

PERMIT

SEWAGE DISPOSAL SYSTEM

MARYLAND STATE DEPARTMENT OF HEALTH

HOWARD COUNTY

ELLICOTT CITY

DISTRICT 9

DATE 1/2/71

INDEXED

INDEXED

04-329724

Carol-Ann Co., Inc.

IS PERMITTED TO INSTALL X ALTER

ADDRESS Garret Blvd. Pikesville, Maryland 21093

PHONE 82 8-2222

(833-1043)

A SEWAGE DISPOSAL SYSTEM LOCATED AT

SUBDIVISION

3101 ROAD Florence-Eliz Rd. LOT

(see application for better directions)

PROPERTY OWNER Jack E. Brown

ADDRESS

SPECIFICATIONS - 4 bedrooms

DRAIN FIELD DEPTH FEET. BOTTOM AREA SQ. FT.

SEEPAGE PITS ABSORBENT SIDE WALL AREA SQ. FT.

SEPTIC TANK CAPACITY 1,200 GALLONS concrete tank - no metal tank

FOR GARBAGE GRINDER, INCREASE DISPOSAL AREA 225 & TANK CAPACITY 500.

OTHER Dry well - 448 sq. ft. absorbent sidewall area to begin below inlet pipe.

Inlet pipe to be 2 1/2 ft. below original grade. Maximum depth permitted for dry well

is 11 ft. below original grade. Suggest digging pit 16 ft. sq. cut block and top for

12 ft. diameter and fill in rest of pit with gravel. Inlet pipe to be 2 1/2 ft. below orig.

grade. Dry well 7 ft. deep below inlet pipe. Locate dry well 210-215 ft. from edge

of bank along Florence Rd. and 150 ft. from the woods on right side of lot as seen

PLANS APPROVED BY D. W. Muehlen DATE 1/2/71

when facing lot from Florence Rd.

FILL SEPTIC TANK AND DISTRIBUTION BOX WITH WATER BEFORE CALLING FOR AN INSPECTION. COVER NO WORK UNTIL INSPECTED AND APPROVED.

NOTE: ALL PIPE FROM HOUSE TO SEPTIC TANK MUST BE CAST IRON.

NEITHER THE HOWARD COUNTY COMMISSIONERS NOR THE HEALTH DEPARTMENT IS RESPONSIBLE FOR THE SUCCESSFUL OPERATION OF ANY SYSTEM.

PERMIT VOID AFTER THREE YEARS.

LOG. PERMIT SIGNED AND RETURNED 2-10-71

Health B1011613
dech

A 15712

512861-F

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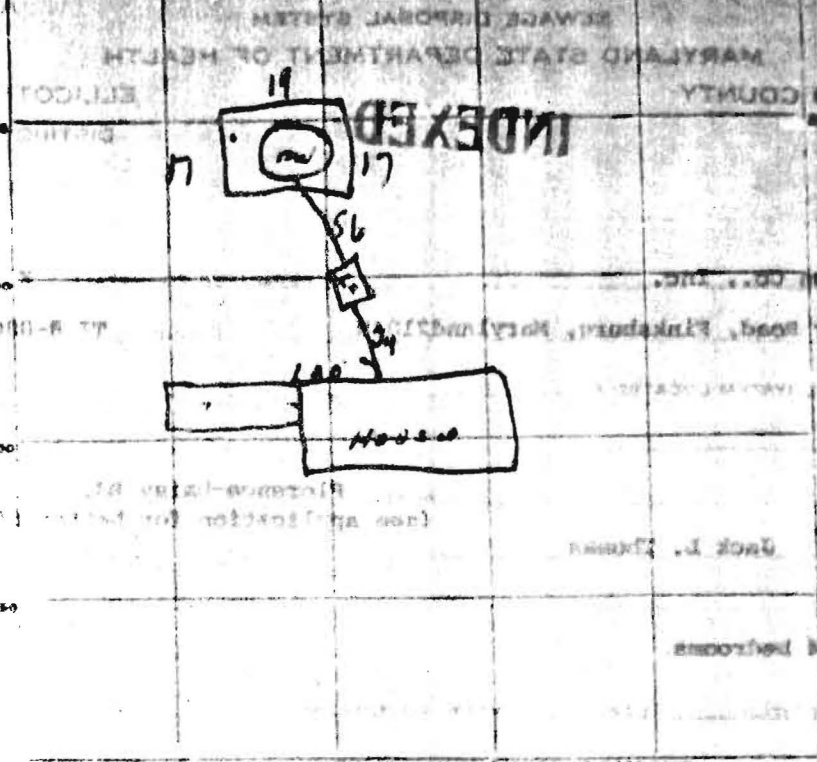
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PERMIT



20
 435
 64
 426

PERMIT CARD OK
 SEPTIC TANK LEVEL 8.15 CLEANOUTS 0.12
 DRY WELL - 488 IN. FT. ABSORBENT MATERIAL
 DISTRIBUTION BOX LEVEL _____
 INLET PIPE TO BE 36 FT. BELOW ORIGINAL GRADE
 TILE FIELD, DEPTH _____ FT. TRENCH WIDTH _____ FT.
 IS 11 FT. BELOW ORIGINAL GRADE. SUGGEST DIPPING PIT 16 FT. IN. AND TOP FOR
 GRAVEL DEPTH _____ IN. TOTAL LENGTH _____ FT.
 IS 11 FT. DIAMETER AND 111 IN. DEPTH IN REAR OF PIT WITH DRAINAGE
 NUMBER OF TRENCHES _____ TOTAL BOTTOM AREA _____
 DRY WELL 7 FT. BELOW ORIGINAL GRADE. INLET PIPE 7 FT. BELOW ORIGINAL GRADE
 SCRAPAGE PITS 70 IN. DIAMETER. DEPTH 12 IN.
 ABSORBENT AREA 4554 SQ. FT.

REMARKS: 5-10-71 ground around dry well could be brought up to dry well
did a gravel surface dry well
when with pipe and gravel (to be used)
did to check pipe must be broken so depth
of dry well can be measured. will be final when above is
done. OK to cover from base to height of dry well

DATE SYSTEM APPROVED 5/12/71 INSPECTOR W. Monaghan

APPLICATION

SEWAGE DISPOSAL TESTING

MARYLAND STATE DEPARTMENT OF HEALTH

HOWARD COUNTY

ELLICOTT CITY

Septic Tank - 1200 gal - concrete tank. no metal tank DISTRICT 4

Dry Well - 448 sq ft absorbent sidewall area to begin below inlet pipe. Inlet pipe to be 3 1/2 ft below original grade. Maximum depth permitted for dry well is 11 ft below original grade. Suggest digging pit 16 ft sq. Set blocks top for 12 ft diameter & fill in rest of pit with gravel. Inlet pipe to be 3 1/2 ft below orig. grade - dry well 7 ft deep below inlet pipe - Locate Dry Well 31 ft from edge of bend along Florence Rd and 160 ft from the woods on right side of lot as seen when facing lot from Florence Rd.

TO: THE COUNTY HEALTH OFFICER
ELLICOTT CITY, MARYLAND

I, HEREBY, APPLY FOR THE NECESSARY TESTS IN ORDER TO CONSTRUCT OR RECONSTRUCT A SEWAGE DISPOSAL SYSTEM.

PROPERTY OWNER JACK L. THOMAS

ADDRESS 1054 LAKE CLAIR DR ANNAPOLIS PHONE 757-4578

PROPERTY LOCATION:

SUBDIVISION _____ LOT NO. _____

ROAD AND DESCRIPTION FLORENCE - DAISY RD - APPROX 200' FROM Y WITH JENNINGS CHAPPEL RD

OCCUPANT HEIMAN JACK L. THOMAS PHONE 757-4578

PERSON TO CONSTRUCT SYSTEM RIVERA ISLAS PLUMBING & HEATING (J. FITZSIMMONS)

ADDRESS RT 11 - BUCKLE PALADINA MD. PHONE 205-4145

SIZE OF LOT 1.13 ACRES TYPE BLDG SPLIT FOUR: 4 B.R.

IF NOT SINGLE RESIDENCE DESCRIBE _____

SIGNATURE OF APPLICANT PRIDEMARK ENTERPRISES INC FOR Bennett Linton

APPROVED BY Bill Morgan FOR J.W. Hill DATE 2-26-71

REJECTED BY _____ FOR _____ DATE _____

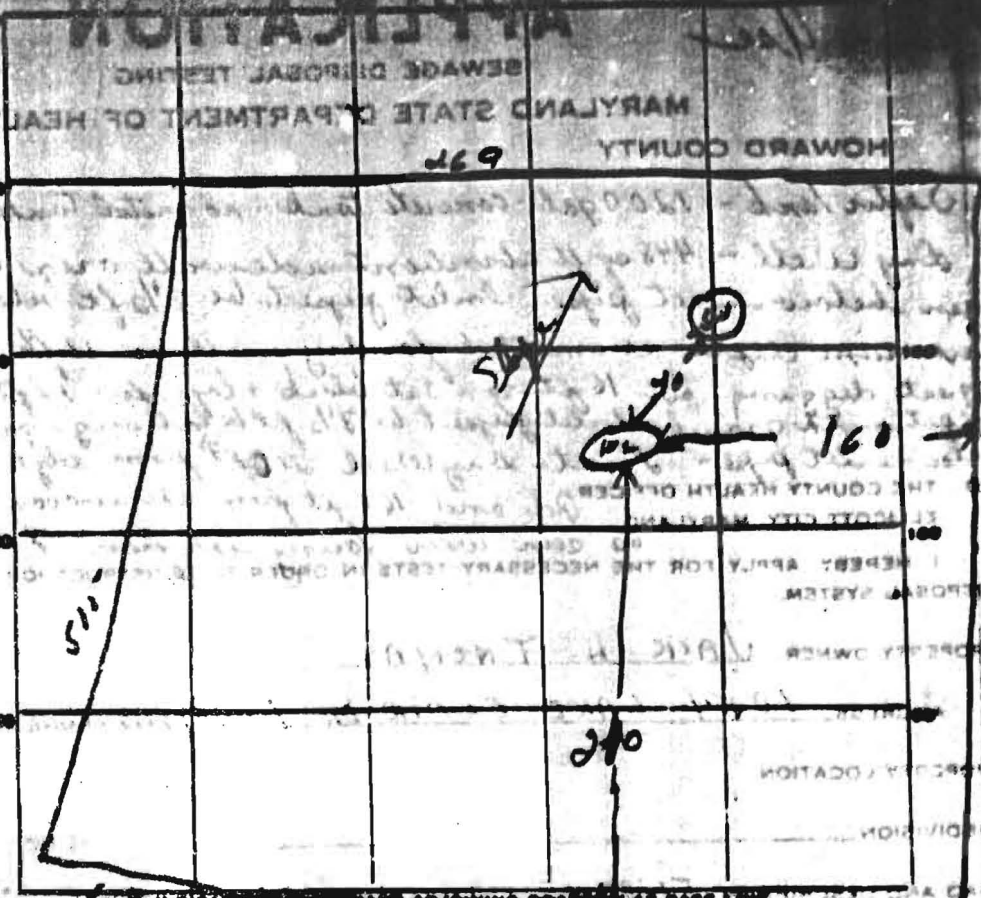
HOLD PENDING FURTHER TESTS _____ DATE _____

REASONS FOR REJECTION OR HOLDING _____

THIS IS NOT A PERMIT

APPLICATION
 BEWADE DISPOSAL TESTING
 MARYLAND STATE DEPARTMENT OF HEALTH
 HOWARD COUNTY

ELICOTT CITY
 DISTRICT 11
 DATE 2/21



TO 4 INCHES BELOW THE EXISTING GRADE AS BASE LINE

Flowchart 2-2-71

DATE	TEST NO.	DEPTH	PERMEABILITY		TEST - 1" DROP		TIME
			START	STOP	START	STOP	
2-26-71	1	4 1/2 ft	11 25	11 27	11 27	11 32	5 min
	2	10 1/2 ft	11 31	11 36	11 36	11 40	14 min
	3	4 1/2 ft	11 37	11 37	11 37	11 37	3 min
	4	10 1/2 ft	11 32	11 42	11 42	11 49	16 min

SOIL AUGER FINING

TESTED BY DUM

REMARKS collected from test

THIS IS NOT A DEED

APPLICATION

SEWAGE DISPOSAL TESTING

MARYLAND STATE DEPARTMENT OF HEALTH

HOWARD COUNTY

ELLICOTT CITY

DISTRICT 4

Septic Tank ~~1200~~ gal.

DATE 4-12-67

Dry Well 500 ft absorbent sidewall area to begin below the water table
Just pipe to be 4 ft below original grade. Max depth of dry well 10 ft below original grade.

Place Dry Well about 135 ft from front lot line and about 87 ft from right sidewalk as seen when facing lot from Home-Away Rd.
TO: THE COUNTY HEALTH OFFICER
ELLICOTT CITY, MARYLAND

I, HEREBY, APPLY FOR THE NECESSARY TESTS IN ORDER TO CONSTRUCT (OR RECONSTRUCT) A SEWAGE DISPOSAL SYSTEM (No metal septic tank. W.W.P.)

When told if they could use this location - must be OK. 4/12/67

PROPERTY OWNER Roland Bennett

ADDRESS Woodbine Rt. 2

PHONE

PROPERTY LOCATION:

SUBDIVISION

LOT NO.

ROAD AND DESCRIPTION Florence Rd. off Rt. 94 - one mile off Rt. 94 on left side.

Stop at Mullinix Motors, Daisy, Md. And ask for Roland Bennett.

OCCUPANT

PHONE

PERSON TO CONSTRUCT SYSTEM

ADDRESS

PHONE

SIZE OF LOT 638 Ft. x 269 ft. x 515 Ft. 500 Ft. TYPE BLDG. 3 4 NUMBER OF BEDROOMS

IF NOT SINGLE RESIDENCE DESCRIBE

SIGNATURE OF APPLICANT X Roland Bennett

APPROVED BY Donald W. Monaghan FOR Dry Well (KIND OF SYSTEM)

DATE 4-18-67

REJECTED BY _____ FOR _____ (KIND OF SYSTEM)

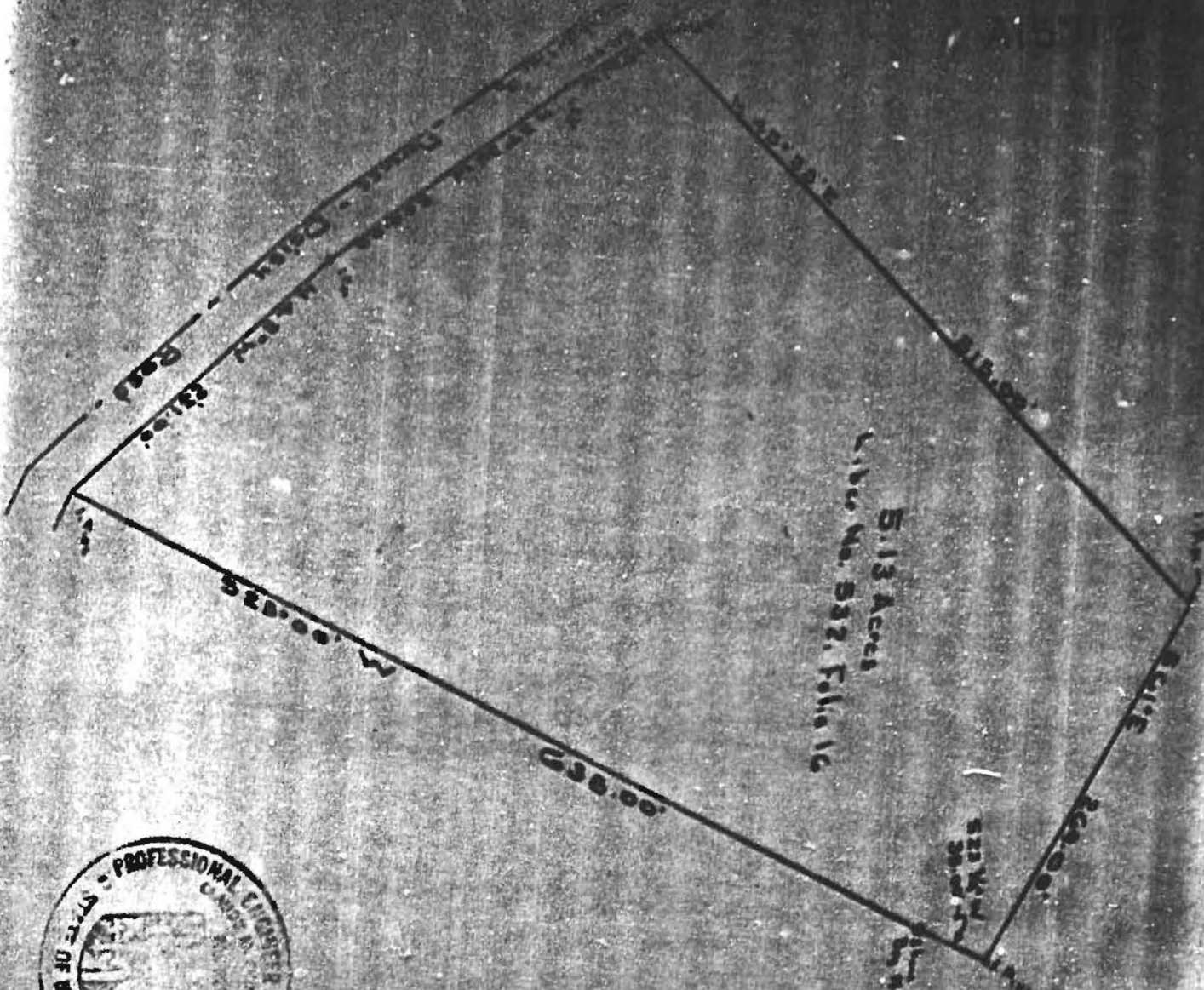
DATE _____

HOLD PENDING FURTHER TESTS _____ DATE _____

REASONS FOR REJECTION OR HOLDING

Voided - decision held. see note.

