNTY HEALTH DEPARTMENT APPROVED THIS PERCOLATION SITE PLAN FOR THIS SUBDIVISION ON MAY 4, 2012.



MAIN LOT PLAN VIEW, 1"=60'

1. The elevations (1198.2+) at the corners of the mound systems shown in this plan view are not based on any vertical datum. The elevations shown are relative to one another, on an assumed datum, and were field surveyed by Axiom Engineering Design, February and April 2012. These elevations do NOT correspond to the GIS elevations shown in the plan view above.  
 2. The average slope of the mound systems are less than 12%.



**NOTE:**

This area designates a private sewage disposal area of at least 10,000 square feet as required by the Maryland Department of the Environment for individual sewage disposal. Improvements of any nature in this area are restricted. This sewage disposal area shall become null and void upon connection to a public sewerage system. The county health officer shall have authority to grant adjustments to the private sewage easement. Recordation of a revised sewage easement shall not be necessary.

All wells to be drilled prior to final plat submission.

**WAIVER PETITION REQUEST:**

To reconfigure the five existing loop-hole lots, 6.75± acres, through the adjoining deed process by waiving the final plat requirement per Section 16.147. One lot about 2 acres will be reconfigured around the existing house and one lot about 4.75 acres will be reconfigured for the second building lot.

Because all five lots are about 58,000 square feet each and do not currently meet the RC minimum lot size requirement for 3 acres, the proposal is to move the 2 lots closer to compliance with the Zoning Regulations by establishing a 2 acre lot and a 4.75 acre lot (including the existing farm pond).

Section 16.102(c)(3)(i) permits subdivisions not in accordance with the minimum lot size provided the plan improves the compliance of the existing lots that do not currently meet the bulk regulations by moving them closer to compliance.

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
Division of Land Development

DATE: 10/1/11

DPZ File No. 101-11

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

RE: 101-11 LMA 1-10-11 101

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
<b>Applications</b>		<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  
 Received and Revised  Approved

Recorded  On 10/1/11

COMMENTS: see attached memo. Jw SRC/Comments Due By: 10/1/11

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

DPZ STAFF INITIALS \_\_\_\_\_