THIS IS NOT A PERMIT



Claude M. S.
 Claude M. S.

Fourth E
 Sub: 1m

P

515'

NOTE:

INDIVIDUAL WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS TO MEET LOCAL HEALTH ORD. 1962

ac. 5
97

CCB
N 75° E

ELEV. AT TIME OF
HYD. TEST 196.8
DRY WELL
(40.9' ABOVE AREA)
BELOW GROUND

EXIST. EL. 97
120' 9" SEPTIC TANK (NO. 1000000000)
INV. EL. 95
INV. EL. 96

Prop. 20' x 21'
PROP. 20' x 21'
BASE 31.2
21.2' 22.7'

WELL, MIN. 75'
FROM SEPTIC SYSTEM
LAST ELEV. 100

11 37' 30" W 200'
FLORENCE

Proposed Driveway
215'

DAIDY ROAD
N 45° W 231'

DLAT

17-50

C 1 **4149** SEQUENCE NO. (DWR USE ONLY)

1 2 3 (SEQ. NO.) 6

(THIS NUMBER IS TO BE PUNCHED IN COLS. 3-6 ON ALL CARDS)

STATE OF MARYLAND
DEPARTMENT OF WATER RESOURCES
 STATE OFFICE BLDG., ANNAPOLIS, MARYLAND 21401
WELL COMPLETION REPORT

THIS REPORT MUST BE SUBMITTED WITHIN 30 DAYS AFTER WELL COMPLETION

FILL IN THIS FORM COMPLETELY

DATE RECEIVED (DWR USE ONLY) _____

DATE WELL COMPLETED May 19 1971

DEPTH OF WELL 143 (TO NEAREST FOOT) 22 26

PERMIT NO. FROM "PERMIT TO DRILL WELL" 40-71-0142 28 29 30 31 32 33 34 35 36 37

DRILLERS IDENTIFICATION NO. 23

OWNER Thomas LAST NAME Jack J. FIRST NAME

STREET OR RFD 1054 Lake House Dr POST OFFICE Annapolis Md

WELL LOG

STATE THE KIND OF FORMATIONS PENETRATED, THEIR COLOR, DEPTH, THICKNESS AND IF WATER BEARING

DESCRIPTION (USE ADDITIONAL SHEETS IF NECESSARY)	FEET		CHECK IF WATER BEARING
	FROM	TO	
<u>Grit</u>	<u>0</u>	<u>3</u>	
<u>ft Be Sand</u>	<u>3</u>	<u>85</u>	
<u>Grit</u>	<u>85</u>	<u>86</u>	
<u>Hard Blue Rock</u>	<u>86</u>	<u>74</u>	
<u>Grit</u>	<u>74</u>	<u>75</u>	
<u>Hard Blue Rock</u>	<u>75</u>	<u>143</u>	
<u>Rock</u>			

GROUTING RECORD

WELL HAS BEEN GROUTED (CIRCLE APPROPRIATE BOX) Y N

TYPE OF GROUTING MATERIAL (CIRCLE BOX):

CEMENT M B BENTONITE CLAY C

NO. OF BAGS 29 NO. OF POUNDS 1700

GALLONS OF WATER 125

DEPTH OF GROUT SEAL (TO NEAREST FOOT)

FROM 0 FT. TO 70 FT. (ENTER 0 IF FROM SURFACE)

CASING RECORD

INSERT APPROPRIATE CODE BELOW

STEEL S T CONCRETE C O

PLASTIC P L OTHER O T

MAIN CASING TYPE S T

NOMINAL DIAMETER TOP (MAIN) CASING (NEAREST INCH) 6 1/2

TOTAL DEPTH OF MAIN CASING (NEAREST FOOT) 72

OTHER CASING (IF USED)

EACH CASING	DIAMETER (INCH)	DEPTH (FEET)	
		FROM	TO
<input type="checkbox"/>			
<input type="checkbox"/>			

SCREEN RECORD

SCREEN TYPE OR OPEN HOLE

INSERT APPROPRIATE CODE BELOW

STEEL S T BRASS OR BRONZE B R OPEN HOLE H O

PLASTIC P L OTHER O T

DEPTH (NEAREST WHOLE FOOT)

EACH SCREEN	FROM		TO	
	1	2	3	6
1				
2				
3				

SLOT SIZE 1, 2, 3,

DIAMETER OF SCREEN 56 (NEAREST INCH) FROM TO

GRAVEL PACK

IF WELL DRILLED WAS A FLOWING WELL CIRCLE BOX F

DWR USE ONLY (NOT TO BE FILLED IN BY DRILLER) (E.R.O.S.)

TELESCOPE CASING 70 LOG INDICATOR 72 OTHER DATA AVAILABLE 74 75 76

PUMPING TEST

HOURS PUMPED (TO NEAREST HOUR) 14 8 9

PUMPING RATE (GALLONS PER MINUTE TO NEAREST GALLON) 5 11 15

METHOD USED TO MEASURE PUMPING RATE Flowmeter

WATER LEVEL: (DISTANCE FROM LAND SURFACE)

BEFORE PUMPING 85 (NEAREST FOOT) 17 20

WHEN PUMPING 138 (NEAREST FOOT) 22 25

TYPE OF PUMPED USED (CIRCLE APPROPRIATE BOX)

A AIR P PISTON T TURBINE

C CENTRIFUGAL R ROTARY O OTHER (DESCRIBE BELOW)

J JET S SUBMERSIBLE

PUMP INSTALLED

TYPE OF PUMP (WRITE APPROPRIATE LETTER IN BOX - SEE ABOVE: A, C, J, P, R, S, T, O) 29

DRILLER WILL INSTALL PUMP (CIRCLE APPROPRIATE BOX) Y N

CAPACITY:

GALLONS PER MINUTE (TO NEAREST GALLON) 31 35

PUMP HORSE POWER 37 41

PUMP COLUMN LENGTH (NEAREST FOOT) 43 47

CASING HEIGHT (CIRCLE APPROPRIATE BOX AND ENTER CASING HEIGHT)

ABOVE } LAND SURFACE (NEAREST FOOT) 50 51

BELOW }

LOCATION OF WELL ON LOT

SHOW PERMANENT STRUCTURE SUCH AS BUILDINGS, SEPTIC TANKS, AND/OR OTHER LAND MARKS AND INDICATE NOT LESS THAN TWO DISTANCES (MEASUREMENTS TO WELL).

CIRCLE APPROPRIATE BOXES

A WELL WAS ABANDONED AND SEALED WHEN THIS WELL WAS COMPLETED

E ELECTRIC LOG OBTAINED

C COPY OF ELECTRIC LOG ATTACHED

I HEREBY CERTIFY THAT I HAVE COMPLIED WITH ALL CONDITIONS STATED ON THE ABOVE-CAPTIONED "PERMIT TO DRILL WELL", AND THAT INFORMATION CONTAINED IN THIS REPORT IS TRUE, ACCURATE, AND COMPLETE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

DRILLERS NAME _____

(PLEASE PRINT) DANA D'HERA

SIGNATURE Dana D'Her

Help Me ?	Map Reset ↻	Zoom Fit ⏏	Find Location 🔍	Remove Pin 📌✖	Layer Control ☰	Image Control 📷	Theme Map 🗺	Local Print 🖨	Print Layout 🖨	Email Map ✉	Map Exit 🏠
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Disclaimer: Howard County, Maryland assumes no responsibility for the accuracy of this map or the information contained herein or derived therefrom. The buyer and/or user assumes all risks and liabilities whatsoever resulting from or arising out of the use of this map. There are no oral agreements or warranties relating to this sale and/or use of this map.

Wednesday, March 01 2006 | 12:16:20 PM | @761

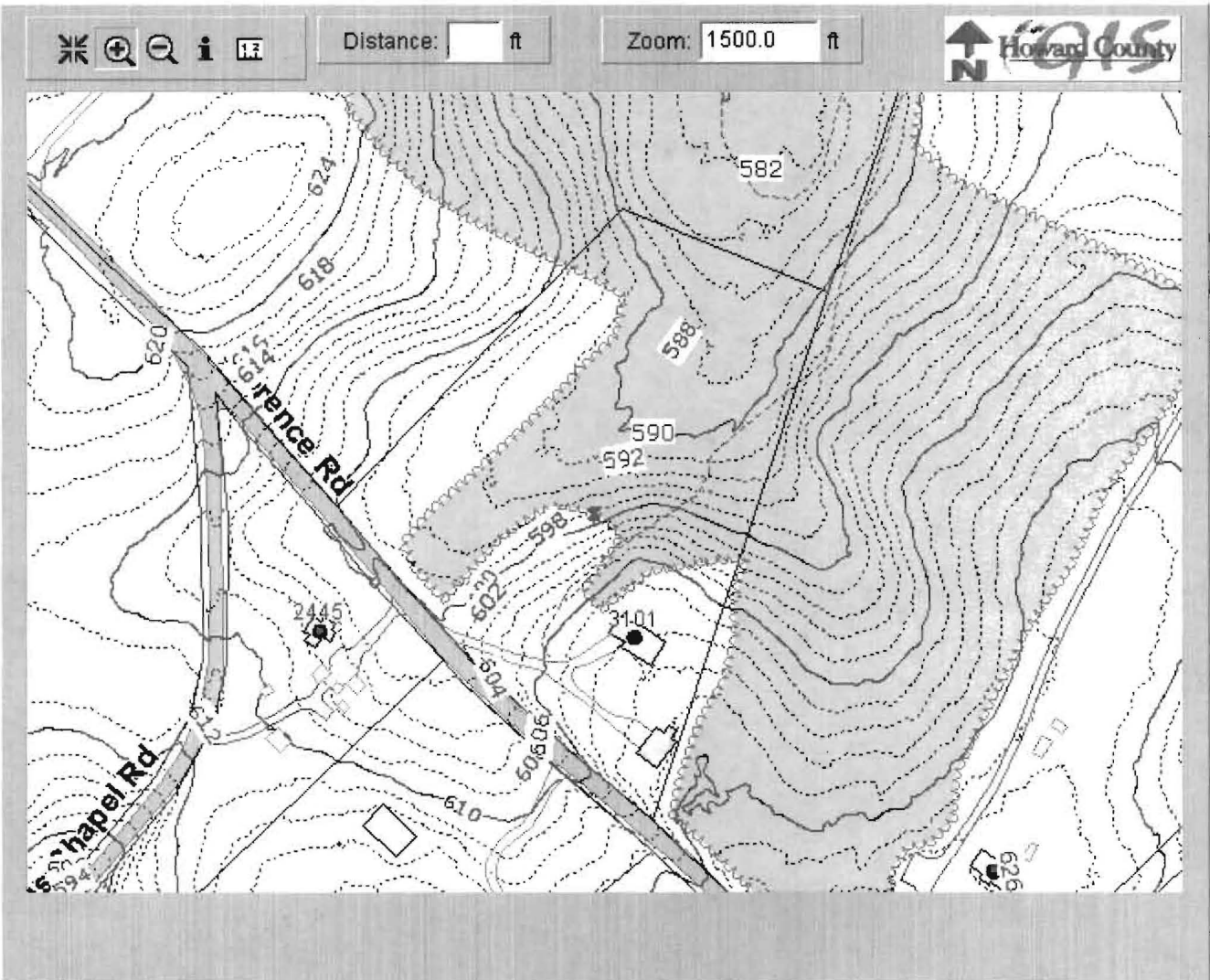
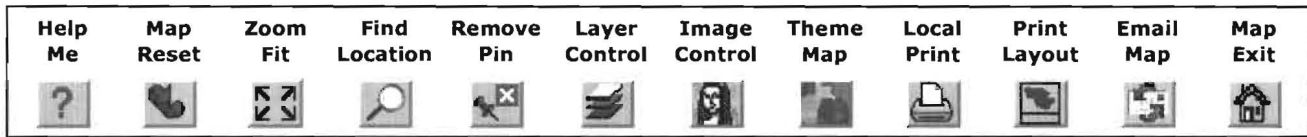
Map Legends

County Line	Property Line	Stream Major	Stream Minor	Ponds Lakes	Wetlands	Fences	Railroad
Road Paving	Bridges Over Pass	Electric ROW & Tower					

Property Information

Property Boundary

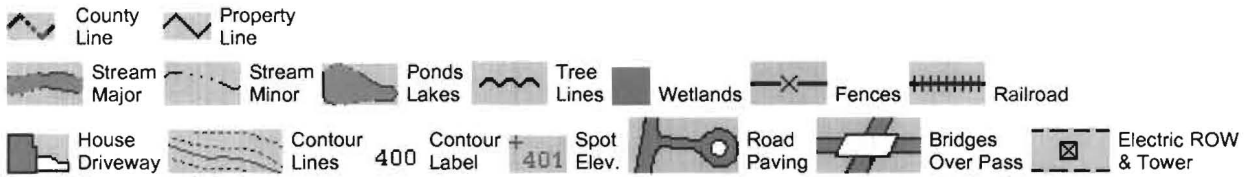
Sanitary Sewer



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Wednesday, March 01 2006 | 12:15:00 PM | @760

Map Legends



Property Information



Sanitary Sewer

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
Division of Land Development

DATE: May 1, 2014

DPZ File No. WP-14-126

Department of Planning and Zoning

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

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

Agencies

- Soil Conservation District
1 Department of Inspections, Licenses & Permits
1 Department of Fire and Rescue Services
1 State Highway Administration
1 Health Department
1 Public School System
1 Recreation and Parks
WSSC (Non-Residential Only)
MD Aviation Administration

- Tax Assessment
Verizon
BGE
Cable TV
Police
MTA
Finance
1 DPW, Real Estate Services
DPW, Construction and Inspection
DPW, Bureau of Utilities

RE: Jenson Property/ Arrowwood Shepherds

ENCLOSED FOR YOUR Signature Approval [] Review & Comments [x] Files []

THE ENCLOSED Original [] Pre-Packaged Plan Set [x]

Table with 2 columns: Plans, # of Sheets. Lists various plan types like Sketch Plan, Prel Equiv Sketch Plan, etc.

Table with 1 column: Supplemental Documents. Lists documents like Wetlands Report, Soils/Topo Map, etc.

Table with 2 columns: Applications, # of Sheets. Lists application types like Waiver Petition, Planning Board Application, etc.

WAS: [x] Received [] Tentatively Approved [] Recorded
[] Received and Revised [] Approved On May 1, 2014

COMMENTS: SRC/Comments Due By: 5/26/14

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

DPZ STAFF INITIALS: EB

Howard County Department of Planning and Zoning
 Division of Land Development
WAIVER PETITION APPLICATION
 [Waiver from Subdivision and Land Development Regulations]

Date Submitted/Accepted 5/1/14 DPZ File Number WP-14-126

I. Site Description

Subdivision Name/Property Identification: JENSON PROPERTY/ARROWWOOD SHEPHERDS
 Location of property: # 3101 FLORENCE ROAD
 (Street Address and/or Road Name)

RESIDENTIAL
 (Existing Use)

RESIDENTIAL/ CANINE TRAINING
 (Proposed Use)

13
 (Tax Map No.)

9
 (Grid/Block No.)

137
 (Parcel No.)

A+h
 (Election District)

RY-DED
 (Zoning District)

5.1438 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.)

BA 09-030C, WP 12-167, BA 12-027C

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 16.155.9.3</u>	<u>SITE DEVELOPMENT PLAN APPLICABILITY</u>
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

III. *Justification*

All waiver requests must be fully justified by the petitioner. Incomplete or inadequate justification may result in rejection of the application at the time of submission. 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.

PLEASE ATTACH A SEPARATE LETTER OF JUSTIFICATION TO SUPPORT THE WAIVER REQUESTS.

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 for waivers of the site development plan requirement. [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].**

N/A

→→→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.**

N/A

→→→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.

N/A

→→→d. N/A

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 (**15 sets of the completed waiver application and plan exhibit if the subject property adjoins a County road; 19 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 15 or 19 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"/> NA Not Applicable	

- X ✓ 1. Vicinity map scale 1" = 2,000' indicating and identifying the total boundary of the property, exact site location, vicinity roads and north arrow.
- X ✓ 2. Bearings and distances of property boundary lines for the entire tract and size of tract area.
- X ✓ 3. North arrow and scale of plan.
- X ✓ 4. Location, extent, boundary lines and area of any proposed lots.
- X ✓ 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.
- X ✓ 6. Delineation of building setback lines.
- X ✓ 7. Delineation of all existing public road and/or proposed street systems.
- X ✓ 8. Identification and location of all easements.

- X 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.
- X 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.
- X 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).
- X 12. Photographs, perspective sketches or cross-sections as necessary to adequately portray the waiver request.
- X 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).
- X 14. Submit 2 sets of photographs for all existing on-site structures.
- X 15. Identify the location of any existing wells and/or private septic systems.
- X 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.
- X 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.
- X 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.**
- X 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.

ADDENDUM TO WAIVER PETITION

The Petitioner requests relief from Section 16.155.a.3 of the Howard County Subdivision and Land Development Regulations. The referenced Section requires a Site Development Plan to be submitted and approved for all Conditional Uses in Commercial or Industrial Districts and in other Districts. The Department of Planning and Zoning may require a Site Development Plan for Conditional Uses, which require Exterior Site Improvements.

The Petitioner owns a 5.14 acre parcel located on the northeast side of Florence Road, approximately 350 feet southeast of the Jennings Chapel Road intersection. The RC-DEO Zoned Parcel is currently improved with a brick and frame split foyer (circa 1971) with attached two-car garage and a detached metal two-car garage. Vehicular access from Florence Road to the Parcel is derived via a gravel driveway on the southwest side of the site. The Site's topography slopes moderately to the north and west from the property's ridge near the southeast corner of the property. The property's existing improvements are located on this ridge. The property's perimeter primarily on the north, east and west are wooded. The remainder of the property contains grassed lawn. The lawn areas are enclosed by a variable height 5 to 6 foot high open wood fence. One fenced area is located directly behind the existing dwelling and comprises about 1/3 of an acre. The remaining fenced area comprises approximately 1.5 acres below the existing ridge towards the rear of the Site.

The Petitioner proposes utilization of the property for canine training under the business name "Arrowwood Shepherds". The Petitioner's canine training classes will be located within the existing 1.5 acre fenced lawn area. The smaller fenced area behind the residence will provide a secure area for the Petitioner's personal pets. The Petitioner will also provide a new access driveway to a 15-space parking area (14 regular/ 1 handicap). The new access entrance will be consolidated with the existing entrance to the Petitioner's residence. The access driveway will extend along the west side of the property adjacent to the fenced training area leading to the parking area. The parking area provides head-in parking for 15 vehicles. All of the canine training uses are buffered by existing wooded areas. The Petitioner has supplemented the wooded buffers by planting evergreen screening along the southern side of the canine training area and within and adjacent to the front portion of the property. The Petitioner's Proposal is approved as a Conditional Use by the Howard County Board of Appeals as BA 05-033C (dated May 4, 2006/January 17, 2007), as amended by BA 09-030C (dated October 20, 2010), as affirmed by the Order of the Circuit Court Case #13-C-10-84855 dated November 18, 2011 and as ordered by the Board of Appeals on February 28, 2012, and as modified by BA12-027C. The Petitioner's Proposal disturbs a total of 19,000 square feet or about 8.6% of the total site area.

The Petitioner believes the Subdivision and Land Development requirement for submittal and approval of a Site Development Plan should be waived principally for the following:

1. The subdivision and Land Development Regulations addresses the purpose of the Site Development plan to indicate the location and construction specifications for buildings, structures, paved areas, grading, drainage, on-site utilities, sidewalks, trails, required forest conservation area, landscaping and other improvements within a site proposed for development.
2. The Petitioners Exhibit provides alternative compliance with the stated purpose of a Site Development Plan by the following:
 - A. The Petitioner does not propose construction of any buildings or structures. All improvements with the exception of the access driveway and parking area are existing.
 - B. The Petitioners Exhibit indicates the location and specifications for the proposed access driveway, parking area with proposed grading, drainage patterns, sediment control features, limit of disturbance and stormwater management features.
 - C. The Petitioners Exhibit does not propose construction of on-site utilities, sidewalks or trails.
 - D. The Petitioners Exhibit provides compliance of the forest conservation and landscape requirements by retention of sufficient existing forested areas and wooded buffers.

a) The Petitioner would suffer extraordinary hardships and practical difficulties if the Regulations were strictly enforced, and a Site Development Plan was required. The purpose of a Site Development Plan (SDP) indicates the location and construction specifications for building within a proposed development. The Petitioner proposes minimal disturbance (0.44 acres) to construct the required driveway and parking improvements necessary to provide compliance with the Board of Appeal's Decision and Order. The required perimeter fencing surrounding the training area has been completed with evergreen screening exceeding the Board's requirement.

The final component to be finished for compliance is the access driveway and parking area. The driveway and parking area will be constructed at existing grade, minimizing disturbance to the existing ground, while providing effective compliance with Stormwater Management Regulations by use of Disconnection Credits. The disturbed area will be provided with proper sediments controls, thereby protecting the adjacent environment and adjacent property.

As noted in the above written Proposal, the Petitioner began this process in 2006. Approval by the Board and affirmation of the Approval was finally achieved in 2012, a period of over six years. During this period, the Petitioner has relocated his training classes to an offsite location.

Given the Petitioner's arduous and laborious journey to gain Approval, requiring the Petitioner to design, submit and receive County Approval of a Site Development Plan will be an extraordinary investment in time and money. Denial of the Waiver would assuredly jeopardize the project and cause the Petitioner to abandon the project.

The attached Exhibit provides sufficient detail to be cost effective to the Petitioner, while ensuring compliance with County requirements.

b) Approval of the Waiver will meet the Intent of the Regulations without imposing an onerous financial burden to the Petitioner. The Plan was presented to the Department of Planning and Zoning as part of the Conditional Use and Environmental Concept Plan process.

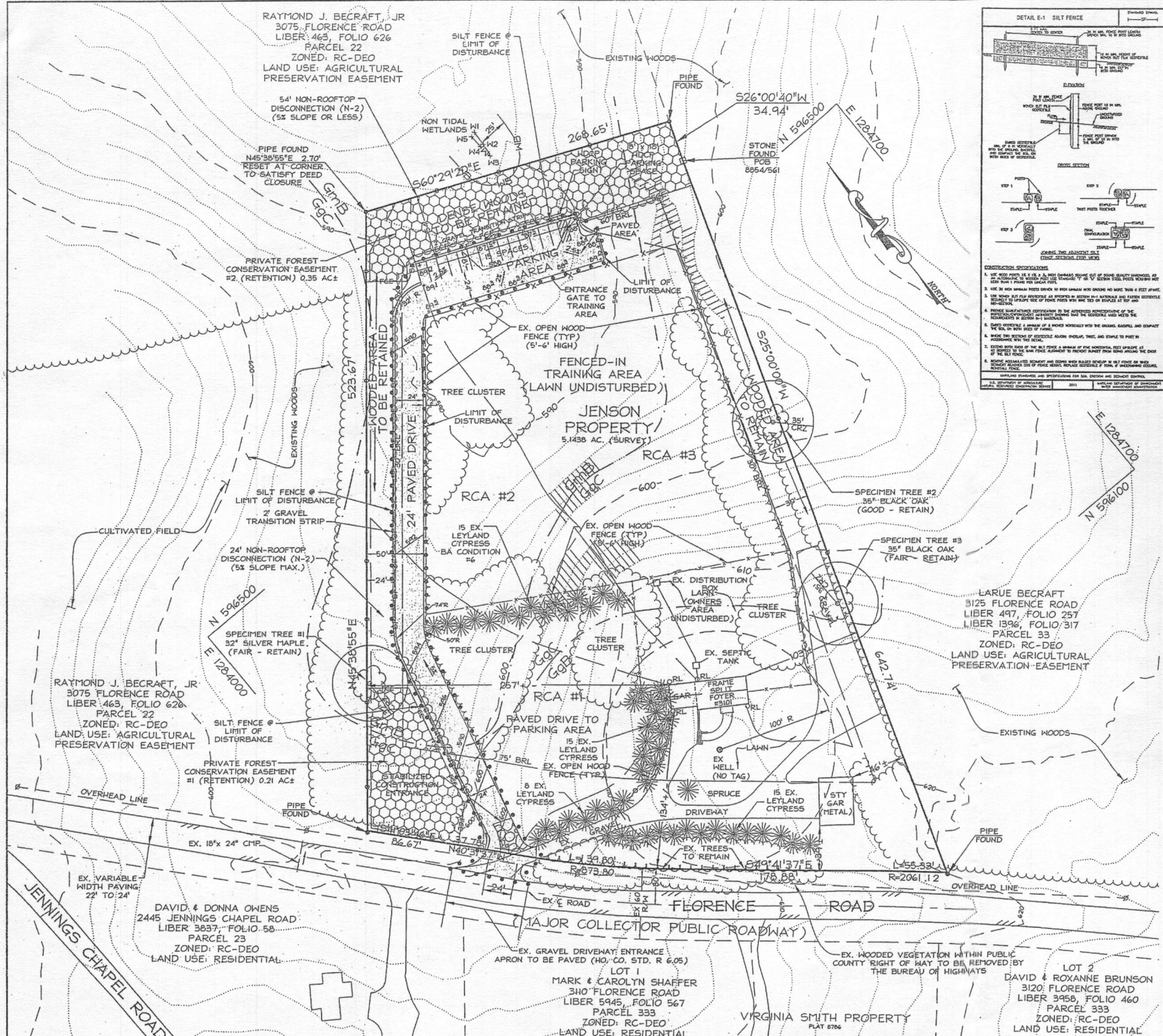
All County requirements are addressed by the Petitioners Waiver Exhibit. Sediment Control devices will be utilized in conjunction with the Department of Inspections, Licenses and Permits "Standard Sediment Control Plan". Stormwater Management will be provided for the improvements by utilizing Disconnection Credits. No structural Stormwater Management facilities are proposed. The existing dwelling is provided with an existing potable water supply and septic system. No expansion of those systems is required or proposed.

c) Approval of the Waiver will not be detrimental to the public interest. The Petitioner's Proposal has been reviewed, approved by the Department of Planning and Zoning and found to be in compliance with the specific criteria for Conditional Use and Environmental Concept Plan. The County has also determined that the Petitioner's use of his property will not have an adverse effect on vicinal properties.

The Petitioner also provides a service to the public by training dogs to be obedient and non-aggressive and provides training for Search and Rescue and other first responders.

d) Approval of the Waiver will not nullify the Intent of the Regulations. The requirements of the Site Development Plan have been presented on the enclosed Waiver Exhibit, and engineered to Environmental and Building Regulations. The Plan has been coordinated with the Howard County Department of Planning and Zoning through the Conditional Use and Environmental Concept Plan process and will be presented as part of the Grading Permit Application. This will allow the County the opportunity to review and comment on the Plan in a more streamlined process, ensuring that any staff concerns are addressed. The Site will also be inspected during all phases of the construction until complete and prior to a Permit Inspection sign off.

Please approve the Petitioners request.



IN THE MATTER OF
 WESLEY AND REBECCA JENSON, BOARD OF APPEALS
 VS. ARROWWOOD SHEPHERDS, INC. OF HOWARD COUNTY
 CASE NO. BA 09-030C

ORDER

The Board of Appeals met on February 24, 2012 to consider the Order of the Circuit Court in Circuit Court Case #13-C-10-8455, dated November 18, 2011, wherein the Court affirmed the Board of Appeals Decision in BA 09-030C dated October 20, 2010, and further ordered that the same be remanded to the Howard County Board of Appeals for the limited purpose of amending any terms and conditions such as, but not limited to, time limits that have been affected by the Order and not to be inconsistent with this Order; and

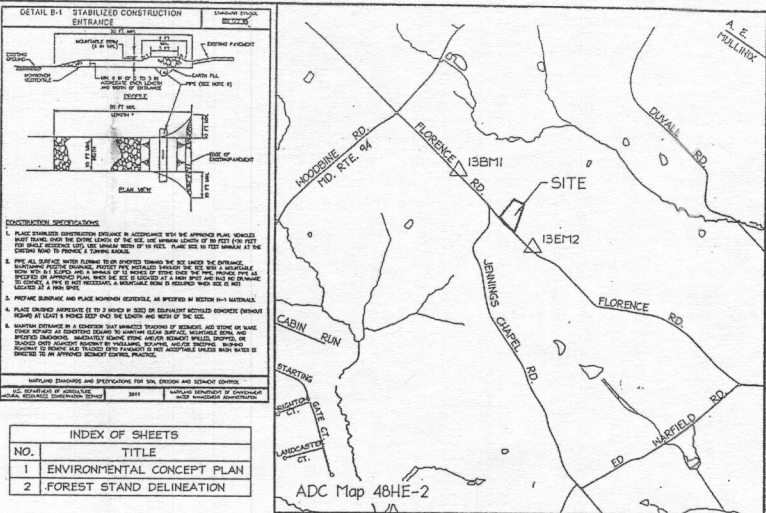
In accordance with the Court's directive, the Board of Appeals, on this 28th day of February, 2012, ORDERS:

That the effective date of the Board's approval of the amended petition in this case be February 28, 2012; and

That the Board hereby amends Condition number 6 of the Board's Decision and Order dated October 20, 2010, to state: "Within 15 months of February 28, 2012, the approval date of this altered conditional use, the Petitioner shall install a buffer of Leyland cypress trees along the fence line facing Florence Road, west of the personal residence."

ATTEST:
 HOWARD COUNTY BOARD OF APPEALS
 Allene Mathison, Board Secretary
 James W. Cook, Chairman
 John L. Hayes, Vice Chairman
 Maurice M. Simpson, Secretary
 Barry M. Stauder, Esq., Asst. County Solicitor

APPROVED AS TO FORM:
 HOWARD COUNTY OFFICE OF LAW
 MARGARET ANN NOLAN, COUNTY SOLICITOR
 Barry M. Stauder, Esq., Asst. County Solicitor



- INDEX OF SHEETS
- | NO. | TITLE |
|-----|----------------------------|
| 1 | ENVIRONMENTAL CONCEPT PLAN |
| 2 | FOREST STAND DELINEATION |
- NOTES:
- EXISTING ZONING: RC-DEO (RURAL CONSERVATION-DENSITY EXCHANGE OPTION)
 - DEED REFERENCE: LIBER 8054 FOLIO 541
 - TOTAL AREA: 6.800 ACRES
 - THE BOUNDARY SHOWN IS BASED ON A FIELD RUN SURVEY BY LDE INC. DATED 2/20/09
 - THE LOT SHOWN HEREIN COINCIDES WITH THE FULL LOT AREA AND OWNERSHIP WIDTH AS REQUIRED BY THE HARTLAND DEPARTMENT OF THE ENVIRONMENT, COUNTY OF HOWARD, MARYLAND
 - EXISTING HOODS HAVE BEEN SHOWN WITHIN 100 FEET WHICH MAY AFFECT THIS PROJECT.
 - THIS PROJECT UTILIZES EXISTING PRIVATE WATER AND PRIVATE SEWERAGE SYSTEMS.
 - LIMIT OF DISTURBANCE: 14,000 SQUARE FEET.
 - PROPOSED ON-SITE USES:
 - EXISTING DWELLING-OWNERS RESIDENCE
 - FENCED LAWN AREA CANINE TRAINING (SEE DECISION 4 ORDER FOR TERMS OF OPERATION)
 - NUMBER OF EMPLOYEES: 11
 - PARKING TRANSLATION PER SECTION 133 OF THE HOWARD COUNTY ZONING REGULATIONS
 - EXISTING DRILLING (2' SPACING) 2 SPACES PROVIDED IN ATTACHED GARAGE
 - CANINE TRAINING (2' SPACING) CONSTRUCTION 3' 1/4 (2' MIN) REGULAR SPACES, 1 (2' MIN) HANDICAP SPACE
 - LANDSCAPING FOR THIS PROJECT IS NOT REQUIRED SINCE NO NEW LOTS ARE BEING CREATED AND THE PROJECT MAINTAINS A 30' MIN. EXISTING HOODED BUFFER BETWEEN THE PROJECTS PROPOSED ON-SITE USES AND ADJACENT PROPERTIES.
 - THE PROJECT COINCIDES WITH THE REQUIREMENTS OF SECTION 14.020 OF THE HOWARD COUNTY CODE FOR FOREST CONSERVATION BY RETENTION OF 0.34 ACRES OF FOREST IN PRIVATE POSSESSION.
 - THIS PROJECT WILL UTILIZE THE HOWARD COUNTY STANDARD EROSION AND SEDIMENT CONTROL PLAN FOR FINEAR EARTH DISTURBANCES BETWEEN 5,000 SQUARE FEET AND 50,000 SQUARE FEET. THE PROPOSED LIMIT OF DISTURBANCE IS 14,000 SQUARE FEET.
 - TOTAL FENCED LAWN AREA: 14,000 SQUARE FEET
 - STOP-WATER MANAGEMENT FOR THIS PROJECT IS PROVIDED BY UTILIZATION OF NON-ROOFTOP DISCONNECTION (N-2).
 - ALL DOG TRAINING AREAS MUST BE FENCED AND NO EXISTING BUFFER AREAS ARE TO BE DISTURBED.
 - THIS PLAN IS SUBJECT TO APPROVED BOARD OF APPEALS BA 09-030C AND AS MODIFIED BY BA 12-027C.
 - THIS PLAN IS SUBJECT TO HP 12-047, ON AUGUST 10, 2012. THE PLANNING DIRECTOR DENIED THE REQUEST TO HAVE SECTION 14.033 WHICH REQUIRES A SITE DEVELOPMENT PLAN FOR CONSTRUCTION FOR CONSTRUCTION USES IN RESIDENTIAL ZONING DISTRICTS. DENIAL WAS BASED ON THREE (3) REASONS:
 - DEVELOPMENT ENGINEERING DIVISION COMMENTS OF 7/24/12
 - THE HANVER REQUEST IS A SELF-CREATED HANOVER
 - THE HANVER REQUEST NULLIFIES THE INTENT AND PURPOSE OF THE SUBDIVISION AND LAND DEVELOPMENT REGULATIONS

CONCEPT ENVIRONMENTAL PLAN NARRATIVE

THE OWNER PROPOSES UTILIZATION OF THE PROPERTY FOR CANINE TRAINING "ARROWWOOD SHEPHERDS". THE CANINE TRAINING CLASSES WILL BE LOCATED BEHIND THE OWNERS RESIDENCE WITHIN THE EXISTING FENCED LAWN AREA, AS REQUIRED BY THE APPROVED CONDITIONAL USE (BA 09-030C) AND AFFIRMED BY THE CIRCUIT COURT (CASE #13-C-10-8455). THE OWNER TRUST PROVIDE A 15 SPACE PARKING AREA FOR THEIR CLIENTS. THE EXISTING FORESTED AREA LOCATED ALONG THE WEST, NORTH AND EAST PROPERTY PERIMETER WILL BE PRESERVED PROVIDING EXPANSION OF THE ADJACENT EXISTING FORESTED AREAS. THE PROJECT WILL PROTECT PRIVATE FOREST BY PLACING WITHIN THE PRIVATE FOREST CONSERVATION EASEMENT HOODED AREAS WHICH DO NOT MEET THE THIRTIUM HUNDRED REQUIREMENT OF 30' WILL BE ALLOWED TO REGENERATE. DISTURBANCE OF THE TREATMENT AREAS UTILIZED FOR NON-ROOFTOP DISCONNECTION WILL BE PROHIBITED DURING ALL PHASES OF CONSTRUCTION.

2. MAINTENANCE OF NATURAL FLOW PATTERNS

FISHED GRADE OF THE PROPOSED ACCESS DRIVE AND PARKING AREA WILL BE SET AT OR NEAR THE EXISTING GRADES ON THE SITE. THE 5% OR LESS VERTICAL PROFILE OF THE PROPOSED CONSTRUCTION COUPLED WITH THE EXISTING GROUND SLOPE WILL DIRECT STORMWATER THROUGH THE PRESERVED FORESTED AREAS ON THE WEST AND NORTH SIDE OF THE SITE. EXISTING DRAINAGE PATTERNS ARE MAINTAINED.

3. REDUCTION OF INTERFERIOUS AREAS

THE PROJECT PROPOSES REDUCTION OF INTERFERIOUS SURFACES BY CONSTRUCTION OF THE THIRTIUM HUNDRED PERMITTED BY COUNTY CODE AND LOCATIONS AS MANDED BY THE PROVISIONS OF THE BOARD OF APPEALS DECISION AND ORDER. THE PROPOSED SITE PLACEMENT OF THE PLACEMENT OF THE PERIMETER SILT FENCE WILL NOT ONLY PROVIDE EROSION/SEDIMENT CONTROL FOR THE DISTURBED AREA, BUT ALSO PROTECT THE FORESTED RESOURCE ALONG THE WEST AND NORTH PROPERTY PERIMETER.

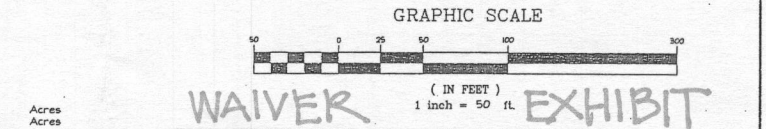
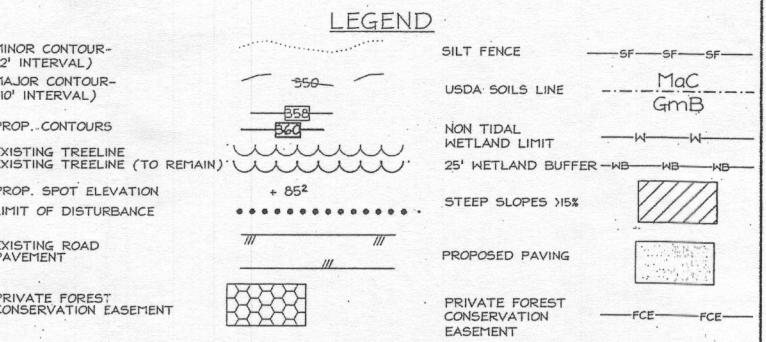
4. INTEGRATION OF EROSION CONTROL AND SEDIMENT CONTROLS INTO STORMWATER MANAGEMENT STRATEGY

THE LIMIT OF DISTURBANCE ALONG THE PROPOSED ACCESS DRIVE AND PARKING AREA WILL BE PROTECTED BY PERIMETER SILT FENCE. THE PLACEMENT OF THE PERIMETER SILT FENCE WILL NOT ONLY PROVIDE EROSION/SEDIMENT CONTROL FOR THE DISTURBED AREA, BUT ALSO PROTECT THE FORESTED RESOURCE ALONG THE WEST AND NORTH PROPERTY PERIMETER.

5. IMPLEMENTATION OF EROSION CONTROL AND SEDIMENT CONTROLS TO THE

THE USE OF NON-ROOFTOP DISCONNECTION (N-2) WILL DIRECT THE RUNOFF FROM THE ACCESS DRIVE AND PARKING AREA AS SHEETFLOW INTO THE UNDISTURBED FORESTED AREAS. THE DRAINAGE FLOW CAN THEN SOAK INTO, FILTER INTO THE GROUND AND WILL BE TREATED TO THE FEET. THE WOODED AREAS UTILIZED FOR NON-ROOFTOP DISCONNECTION (N-2) WILL BE PLACED IN A PRIVATE FOREST CONSERVATION EASEMENT.

6. REQUEST FOR DESIGN MANUAL AND HANVER PETITION FOR ENVIRONMENTAL AND STORMWATER DESIGN NONE REQUESTED



WAIVER EXHIBIT

Engineers + Surveyors + Planners
 LDE Inc.
 Historic Carriage House • 7520 Main Street • Suite 203 • Sykesville, Maryland • 21784
 (410)795-6391 • (410)795-6392 • FAX:(410)795-9540 • www.LandSurveyor.com

DESIGNED	BDB	ENVIRONMENTAL CONCEPT PLAN	SCALE	1"=50'	
DRAWN	LDE	ARROWWOOD SHEPHERDS, INC.	DRAWING	1 OF 2	
CHECKED	BDB	#310 FLORENCE ROAD	JENSON PROPERTY	JOB NO.	09-200-07
DATE	12/20/13	TAX MAP 13 GRID 9 PARCEL 137	4TH ELECTION DISTRICT HOWARD COUNTY MD	OWNER/PETITIONER:	Wesley L. & Rebecca M. Jensen 310 Florence Road Woodbine, MD 21791-7832 410-804-2714

NOTE: Approval of this Environmental Concept Plan (ECP) does not constitute an approval of any subsequent or associated subdivision and/or site development plan. Review of this project for compliance with the Howard County Subdivision and Land Development Regulations and the Howard County Zoning Regulations shall occur at the subdivision and site plan stages. Therefore, the applicant and consultant should expect additional and more detailed comments (including those that may alter overall site design) as this project progresses.

THE STORMWATER PROPOSAL FOR THIS PROJECT WILL UTILIZE NON-STRUCTURAL ESD UTILIZING NON-ROOFTOP DISCONNECTION. THE AREA PROPOSED FOR DEVELOPMENT OF THE ACCESS DRIVEWAY AND PARKING AREA WILL FLOW INTO THE FORESTED AREA LOCATED ALONG THE WEST AND NORTH SIDE OF THE PROPERTY. UTILIZATION OF THIS TREATMENT METHOD WILL PLACE THE DEVELOPED AREA BACK TO HOODS IN '6000' CONDITION. THE EXISTING HOODED AREAS WILL BE PROTECTED FROM DEVELOPMENT BY PLACEMENT OF SILT FENCE AT THE LIMIT OF DISTURBANCE DURING CONSTRUCTION AND PLACEMENT OF THE HOODS AFTER DEVELOPMENT IN PRIVATE FOREST CONSERVATION EASEMENTS.

SITE ANALYSIS DATA:

1. Total Project Area	5.14 AC
2. Wetlands and Wetland Buffer Area	0.006 AC
3. 100 Year Floodplain and Buffer Area	0.90 AC
4. Forested Area	0.90 AC
5. Steep Slope Area (15% or Greater)	0.18 AC
6. Erodible Soil Area	2.14 AC
7. Limit of Disturbance	0.44 AC
8. Proposed Site Uses:	
9. Green Open Area	4.47 AC
10. Impervious Area	0.77 AC (19%)

0. Existing: 0.33 AC (6.4%)
 0. Proposed: 0.44 AC (8.6%)

SOILS LEGEND:

GgA - Glenelig Loam, 0 to 3 percent slopes
 GgB - Glenelig Loam, 3 to 8 percent slopes
 GgC - Glenelig Loam, 8 to 15 percent slopes
 GmB - Glenville Silt Loam, 3 to 8 percent slopes

STORMWATER MANAGEMENT PRACTICE

RECEIVING AREA	PRACTICE	LOCATION	AREA TREATED	VOLUME (ESDV)
1	NON-ROOFTOP DISCONNECTION (N-2)	SH DRIVEWAY	7000 SF	554 CF
2	NON-ROOFTOP DISCONNECTION (N-2)	NH DRIVEWAY	5400 SF	427 CF
3	NON-ROOFTOP DISCONNECTION (N-2)	PARKING AREA	6600 SF	523 CF
TOTAL			19,000 SF	1504 CF
			ESDV REQ'D	1504 CF

HOWARD SOIL CONSERVATION DISTRICT STANDARD SEDIMENT CONTROL NOTES

- A minimum of 48 hours notice must be given to the Howard County Department of Inspections, Licenses and Permits, Sediment Control Division prior to the start of any construction. (313-1855).
- All vegetative and structural practices are to be installed according to the provisions of this plan and are to be in conformance with the most current "HARTLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL", and revisions thereto.
- Following initial soil disturbance or redistribution, permanent or temporary stabilization shall be completed within: a) 3 calendar days for all perimeter sediment control structures, dikes, perimeter slopes and all slopes greater than 3:1, b) 5 days as to all other disturbed or graded areas on the project site.
- All sediment traps/basins shall be fenced and warning signs posted around their perimeter in accordance with Vol. 1, Chapter 7, of the HOWARD COUNTY DESIGN MANUAL, Storm Drainage.
- All disturbed areas must be stabilized within the time period specified above in accordance with the 2011 HARTLAND STANDARDS AND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL (Section G) for permanent seeding, sod, temporary seeding, and mulching. Temporary stabilization with mulch alone can only be done when recommended seeding dates do not allow for proper germination and establishment of grasses.
- All sediment control structures are to remain in place and are to be maintained in operative condition until permission for their removal has been obtained from the Howard County Sediment Control Inspector.
- Site Analysis:

Total Area of Site	5.14	Acres
Total Area Disturbed	0.44	Acres
Total to be roofed or paved	0.44	Acres
Area to be vegetatively stabilized	0.44	Acres
Total Cut	150	Cu. Yds.
Total Fill	130	Cu. Yds.

APPROVED: HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

CHIEF, DEVELOPMENT ENGINEERING DIVISION

1-17-14 DATE

CHIEF, DIVISION OF LAND DEVELOPMENT

1-15-14 DATE

ENGINEER'S CERTIFICATE

I CERTIFY THAT THIS PLAN FOR EROSION AND SEDIMENT CONTROL REPRESENTS A PRACTICAL AND WORKABLE PLAN BASED ON MY PERSONAL KNOWLEDGE OF THE SITE CONDITIONS AND THAT IT WAS PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE HOWARD COUNTY CONSERVATION DISTRICT.

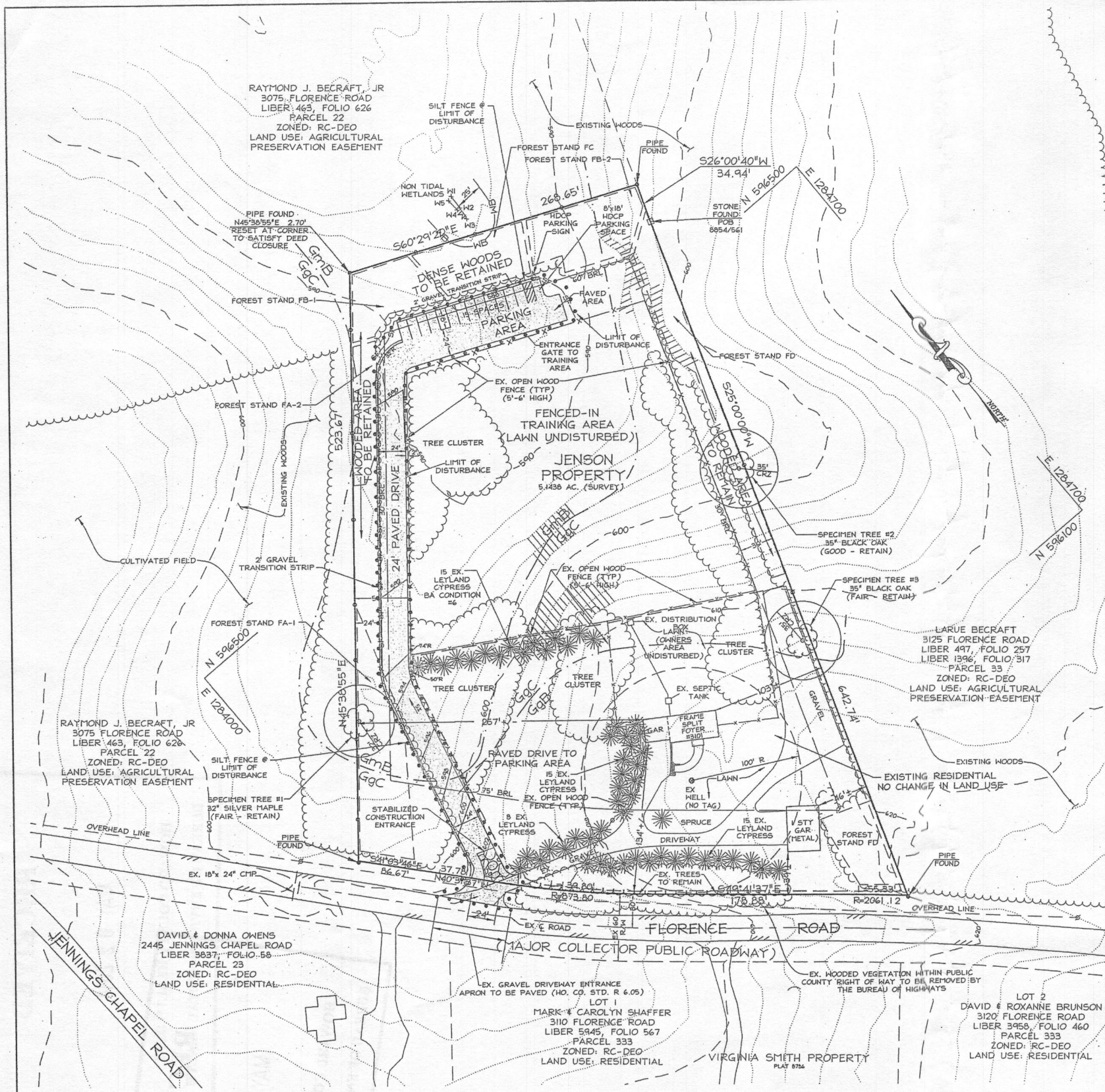
SIGNATURE OF ENGINEER: BRUCE D. BURTON, P.E. MBR 1220/13 DATE

1-17-14 DATE

DEVELOPER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL DEVELOPMENT AND/OR CONSTRUCTION WILL BE DONE ACCORDING TO THIS PLAN FOR SEDIMENT AND EROSION CONTROL, AND THAT ALL RESPONSIBLE PERSONNEL INVOLVED IN THE CONSTRUCTION PROJECT WILL HAVE A CERTIFICATE OF ATTENDANCE AT A DEPARTMENT OF THE ENVIRONMENT APPROVED TRAINING PROGRAM FOR THE CONTROL OF SEDIMENT AND EROSION BEFORE BEGINNING THE PROJECT. I ALSO AUTHORIZE PERIODIC ON-SITE INSPECTIONS BY THE HOWARD COUNTY CONSERVATION DISTRICT.

SIGNATURE OF DEVELOPER: WESLEY JENSON DATE: 1-2-14



GENERAL NOTES

- a. Total Site Area: 5.14 Acre
- b. Total Forest Area: 0.90 Acre
 - Stand FA: 0.30 Acre
 - Sub-Stand FA-1: 0.23 Acre
 - Sub-Stand FA-2: 0.07 Acre
 - Stand FB: 0.25 Acre
 - Sub-Stand FB-1: 0.11 Acre
 - Sub-Stand FB-2: 0.14 Acre
 - Stand FC: 0.12 Acre
 - Stand FD: 0.23 Acre
- c. Total Floodplain Area: 0.00 Acre
- d. Forested Floodplain Area: 0.00 Acre
- e. No rare, threatened, or endangered species are known to exist on the property.
- f. No known historic structures are located on the property.
- g. Forest stand delineation field work conducted by Kenneth R. Wallis of Klebasco Environmental, LLC on September 17, 2012.
- h. Three (3) specimen trees exist on the property and their approximate locations are denoted on the plan.
- i. A formal wetland delineation in accordance with the 1987 Corps of Engineers' Wetland Delineation Manual and the Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region was performed by Kenneth R. Wallis of Klebasco Environmental, LLC on September 19, 2012. Although no jurisdictional waters of the U.S., including non-tidal wetlands, exist on the property, non-tidal wetlands were identified just to the northwest of the property. The field located limits of the non-tidal wetlands are shown on the Forest Stand Delineation Plan.
- j. Watershed designation: Upper Patuxent 02131104

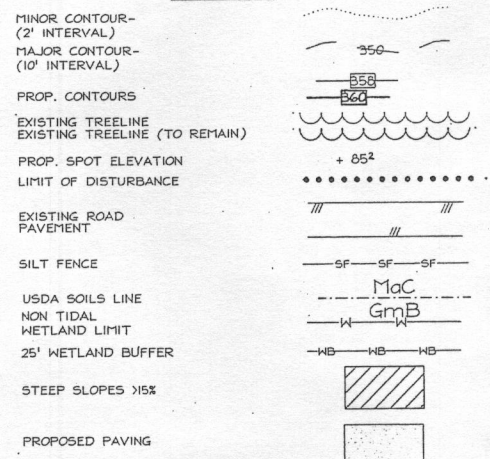
SPECIMEN TREE LIST

ID	Common Name	Species Name	DBH (inches)	Condition
1	silver maple	Acer saccharinum	32	Fair - dieback
2	black oak	Quercus velutina	35	Good
3	black oak	Quercus velutina	35	Fair - broken limbs

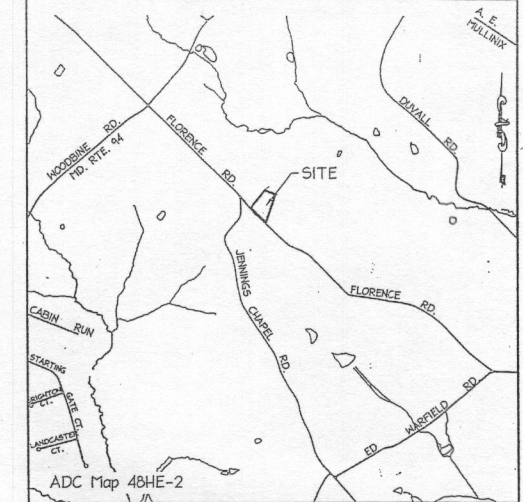
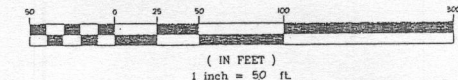
NOTES:

1. EXISTING ZONING: RC-DEO (RURAL CONSERVATION-DENSITY EXCHANGE OPTION)
2. DEED REFERENCE: LIBER 0854 FOLIO 561
3. TOTAL AREA: 5.1438 AC± CHANGE IN LAND USE FROM RESIDENTIAL: 3.14 AC±
4. THE BOUNDARY SHOWN IS BASED ON A FIELD RUN SURVEY BY LDE INC. DATED 2/2009
5. THE LOT SHOWN HEREON COMPLIES WITH THE MINIMUM LOT AREA AND OWNERSHIP WIDTH AS REQUIRED BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT.
6. EXISTING WELLS HAVE BEEN SHOWN WITHIN 100 FEET WHICH MAY AFFECT THIS PROPOSAL.
7. THIS PROJECT UTILIZES EXISTING PRIVATE WATER AND PRIVATE SEWERAGE SYSTEMS.
8. LIMIT OF DISTURBANCE: 19,000 SQUARE FEET.
9. PROPOSED ON-SITE USES:
 - A. EXISTING DWELLING: OWNERS RESIDENCE
 - B. FENCED LAWN AREA: CANINE TRAINING (SEE DECISION & ORDER FOR TIMES OF OPERATION).
 - C. NUMBER OF EMPLOYEES: 1
10. PARKING TABULATION PER SECTION 133 OF THE HOWARD COUNTY ZONING REGULATIONS
 - A. EXISTING DWELLING (2 SP/DU): 2 SPACES PROVIDED IN ATTACHED GARAGE
 - B. CANINE TRAINING: (15 SPACES/PER CONDITION 3); 14 (9' x 18') REGULAR SPACES, 1 (8' x 18') HANDICAP SPACE
11. LANDSCAPING FOR THIS PROJECT IS NOT REQUIRED SINCE NO NEW LOTS ARE BEING CREATED AND THE PROJECT MAINTAINS A 20' MIN. EXISTING WOODED BUFFER BETWEEN THE PROJECTS PROPOSED ON-SITE USES AND ADJACENT PROPERTIES.
12. THE PROJECT COMPLIES WITH THE REQUIREMENTS OF SECTION 16.1200 OF THE HOWARD COUNTY CODE FOR FOREST CONSERVATION BY RETENTION OF 0.56 ACRES OF FOREST IN PRIVATE EASEMENTS #1 AND #2.
13. THIS PROJECT WILL UTILIZE THE HOWARD SOIL CONSERVATION DISTRICT STANDARD EROSION AND SEDIMENT CONTROL PLAN FOR MINOR EARTH DISTURBANCES BETWEEN 5,000 SQUARE FEET AND 30,000 SQUARE FEET SINCE THE PROPOSED LIMIT OF DISTURBANCE IS 19,000 SQUARE FEET.
14. STORMWATER MANAGEMENT FOR THIS PROJECT IS PROVIDED BY UTILIZATION OF NON-ROOFTOP DISCONNECTION (N-2).
15. ALL DOG TRAINING EQUIPMENT IS MOVABLE. THERE ARE NO KENNELS LOCATED ON THE PROPERTY.

LEGEND



GRAPHIC SCALE



VICINITY MAP

1" = 2000'
 FOREST CONSERVATION WORKSHEET
 VERSION 1.0
 (Enter in Yellow Cells)

NET TRACT AREA:

A. Total tract area.....	=	5.14
B. Area within 100 year floodplain.....	=	0.00
C. Area to remain in residential land.....	=	2.00
D. Net tract area.....	=	3.14

LAND USE CATEGORY: (from table 3.2.1, page 40, Manual)

Input the number "1" under the appropriate land use zoning, and limit to only one entry.

ARA	MDR	IDA	HDR	MPD	CIA
0	0	0	0	0	1

E. Afforestation Threshold.....	15% x D =	0.47
F. Conservation Threshold.....	15% x D =	0.47

EXISTING FOREST COVER:

G. Existing forest cover (excluding floodplain).....	=	0.90
H. Area of forest above afforestation threshold.....	=	0.43
I. Area of forest above conservation threshold.....	=	0.43

BREAK EVEN POINT:

J. Forest retention above threshold with no mitigation.....	=	0.56
K. Clearing permitted without mitigation.....	=	0.34

PROPOSED FOREST CLEARING:

L. Total area of forest to be cleared.....	=	0.00
M. Total area of forest to be retained.....	=	0.90

PLANTING REQUIREMENTS:

N. Reforestation for clearing above conservation threshold.....	=	0.00
P. Reforestation for clearing below conservation threshold.....	=	0.00
Q. Credit for retention above conservation threshold.....	=	0.43
R. Total reforestation required.....	=	0.00
S. Total afforestation required.....	=	0.00
T. Total reforestation and afforestation required.....	=	0.00

Plan prepared by:
 Klebasco Environmental, LLC
 8373 Piney Orchard Parkway, Suite 207
 Odenton, Maryland 21113
 Phone: (410) 672-5990
 Fax: (410) 672-5533

WAIVER EXHIBIT

LDE Inc. Engineers • Surveyors • Planners Historic Carriage House • 7520 Main Street • Suite 203 • Sykesville, Maryland • 21784 (410) 795-6391 • (410) 795-6392 • FAX (410) 795-9540 • www.Landsurveyor.com		Scale: 1" = 50' Drawing: 2 OF 2 Job No.: 09-200.07 File No.:
DESIGNED: BDB DRAWN: LDE CHECKED: BDB DATE: 12/2013	FOREST STAND DELINEATION PLAN ARROWWOOD SHEPHERDS, INC. #3101 FLORENCE ROAD JENSON PROPERTY L.8854 / F.561 TAX MAP 13 GRID 9 PARCEL 137 4TH ELECTION DISTRICT HOWARD COUNTY MD Previous Submittals: BA 09-030C, WP 12-167, BA 12-027C OWNER/PETITIONER: Wesley L. & Rebecca M. Jenson 3101 Florence Road Woodbine, MD 21797-7852 410-804-2714	SIGNATURE OF ENGINEER: BRUCE D. BURTON, P.E. 19184 DATE: 2/6/14 SIGNATURE OF DEVELOPER: WESLEY JENSON DATE: 2-18-14

MAPPED SOIL TYPES

Symbol	Soil Description	K-Factor	Hydric
GgB	Glenelg Loam, 3-8% slopes	0.20	No
GgC	Glenelg Loam, 8-15% slopes	0.20	No
GmB	Glennville Silt Loam, 3-8% slopes	0.37	Partially

ENGINEER'S CERTIFICATE

I CERTIFY THAT THIS PLAN FOR EROSION AND SEDIMENT CONTROL REPRESENTS A PRACTICAL AND WORKABLE PLAN BASED ON MY PERSONAL KNOWLEDGE OF THE SITE CONDITIONS AND THAT IT WAS PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE HOWARD SOIL CONSERVATION DISTRICT.
 SIGNATURE OF ENGINEER: BRUCE D. BURTON, P.E. 19184
 DATE: 2/6/14

DEVELOPER'S CERTIFICATE

I HAVE CERTIFIED THAT ALL DEVELOPMENT AND/OR CONSTRUCTION WILL BE DONE ACCORDING TO THIS PLAN FOR SEDIMENT AND EROSION CONTROL, AND THAT ALL RESPONSIBLE PERSONNEL INVOLVED IN THE CONSTRUCTION PROJECT WILL HAVE A CERTIFICATE OF ATTENDANCE AT A DEPARTMENT OF THE ENVIRONMENT APPROVED TRAINING PROGRAM FOR THE CONTROL OF SEDIMENT AND EROSION BEFORE BEGINNING THE PROJECT. I ALSO AUTHORIZE PERIODIC ON-SITE INSPECTIONS BY THE HOWARD SOIL CONSERVATION DISTRICT.
 SIGNATURE OF DEVELOPER: WESLEY JENSON
 DATE: 2-18-14

APPROVED: HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

CHIEF, DEVELOPMENT ENGINEERING DIVISION
 DATE: 2-25-14
 CHIEF, DIVISION OF LAND DEVELOPMENT
 DATE: 2-25-14

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
Division of Land Development

DATE: November 10, 2014

DPZ File No. WP-15-065

Department of Planning and Zoning

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

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

Agencies

- Soil Conservation District
1 Department of Inspections, Licenses & Permits
1 Department of Fire and Rescue Services
1 State Highway Administration
1 Health Department
1 Public School System
1 Recreation and Parks
WSSC (Non-Residential Only)
MD Aviation Administration

- Tax Assessment
Verizon
BGE
Cable TV
Police
MTA
Finance
1 DPW, Real Estate Services
DPW, Construction and Inspection
DPW, Bureau of Utilities

RE: Jenson Property/Arrowwood Shepeds

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

Table with 2 columns: Plans, # of Sheets. Lists various plan types like Sketch Plan, Prel Equiv Sketch Plan, etc.

Table with 1 column: Supplemental Documents. Lists documents like Wetlands Report, Soils/Topo Map/Drain Area Map, etc.

Applications

- 15 Waiver Petition Applic/Exhibit
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

WAS: Received Tentatively Approved Recorded
Received and Revised Approved
On November 10, 2014

COMMENTS: SRC/Comments Due By: 12/4/14

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

H.O.

DPZ STAFF INITIALS: RJ

Howard County Department of Planning and Zoning
 Division of Land Development
WAIVER PETITION APPLICATION
[Waiver from Subdivision and Land Development Regulations]

Date Submitted/Accepted _____ DPZ File Number _____

I. Site Description

Subdivision Name/Property Identification: Jenson Property/Arrowwood Shepherds

Location of property: 3101 Florence Road Woodbine Md
 (Street Address and/or Road Name)

Residential
 (Existing Use)

Residential/Canine Training
 (Proposed Use)

13
 (Tax Map No.)

9
 (Grid/Block No.)

137
 (Parcel No.)

4
 (Election District)

RC-DEO
 (Zoning District)

5.14
 (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.)

BA09-030C, WP12-167, BA12-027C, SDP14-088

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 16.156.g.2</u>	<u>SITE DEVELOPMENT PLAN PROCEDURES; Developer has 45 days to submit additional information from DPZ notification</u>
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

III. *Justification*

All waiver requests must be fully justified by the petitioner. Incomplete or inadequate justification may result in rejection of the application at the time of submission. 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.

PLEASE ATTACH A SEPARATE LETTER OF JUSTIFICATION TO SUPPORT THE WAIVER REQUESTS.

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 for waivers of the site development plan requirement. [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 (**15 sets of the completed waiver application and plan exhibit if the subject property adjoins a County road; 19 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 **15** or **19** 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"/> NA Not Applicable	

- ✓ 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.



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

Marsha S. McLaughlin, Director

www.howardcountymd.gov
FAX 410-313-3467
TDD 410-313-2323

September 26, 2014

Wesley & Rebecca Jenson
3101 Florence Road
Woodbine, MD 21797

RE: SDP-14-088, Arrowwood Shepherds

Dear Mr. & Mrs. Jenson:

The Subdivision Review Committee has determined that the above referenced plan does not conform to the objectives of the Howard County Subdivision and Land Development Regulations. The attached comments and plan markups must be addressed in a **revised** plan submission within **45 days** from the date of this letter (**on or before November 10, 2014**). Please ensure to respond to the agencies changemarks in ProjectDox via response changemarks that addresses each of the plan markups from the agencies.

If the revised plan submission is not received by that date, your plan submission will become null and void in accordance with Section 16.156 of the Howard County Subdivision and Land Development Regulations. After that date, any plans resubmitted must be processed as a new site development plan application. You will be required to comply with all plan submission requirements and regulations in effect at the time of resubmission. This Department cannot consider requests for extensions of time for your project beyond the deadlines and milestones established by the Adequate Public Facilities Ordinance.

If you or your consultant have any questions concerning the comments or markups, please contact and/or meet with the responsible review agency prior to the preparation of the revised plans. If it would be beneficial to meet with multiple review agencies to discuss significant design issues, you may contact Carol Stirm at 410-313-2350 to reserve a time after the SRC meeting of October 16, 2014. Please understand that this will be a brief meeting designed to discuss major issues only.

If you have any questions, please contact Jennifer Wellen at (410) 313-2350 or email at jwellen@howardcountymd.gov.

Sincerely,

Kent Sheubrooks, Chief
Division of Land Development

KS/jw

Attachments: DLD, DED

cc: LDE, Inc. – Bruce Burton
Tammy Frank, Zoning

ADDENDUM TO WAIVER PETITION

The Petitioners request relief from Section 16.156.g.2 of the Howard County Subdivision and Land Development Regulations. The referenced Section requires the following as part of the Site Development Plan procedures, if the Subdivision Review Committee indicates that additional information is needed in order to decide whether to approve the plan, the developer has 45 days to resubmit from the date of notification.

The Petitioner owns a 5.14 acre parcel located on the northeast side of Florence Road, approximately 350 feet southeast of the Jennings Chapel Road intersection. The RC-DEO Zoned Parcel is currently improved with a brick and frame split foyer (circa 1971) with attached two-car garage and a detached metal two-car garage. Vehicular access from Florence Road to the Parcel is derived via a gravel driveway on the southwest side of the site. The Site's topography slopes moderately to the north and west from the property's ridge near the southeast corner of the property. The property's existing improvements are located on this ridge. The property's perimeter primarily on the north, east and west are wooded. The remainder of the property contains grassed lawn. The lawn areas are enclosed by a variable height 5 to 6 foot high open wood fence. One fenced area is located directly behind the existing dwelling and comprises about 1/3 of an acre. The remaining fenced area comprises approximately 1.5 acres below the existing ridge towards the rear of the Site.

The Petitioner proposes utilization of the property for canine training under the business name "Arrowwood Shepherds". The Petitioner's canine training classes will be located within the existing 1.5 acre fenced lawn area. The smaller fenced area behind the residence will provide a secure area for the Petitioner's personal pets. The Petitioner will also provide a new access driveway to a 15-space parking area (14 regular/ 1 handicap). The new access entrance will be consolidated with the existing entrance to the Petitioner's residence. The access driveway will extend along the west side of the property adjacent to the fenced training area leading to the parking area. The parking area provides head-in parking for 15 vehicles. All of the canine training uses are buffered by existing wooded areas. The Petitioner has supplemented the wooded buffers by planting evergreen screening along the southern side of the canine training area and within and adjacent to the front portion of the property. The Petitioner's Proposal is approved as a Conditional Use by the Howard County Board of Appeals as BA 05-033C (dated May 4, 2006/January 17, 2007), as amended by BA 09-030C (dated October 20, 2010), as affirmed by the Order of the Circuit Court Case #13-C-10-84855 dated November 18, 2011 and as ordered by the Board of Appeals on February 28, 2012, and as modified by BA12-027C. The Petitioner's Proposal disturbs a total of 19,000 square feet or about 8.6% of the total site area.

The Petitioner has prepared and submitted a Site Development Plan for review and approval. On September 26, 2014, the petitioner received the Countys request for a Revised Submission to occur on or before November 10, 2014. The Countys comments requested several unanticipated items including preparation of a new Sight Distance Analysis, Operational Speed Study, APFO Traffic Study, Offsite Drainage Studies and compliance with the Best Available Technology(BAT) nitrogen removal septic system.

- a). The Petitioner would suffer extraordinary hardships and practical difficulties if the Regulations were strictly enforced. As detailed above the Petitioners have encountered unanticipated items to be undertaken prior to fully understanding their impacts prior to resubmittal.
- b). Approval of the Waiver will meet the Intent of the Regulations by providing the Petitioners sufficient time to perform the required studys and revisions necessary to comply with the current regulations.
- c). Approval of the Waiver will not be detrimental to the Public Interest. The publics interest is further served by providing the Petitioners additional time to comply with and coordinate their design with multiple review agencies.
- d). Approval of the Waiver will not nullify the Intent of the Regulations. The Petitioners only request provides time to comply with the Regulations.

Please grant the Petitioners request.

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 *

WJ
(Signature of Property Owner)
(Fee Simple Owner Only)

11-8-14
(Date)

Bruce Burton 11/2/14
(Signature of Petition Preparer) * (Date)

Wesley L. Jenson
(Name of Property Owner)

LDE, INC.
(Name of Petition Preparer, Surveyor/Engineering/Architect
or Agent/Developer)

3101 Florence Road
(Address)

7520 Main Street #203
Address)

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

Sykesville, MD 21784
(City, State, Zip Code)

E-Mail KasiKane@verizon.net

E-Mail Bburton@ldeinc.net

410.804.2714
(Telephone) (Fax)

410.795.6391
(Telephone) (Fax)

Contact Person: Wesley Jenson

Contact Person: Bruce Burton

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 (15 sets on County Road or
 ___ Applications 19 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.

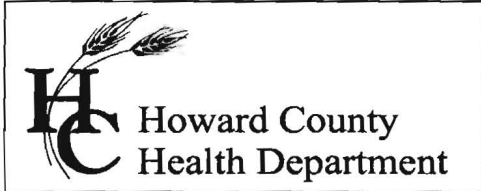
___ Scheduled SRC meeting date.

___ Waiver petition application is rejected.

Reason: _____

___ Resubmission is accepted. Date _____ Staff initials _____

Comments/Notes _____



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

MEMORANDUM

TO: J. Robert Lalush, Acting Chief
Division of Planning & Zoning Administration

FROM: Michael J. Davis, R.S. *mgd*
Assistant Director, Bureau of Environmental Health

RE: File Number: BA 09-030C
Title: 3101 Florence Rd
Arrowwood Shepherds, Inc.

DATE: February 9, 2010

The Health Department has no objection to the petition to modify conditions of the original conditional use approval for a kennel and pet grooming facility; however, percolation testing and a Percolation Certification Plan will be required in order to establish a 10,000 square foot sewage disposal area for both the existing dwelling and the proposed kennel/grooming facility. Septic design information for the kennel and grooming facility will also be needed. The Percolation Certification Plan can be developed in conjunction with the Site Development Plan.

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

Date: 1/27/10

Hearing Examiner 3/15/10
Planning Board _____ Board of Appeals _____ Zoning Board _____

Petition No. BA 09-030C Map No. 13 Block 9 Parcel 137 Lot _____

Petitioner: Wesley and Rebecca Jenson T/A Arrowwood Shepherds, Inc.

Petitioner's Address: see application

Address of Property: see application

Return Comments by 2/15/10 to Public Service and Zoning Administration

Owner: (if other than applicant) _____

Owner's Address: _____

Petition: See application

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

10:11 AM 8/27/10

COMMENTS:



09 AUG 12 AM 11:17

For DPZ Office use only:

BA CASE NO. BA 09-030C

Date Submitted _____

**PETITION TO MODIFY CONDITIONS OF APPROVAL
TO THE HOWARD COUNTY HEARING AUTHORITY**

1. Request for ModificationCase Number BA N/A Petitioner Wesley and Rebecca Jenson[] Conditional Use [] Variance Date original petition was granted _____a. Condition(s) sought to be modified Building Type, Size of Building, Number of Dogs, Gravel Driveway-not paved and Fencing. Please be advised that all training will commence even if building is not there.**2. Name of Petitioner Wesley and Rebecca Jenson**Trading as (If applicable) Arrowwood Shepherds, Inc.Mailing Address 3101 Florence Road, Woodbine, MD 21797Phone Number(s) 410.804.2714 and 410.489.5028-9889

E-Mail Address _____

Name of Principal Contact (If different) _____

3. Counsel for Petitioner

Mailing Address _____

Phone Number(s) _____

E-Mail Address _____

4. Site DescriptionAddress/Street for Property 3101 Florence Road, Woodbine, MD 21797Tax Map 13 Grid/Block 9 Parcel 137 Lot _____Total Land Area of Property 5.13 (x Acres) (____ Square Feet) Check one.Election District 04.03 Zoning of Property RC-DEO

Subdivision Name and Plat No. (If Applicable) _____

5. Petitioner's Interest in Subject Property

OWNER (Including joint ownership)

OTHER (Described and give name and address of owner)

Name of Owner _____

Mailing Address _____

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

6. Data to Accompany Petition

PLAN: No application for a modification shall be considered complete unless accompanied by a plan, drawn to scale and includes the items listed below. The submitted plan shall be folded to approximately 8½ x 14 inches.

- (a) Copy of the Decision and Order which the Petitioner seeks to be modified
- (b) Courses and distances of outline boundary lines and the size of the property
- (c) North arrow
- (d) Zoning of subject property and adjoining properties
- (e) Scale of plan
- (f) Existing and proposed uses, structures, natural features and landscaping
- (g) Location and surface material of existing and proposed parking spaces, driveways, and points of access; number of existing and proposed parking spaces
- (h) Same as (e) and (f) above, of adjoining properties as necessary for proper examination
- (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(s) of the subject property
- (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 Counsel
- (o) Name, mailing address, telephone number 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 abutting roads, right-of-way width, and existing pavement width
- (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. Summary of Request

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

- a. The requested modification (s) Type of Building, Building Size, Number of Dogs, Gravel Driveway and Fencing. Please be advised that all training will commence with out building.

b. Reason (s) for the requested modification Included are the dimensions and materials used for construction of building: To be consistent with the look of the surrounding area and our property. A gravel driveway is more suitable. More of a demand of Boarding by Clients and Training with Boarded Dogs most of the time will equal more than 10 dogs on the property at one time. Economically a Metal Structure is less costly compared to Masonry. It would be more beneficial for the business to Board, Kennel and train 11 or more dogs at any given time. NOTE: Training will be viewed differently from our Kennel.

c. The intended use of the property, in the event the petition is granted Dog Training, Boarding and Kenneling.

d. Any other factors which the Petitioner desires to have considered 3101 Florence Road is a 5.13 acre lot; which Howard County Zoning Law states adequate for 11 or more dogs at any given time on a 5+ acre lot.

e. Were there protestants at the original hearing? Yes [] No

f. Describe in detail all existing improvements to the subject property We have had the trees removed Temporary Gravel driveway/parking lot. Added a privacy fence along the left side of the property.

g. Describe any changes to properties in the vicinity of the subject property since the original petition was granted None

10:01 AM 5/8/08 1:01

h. What will be the impact, if any, of your proposed modification upon the subject property? None

i. What will be the impact, if any, of your proposed modification upon any adjacent properties? None

8. Prior Petitions

Has any petition for modification of any conditions of approval been submitted within twenty four (24) months of the date of this petition? Yes No

9. Additional Materials, Fees, Posting and Advertising Requirements

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

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

- b. The Petitioner signing below hereby agrees to furnish such additional plats, plans, reports or other material as may be required by the Department of Planning and Zoning and/or the Hearing Examiner in connection with this petition.
- c. The Petitioner hereby agrees to pay all costs in accordance with the current schedule of fees.
- d. The Petitioner hereby agrees to properly post the property at least thirty (30) days immediately prior to the Hearing Examiner public hearing; to maintain the public notice posters until the public hearing is concluded; and to submit an affidavit of posting at, or before the time of the initial public hearing. The Petitioner also hereby agrees to advertise the public hearing by means of legal notices as prepared and approved by the Department of Planning and Zoning to be published one (1) time in at least two (2) newspapers of general circulation in Howard County, at least thirty (30) days prior to the Hearing Examiner public hearing, and to pay for such advertising costs; and agrees to submit two (2) approved certificates of the text and publication date(s) of the advertisement at or before the time of the hearing.

10. Signatures

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

<u>Wesley L. Jenson Sr.</u> Signature of Petitioner	<u>8-12-09</u> Date	<u>Wesley L. Jenson Sr.</u> Print Name of Petitioner
<u>Rebecca M. Jenson</u> Signature of Petitioner	<u>8-12-09</u> Date	<u>Rebecca M. Jenson</u> Print Name of Petitioner
_____ Signature of Attorney	_____ Date	_____ Print Name of Attorney

10:11:17 8/12/09

County Website: www.howardcountymd.gov

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

T:\shared\PubSer\Applications\CondUse

Revised 10/07

PETITIONER Wesley + Rebecca Jensen

ADDRESS 3101 Florence Rd Woodbine MD 21797

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

The person(s) signing below hereby declare(s) 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 petition to the Hearing Examiner for a conditional use as requested.

I, we, do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my, our, knowledge, information and belief.

Witness Wesley L. Jensen 8-12-09
Signature Date

Witness Rebecca Jensen 8-12-09
Signature Date

Witness _____ Signature _____ Date _____

Application Fee: \$250.00 Poster Fee: \$20.00 per sign/poster

Make check payable to: Director of Finance.

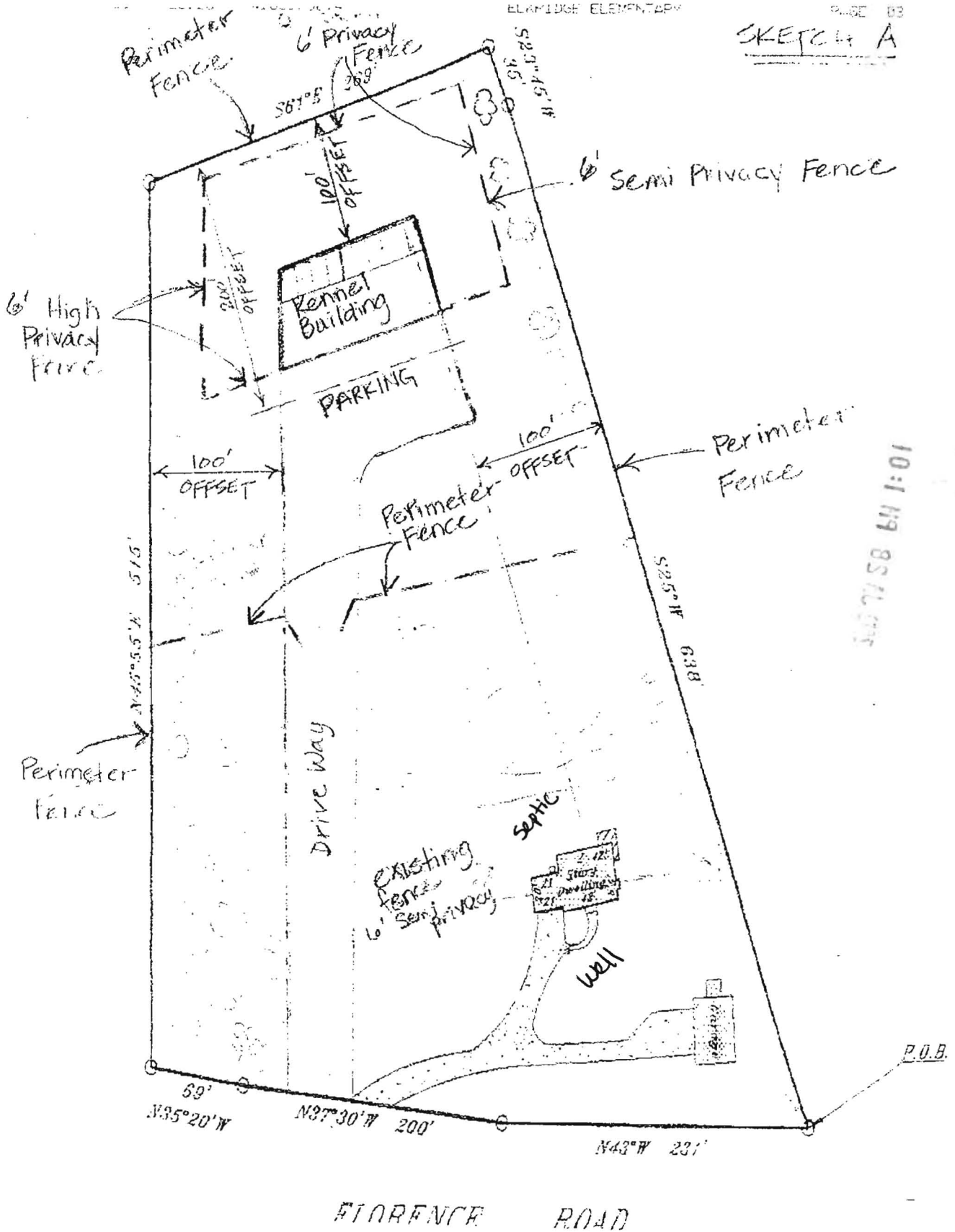
For DPZ use only:	
Hearing fee:	\$ _____
Poster fee:	\$ _____
Total:	\$ _____
Receipt No. _____	

Approved Plan

ELAMIDGE ELEMENTARY

PAGE 03

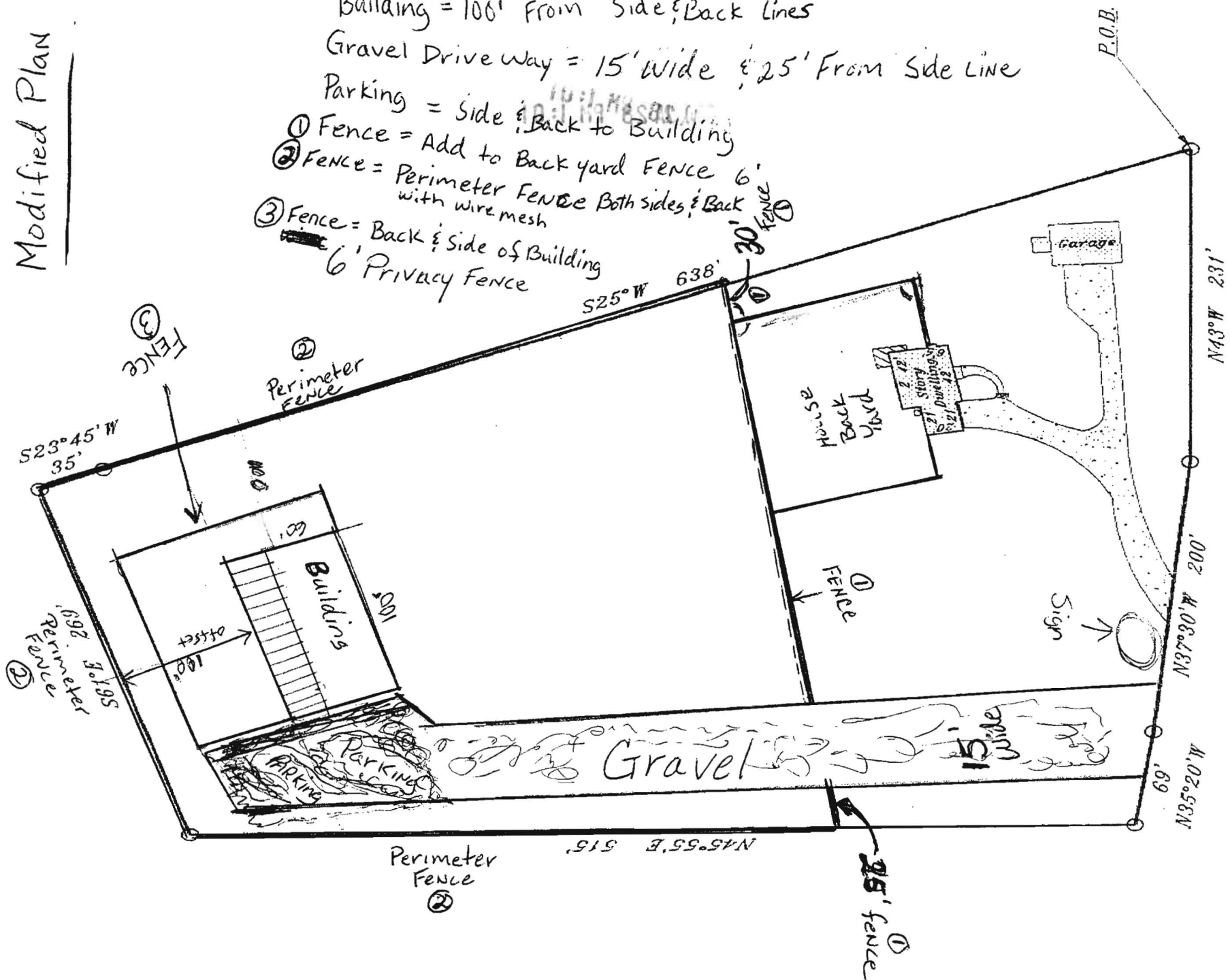
SKETCH A



Modified Plan

Building = 100' From Side & Back Lines
 Gravel Drive Way = 15' Wide & 25' From Side Line

- ① Fence = Add to Back yard Fence 6'
- ② Fence = Perimeter Fence Both sides & Back with wire mesh
- ③ Fence = Back & Side of Building 6' Privacy Fence



FLORENCE ROAD



Toll Free Phone: 800-293-2097
Toll Free Fax: 800-840-3634
Postal Address: 955 NW 17th Ave. Building H
Delray Beach, FL 33445
Website: www.mbmi.biz

Customer Name: Wesley Jenson
Phone:
E-mail / fax:
Mailing Address:

Date: June 19, 2009
MBMI Rep: Matthew Abrams

Your Detailed Specs & Quotation

Building overview:

Width:	60'
Length:	100'
Height:	12'
Roof pitch:	1:12

Building details:

1. Every building is manufactured with clips welded in place, holes pre-punched and panels pre-cut. All rigid frames are solid I-Beam construction. Large selection of colors for 26ga (80,000psi yield strength) Super Span X wall and roof panels with 40 year warranty. All secondary girts, purlins and base angle range from high strength 16ga to 12ga. Every building includes X-bracing for added strength.
2. All necessary columns, beams, rafters, girts, purlins, sheeting, nuts and bolts. Large selection of colors for base, rake, corners, jambs, head, jamb cover and head cover trim pieces. All self-drilling long life stainless steel fasteners for roof and walls are also included.
3. One set of approval drawings and 3 sets of Maryland Stamped Engineered Blueprints For Howard County.
4. We use matching finish, self-drilling, self-tapping lifetime stainless steel fasteners on all roof and wall panels. Guaranteed not to rust! (Fasteners that are not lifetime will void the panel warranty)
5. Our high gloss, high luster painted panels have up to a 40 year warranty against rusting, fading and chalking. They also are much more attractive than the standard "R" or "PBR" panel most companies use.
6. We supply "Base Trim" as a standard feature on all our buildings which makes the erection much easier. It also provides a much better seal than foam closures for keeping out dust, water and critters, (an option for most metal building companies) and improves the appearance of your building.
7. MBMI uses formed eave trim (deluxe contoured trim) instead of simple eave trim, which give the entire structure a constant and refined finished look.



Toll Free Phone: 800-293-2097
Toll Free Fax: 800-840-3634
Website: www.mbmi.biz

Postal Address: 955 NW 17th Ave Building H
Delray Beach, FL 33445

- 8. All framed openings come with jamb and header cover trim. This trim covers the door jambs and header beam giving your building a more attractive and finished look. Most building companies leave this trim out.
- 9. All MBMI buildings come with cable bracing which will add strength and rigidity.
- 10. Building Price Includes: {2} Deluxe Entry Doors Insulated W/ Hardware 3'W X 7'H
- 11. Building Price Includes: {3} Sets Of Engineered Stamped Drawings
- 12. ALL DOORS INCLUDED WITH PRICE.....

Project pricing:

Building Price Delivered To Job Site: \$25,800.00

Shipping information:

Approximate shipping date: **July 2009**

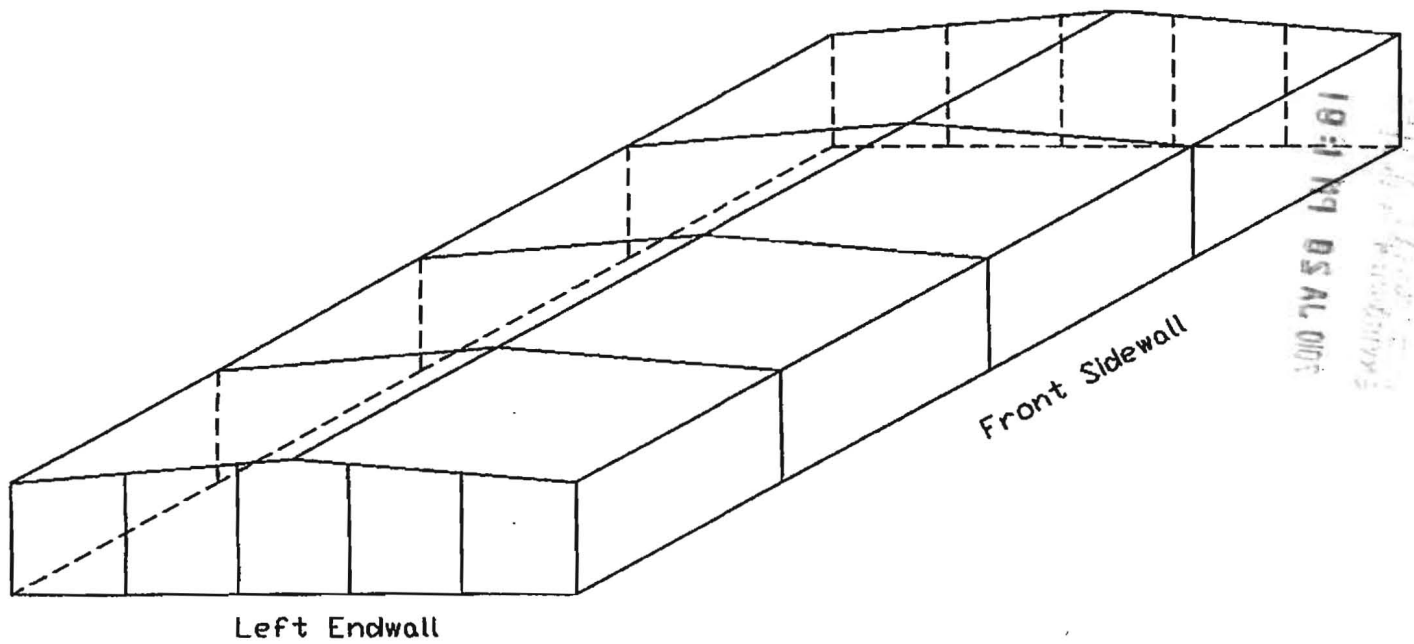
Sincerely,

Matthew Abrams

800 659 9133

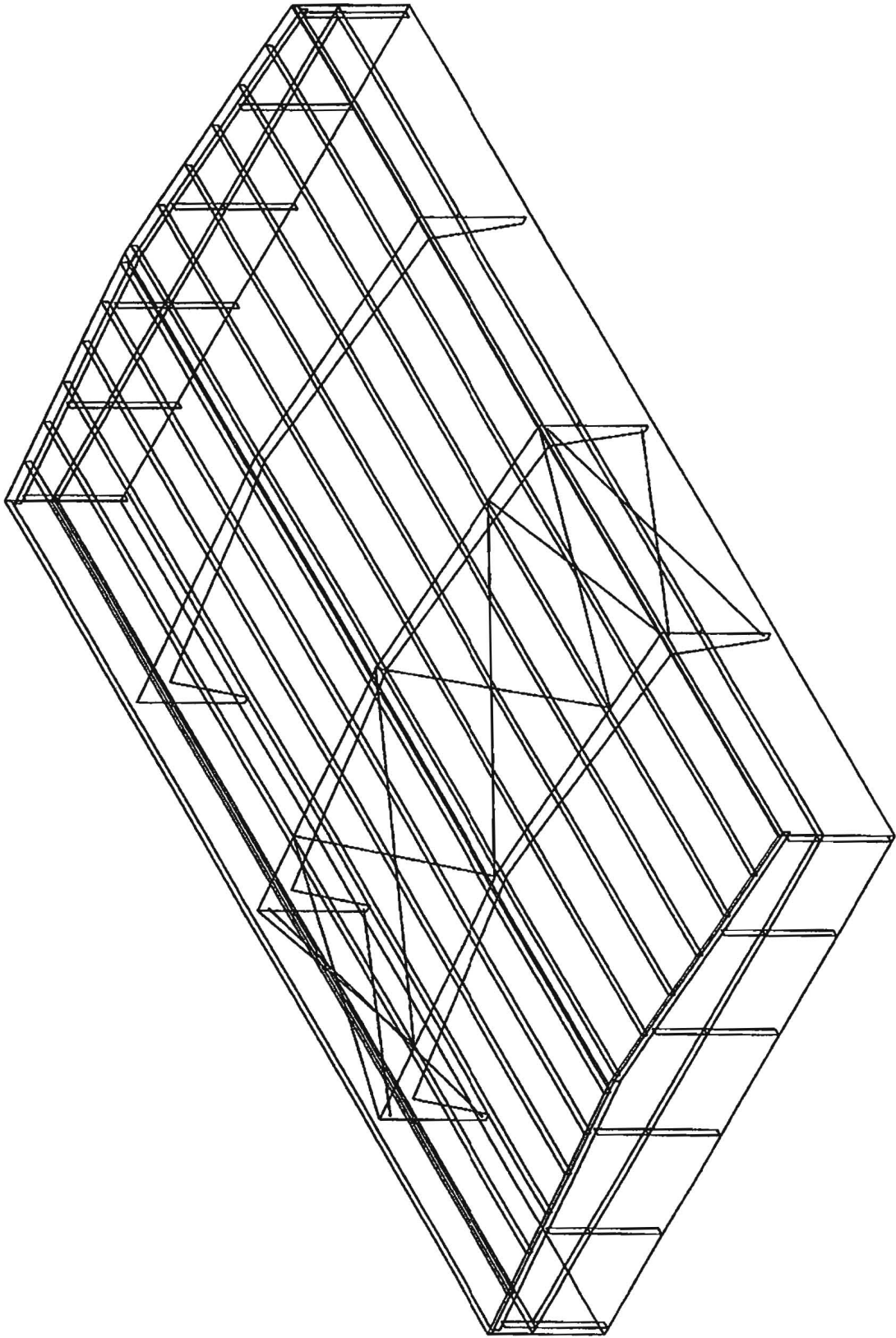
matthew@mbmi.biz

10-10-09 08:45:00
MBMI



BUILDING LAYOUT

Building For CUSTOMER by MBMI



104-117-88511-001

REV. 08/21/01



ARROWWOOD SHEPHERDS, INC.

January 4, 2010

J. Robert Lalash, Planning Supervisor
Division of Public Service
and Zoning Administration
Howard County Department of Planning
and Zoning
3430 Courthouse Drive
Ellicott City, MD 21043

RE: Board of Appeals Case No. 09-030C

Dear Mr. Lalash,

In response to your letter of August 26, 2009 please see below.

1. Our request for eleven (11) or more dogs was submitted in our original petition of conditional use. (see highlighted 30.A) Training classes are arranged in two (2) hour increments and pay schedule as you come. Based on these arrangements we never know exactly how many people will attend class. This payment schedule benefits our clients as the classes are six (6) to eight (8) weeks, however the client may be unable to attend all 6 to 8. We have a very dedicated client base because of how we manage our training and payment system.

I feel this oversight should be re-examined by the board. There is no legal reason not to have the eleven (11) or more dogs. We more than meet the requirements set by Howard County, Maryland on Dog, Kennels and Zoning. We intend to adhere to the 100 foot setback which was granted to Arrowwood Shepherds. It is our intension to get a site development plan once all regulations are determined by Planning and Zoning (P & Z), and it just makes financial sense. Wesley Jenson, President and Owner of Arrowwood Shepherds, Inc. made the changes to the plan. There would be nothing done that is not up to code. We plan to stay within the 100 ft set back regulations.

10 JAN 25 AM 3:00

00:11:11 03:01

2. Yes, all training activities will, and do take place in the rear of the property. Again, the 100 ft setback will be our perimeter of use. We will maintain use within the boundaries as set forth by P & Z.
3. The driveway and parking will be at the required setback of 30 feet from any lot lines.
4. Arrowwood Shepherds, Inc. was requesting gravel for two reasons. First, the cost is more reasonable. Second, using gravel would be staying within Howard County's desire to "GO GREEN".
5. I would hope not to have to start the entire process over again. We are trying to lesson the financial cost of the original plan. We are not able to retrieve the money it will take to do the original plan. Therefore these changes would best fit our budget.

Sincerely,

Wesley L. Jenson
President, Arrowwood Shepherds, Inc.

00:11:00
11/11/09
11:00 AM

- c. No storage of tires shall be permitted in a junk yard without the required permits from the Maryland Department of the Environment.

30. Kennels and Pet Grooming Establishments

A conditional use may be granted in the RC, RR or R-20 Districts for kennels or pet grooming establishments, and in the BR or B-1 Districts for kennels, provided that:

- a. For kennels housing or training eleven or more animals at one time, the following requirements shall apply:
 - (1) Minimum lot size.....5 acres
 - (2) Minimum setback for outside pens and runs from any lot line..... 200 feet
 - (3) Minimum structure setback
 - (a) From public street right-of-way 100 feet
 - (b) From any other lot line 200 feet
 - (4) The Hearing Authority may reduce the 200 foot setback from lot lines for structures and outside pens or runs to a distance no less than 100 feet if it finds that the setback reduction will not adversely affect neighboring properties due to visual impact, noise, dust, odors or other causes, and that the pen, run or structure will be located at least 200 feet from existing dwellings on different lots. Outside pens and runs for which this setback reduction is approved shall be enclosed by solid fences or walls.
- b. For pet grooming establishments not located completely within a residence, or for kennels housing or training no more than ten animals at any one time, the following requirements shall apply:
 - (1) Minimum lot size.....3 acres
 - (2) Minimum setback for outside pens and runs from any lot line..... 100 feet
 - (3) Minimum structure setback:
 - (a) From public street right-of-way.....75 feet
 - (b) From any other lot line.....30 feet
- c. For pet grooming establishments in which all business activities take place within a residence, the minimum lot size shall be one acre.
- d. All parking areas and outside pens and runs, and as appropriate, all buildings shall be screened by landscaping or other suitable means from adjoining properties and public street rights-of-ways.
- e. Disposal of wastes must be such that odors or other emissions are not perceptible at lot lines;
- f. A kennel for the boarding of dogs or cats for which a fee is charged must have frontage on and direct access to a collector or arterial road designated in the General Plan.

31. Landscape Contractors or Retail Greenhouses and Nurseries

A conditional use may be granted in the RC and RR Districts for retail greenhouses, retail nurseries, and landscape contractors, provided that:

- a. The site is at least 5 acres in area.

IN THE MATTER OF : BEFORE THE
WESLEY & REBECCA JENSON :
t/a ARROWWOOD SHEPHERDS, INC. : HOWARD COUNTY

Petitioners : BOARD OF APPEALS

: Case No. BA 05-033C

.....

DECISION AND ORDER

On October 24, 2006, the Howard County Board of Appeals ("Board") met to consider the petition of Wesley and Rebecca Jenson, t/a Arrowwood Shepherds, Inc., Petitioners, for a conditional use for a dog kennel and pet grooming establishment in an RC-DEO (Rural Conservation – Density Exchange Option) Zoning District, filed pursuant to Section 131.N.30 of the Howard County Zoning Regulations.

All members of the Board were present at the hearing and Chairperson Robert Sharps presided. Barry M. Sanders, Assistant County Solicitor, served as legal advisor to the Board.

The Petitioners were represented by E. Alexander Adams, Esquire. Rebecca Jenson, Wesley Jenson, Stacy Glaze Moore, Edward J. Hoey, Tina Burke, Maureen Brennan-Petitt, and Nancy Brown testified in favor of the Petition. Mark Schaeffer, Raymond Becraft Jr., Bonny Kissinger, Robert Johnson, and David Owens testified in opposition to the petition.

Because this matter is before the Board of Appeals pursuant to its original jurisdiction, the hearing was conducted in accordance with Section 2.209 of the Howard County Code. The notice of the hearing had been advertised and the property posted, according to regulations. The Board members indicated that they had viewed the property as required by the Zoning Regulations.

Prior to the introduction of testimony, the following items were incorporated into the record by reference: the appropriate provisions of the Howard County Charter; the appropriate provisions

of the Howard County Code; the Howard County Zoning Regulations, the recommendation of approval of the Department of Planning and Zoning dated March 13, 2006, the General Plan for Howard County; the General Plan of Highways; and the Petition and Plat submitted by the Petitioner.

FINDINGS OF FACT

Based on the evidence presented at the hearing, the Board of Appeals makes the following Findings of Fact:

1. The Petitioners, Wesley and Rebecca Jenson, are the owners of the subject property, known as 3101 Florence Road, which is located in the 4th Election district on the northeast side of Florence Road about 200 feet south of Jennings Chapel Road in Woodbine (the "Property"). The Property is referenced on Tax Map 13, Block 9 as Parcels 137.

2. The Property is a trapezium-shaped parcel consisting of about 5.13 acres. The Property has about 500 feet of frontage on Florence Road, but narrows to the rear where it is about 269 feet wide. The Property is about 515 feet deep along its west side and 673 feet deep along its east side lot line.

The Property is improved with a two-story, single-family dwelling located in the southeast portion of the lot about 175 feet from Florence Road and about 80 feet from the east side lot line. A 6' tall fence encloses a small area behind the house. About 90 feet to the southeast of the house is a detached two-bay garage situated about 50 feet from Florence Road. A gravel driveway beginning along the center of the Florence Road frontage runs southeast to the house and garage.

The area around the buildings is predominantly open lawn. A buffer of vegetation is located along the road frontage. The west and north portions of the Property are wooded. The Property is moderately sloped, with the highest area being in the southeast, and then sloping down generally to

the north and west, with the lowest areas at the rear lot line and a more than 20 foot drop in elevation.

3. All vicinal properties are similarly zoned RC-DEO. To the west and north of the Property is Parcel 22, which is a farm governed by an agricultural land preservation easement. To the east is Parcel 33, a 90.87 acre farm parcel also covered by an agricultural land preservation easement. A one-story, single-family detached dwelling fronting Florence Road is located in the southern portion of Parcel 33 about 400 feet from the Property line. Across Florence Road to the south are Parcel 23 and Lot 1 of Parcel 333, each of which is improved with a two-story, single-family detached dwelling.

4. Florence Road is a major collector roadway with two travel lanes and 20 feet of paving within an existing variable width and a proposed 60-foot wide right-of-way. The speed limit in the area of the Property is 30 mph. The DPZ technical staff report indicates that the visibility from the proposed entrance road is over 550 feet in each direction. The 2000 General Plan designates the Property as a "Rural Conservation" land use. The Property will be served by private water and septic facilities.

5. The Petitioners seek a conditional use to establish on the Property a dog-training and boarding facility for up to 10 dogs. The facility would be operated from a kennel building to be located at the rear of the Property about 100 feet from the rear lot line and about 400 feet from the front line. The building will consist of a one-story structure approximately 80 feet wide and 25 feet deep with 10 indoor/outdoor kennel runs on the north side of the building. The building will contain the runs, a dog bathing area, an indoor training area, an office, kitchen, laundry room and bathroom. The building will be surrounded by a 6' wood privacy fence that will extend from the front of the building to within about 10 feet of the rear lot line. This fenced area will be used as an outdoor dog

training and exercise area.

The facility will be accessed from a paved driveway beginning at a point to the west of the existing driveway and running north to a paved parking area for twelve vehicles to be located in front of the building. A split-rail perimeter fence will enclose the rear half of the Property and will be gated at the driveway. The Petitioners propose to maintain the existing trees along the perimeter of the Property and between the house and the facility.

6. The facility will be in operation from 7:00 a.m. to 8:00 p.m., seven days a week. The only employees will be the Petitioners. The facility will be used primarily for dog training and will board up to 10 dogs. The dogs will not be permitted outdoors before 9:00 a.m. or after sundown. The petition states that the Petitioners may also consider operating a "doggy day care" during the week within the facility with some supervised outdoor activities. Motion detection security lighting will be installed on the building.

7. Rebecca Jenson submitted Petitioner's Exhibit #1 - Property Boundary Assessment performed by M&N Engineering and Diving Services, Inc. In her testimony Mrs. Jenson testified to the conditional use proposal. She stated that the training of dogs will take place behind the proposed 80' by 25' building and that the facility will board up to 10 dogs. Each dog run will be 4' by 12' in dimension. Mrs. Jenson stated that she owns seven dogs as pets which are kept within the house and fenced area behind her house.

8. Wesley Jenson testified that the proposed masonry building will be insulated and soundproofed. Mr. Jenson testified that he trains dogs professionally.

9. Mark Schaffer, a neighbor across the street, testified that he is concerned for the safety of his family and that the intersection of Florence Road and Jennings Chapel Road is a dangerous intersection. David Owens, a neighbor who resides across the street, testified that his

main concern is the noise and reduced property values that will be generated by the Petitioner's proposal.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Board makes the following Conclusions of Law.

I. General Criteria for Conditional Uses (Section 131.B).

A. The Howard County General Plan designates the area in which the Property is located as "Rural Conservation" land use. The proposed kennel for 10 dogs is of relatively low intensity. The kennel will be located toward the rear of the 5.13-acre Property. The conditional use will have access to Florence Road which is a major collector. Accordingly, the nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the Property are such that the use will be in harmony with the land uses and policies indicated in the General Plan for the district in which it is located, in accordance with Section 131.B.1.a.

B. Section 131.B.2 of the Zoning Regulations requires the Board to determine whether the proposed use at the Property will have adverse effects on vicinal properties above and beyond those ordinarily associated with such uses.

Virtually every activity has the potential for adverse impact. Zoning recognizes this fact and, when concerned with conditional uses, accepts some level of such impact in light of the beneficial purposes the zoning body has determined to be inherent in the use. Thus, the question in the matter before the Board is not whether a kennel has adverse effects. The proper question is whether those adverse effects are greater at the proposed site than they would be elsewhere within other RC Districts of the County. While the Protestants' concerns about traffic safety and a kennel use

generating noise in their neighborhood are understandable, no evidence was placed before the Board demonstrating any adverse effects above and beyond those ordinarily associated with the proposed use in the RC District.

The Board concludes for the reasons stated below, that the Petitioners have met their burden in presenting sufficient evidence establishing that this proposed use meets the requirements of the Zoning Regulations.

1. The Petitioners' proposed dog kennel will consist of typical activities associated with a dog kennel. The proposed use will be of relatively low intensity since it will be limited to 10 dogs at any one time. The dogs will be kept indoors most of the time and will be allowed outdoors only between 9:00 a.m. and sundown. The dog runs and outdoor training area are behind the facility which is located at the rear of the Property and more than 400 feet from the road. The proposed masonry building will be soundproofed to reduce noise. Furthermore, the noise will be further buffered by distance and existing trees. Waste material will be disposed of on site. A motion-detection security lighting will be installed on the building. The proposed driveway and parking areas will be paved. The Board concludes that the use will not generate excessive noise, dust, fumes, odors, lighting, vibrations, hazards or other physical conditions beyond those inherently associated with a dog kennel in the RC zoning district as required by Section 131.B.2.a.

2. The proposed 80' by 25' masonry building will be located at the rear of the Property and well separated and buffered from the road and vicinal residential properties. The building and dog runs will be well screened from the adjoining properties by the proposed 6' privacy fence. Accordingly, the location, nature and height of structures, walls and fences, and the nature and extent of landscaping on the site are such that the use will not hinder or discourage the use or development of the adjacent land and structures more at the subject site than it would generally

elsewhere in the zone, in compliance with Section 131.B.2.b of the Zoning Regulations.

3. The Petitioners will provide twelve parking spaces in the parking area at the rear of the proposed building. The parking area and drive are located toward the rear of the site and will be adequately screened from Florence Road and vicinal residential properties by distance, fencing and landscaping. Consequently, parking areas are of adequate size and parking areas and driveways are properly located and screened from public roads and residential uses to minimize adverse impacts on adjacent properties as required by Section 131.B.2.c.

4. The access drive from Florence Road is properly located and has adequate sight distance in both directions. The proposed conditional use will receive few visitors at any one time, thus acceleration or deceleration lanes are not necessary. Consequently, the ingress and egress drive will provide safe access with adequate sight distance and with adequate acceleration and deceleration lanes where appropriate, as required by Section 131.B.2.d.

II. Specific Criteria for Kennels and Pet Grooming Establishments (Section 131.N.30).

A. Section 131.N.30.a. is not applicable because no more than 10 dogs will be on site at any one time.

B. The Property is 5.13 acres in area and exceeds the minimum lot size of 3 acres, in compliance with Section 131.N.30.b.(1). The outside pens are 100 feet from the north lot line and more than 100 feet from all other lot lines and meet the 100-foot minimum required under Section 131.N.30.b.(2). The building is 400 feet from Florence Road and exceeds the minimum of 75 feet required by Section 131.N.30.b.(3)(a). The building is 100 feet from the north lot line and more than 30 feet from the side lot lines and therefore meet the minimum 30-foot setbacks as required by Section 131.N.30.b.(3)(b).

C. Section 131.N.30.c. is not applicable to this petition.

D. The proposed parking areas and outside pens and runs, and all buildings will be adequately screened by landscaping, fencing and separated by ample space from adjoining properties and public street rights-of-way, as required by Section 131.N.30.d.

E. Waste will be disposed of on site. Given the distance from lot lines to the building, the Board finds that the disposal of wastes will be such that odors or other emissions will not be perceptible at lot lines, in compliance with Section 131.N.30.e.

F. The Property has frontage on Florence Road, a major collector, in compliance with Section 131.N.30.f.

ORDER

Based upon the foregoing, it is this 17th day of January, 2007, by the Howard County Board of Appeals, ORDERED:

That the petition of Wesley and Rebecca Jenson, t/a Arrowwood Shepherds, Inc., Petitioners, for a conditional use for a dog kennel and pet grooming establishment in an RC-DEO (Rural Conservation – Density Exchange Option) Zoning District is hereby **GRANTED**, subject to the following conditions:


1. The conditional use shall apply only to the uses and structures as described in the petition and conditional use plan submitted, as amended, to the Board as Applicants' Exhibit #1, and not to any other activities, uses, or structures on the Property.

2. That no more than ten (10) dogs (other than the Petitioners' pets) will be housed and/or boarded in the kennels at any one time.

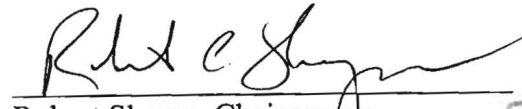
3. Neither the garage nor the rear yard of the house may be used for activities under this conditional use.

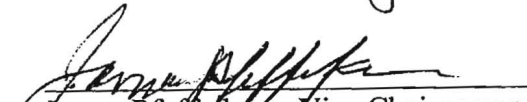
4. All training of dogs shall take place between the hours of 9 a.m. and 8 p.m. daily.
5. The hours of operation of the kennel use shall be limited to 7 a.m. thorough 8 p.m. daily.
6. The Petitioner shall comply with all applicable Federal, State, and County laws and regulations.

ATTEST:


 Ann Nicholson, Secretary


HOWARD COUNTY BOARD OF APPEALS

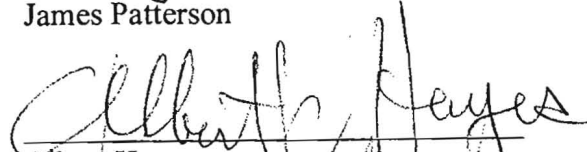

 Robert Sharps, Chairperson

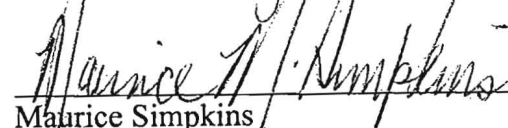

 James Pfefferkorn, Vice Chairperson

PREPARED BY:
 HOWARD COUNTY OFFICE OF LAW
 BARBARA M. COOK
 COUNTY SOLICITOR

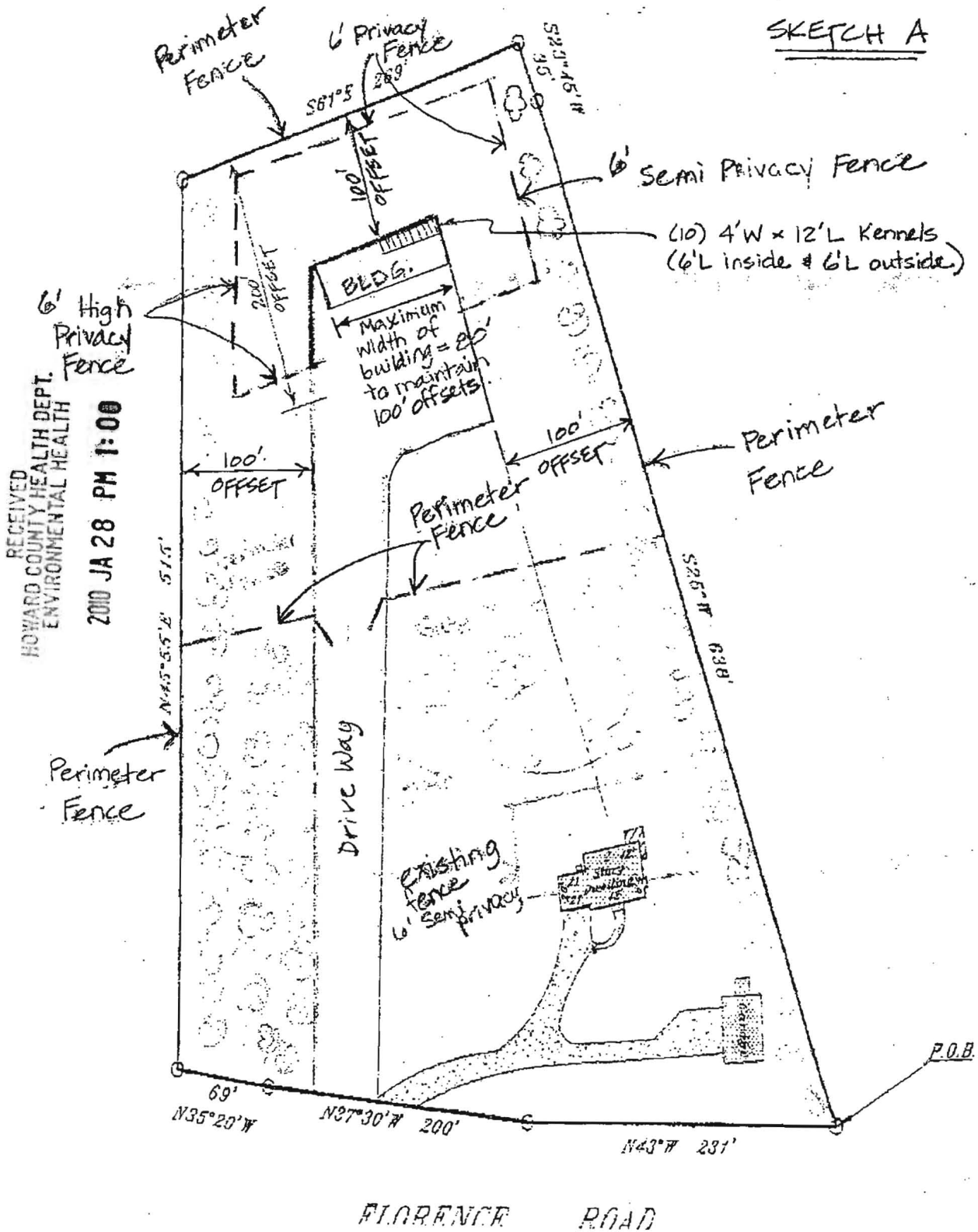
no longer Bd member
 James Patterson

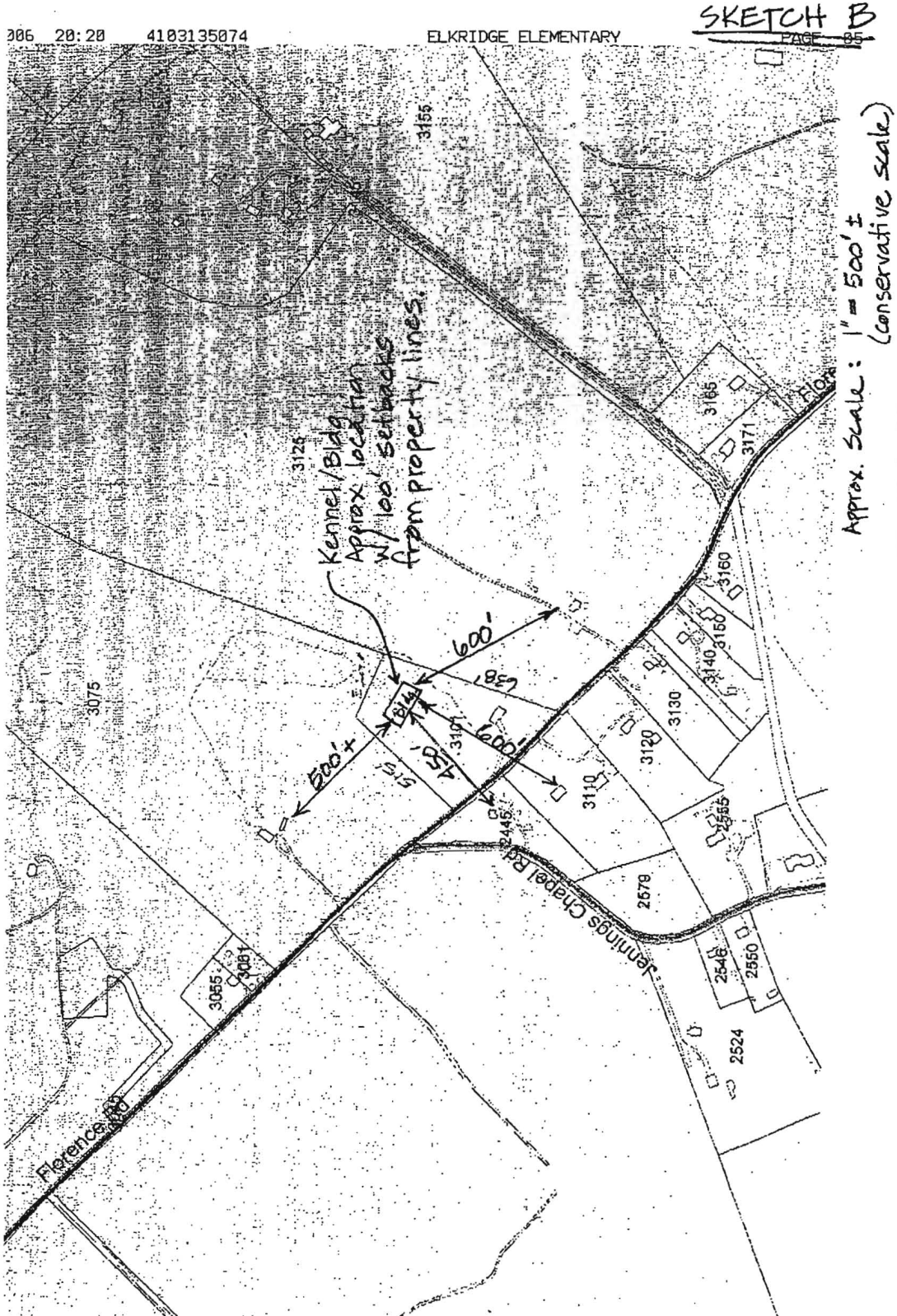

 Barry M. Sanders
 Assistant County Solicitor


 Albert Hayes


 Maurice Simpkins

SKETCH A







Howard County
Health Department

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

Penny E. Borenstein, M.D., M.P.H., Health Officer

March 1, 2006

TO: George Beisser
Public Service & Zoning Administration

FROM: Kevin Bell, Sanitarian *(KSB)*
Well and Septic Programs

RE: File Number: BA 05-033C
Subject Property: 3101 Florence Road (Wesley & Rebecca Jenson)

The Department of Health has reviewed the above referenced board or appeals submission. The Health Department has no objection to the variance request for the conditional use for kennels and Pet Grooming, however, a 10,000 square foot sewage disposal easement must be established on the existing dwelling and the proposed kennel must also have an initial sewage disposal area/system along with two repair areas prior to any building permit issuances.

Cc: file

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

Date: 1/17/06

Hearing Examiner 3/20/06
Planning Board _____ Board of Appeals _____ Zoning Board _____

Petition No. BA-05-033C Map No. 13 Block 9 Parcel 137 Lot _____

Return Comments by 2/27/06 to Public Service and Zoning Administration

Location of Property: NE of Florence Rd, about 200' S. of its intersection with Jennings Chapel Road

Applicant: Wesley and Rebecca Jenson T/A Arrowwood Shepherds, inc.

Applicant's Address: 3101 Florence Road, Woodbine, MD 21797

Owner: (if other than applicant) _____

Owner's Address: _____

Petition: Conditional use for kennels and Pet Grooming establishment.

To:

- _____ Department of Education
- _____ 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
- _____ MD Dept. of Human Resources, Janice Burreis
(Child Day Care)
- _____ Office on Aging, Betty Totaro (senior assisted living)
- _____ Police Dept., Animal Control, Brenda Purvis, (kennels)
- _____ Susan Fitzpatrick, Health Dept. (Nursing & Res. Care)
- _____ Land Development - (Religious Facility & Age-Restricted
Adult Housing)

COMMENTS: _____

05 AUG 12 AM 11:37

For DPZ office use only:

BA CASE NO. BA 05-033C

Date Submitted _____

CONDITIONAL USE PETITION
TO THE HOWARD COUNTY HEARING AUTHORITY

1. **Name of Petitioner:** Wesley and Rebecca Jenson
Trading as (If applicable): Arrowwood Shepherds, Inc.
Mailing Address: 3101 Florence Road, Woodbine, MD 21791
Phone Number(s): 410-489-5028
Name of Principal Contact (If different): _____

2. **Counsel for Petitioner:** E. Alexander Adams, Esq.
Mailing Address: 8808 Centre Park Drive, Columbia, MD 21045
Phone Number(s): 410-992-1477, 410-465-5300
Secondary Contact with Counsel (If any): _____

3. **Conditional Use Site Description:**
Address/Street for Property: 3101 Florence Road, Woodbine, MD
Tax Map: 13 Grid: 9 Parcel: 137 Lot: _____
Department of Assessments and Taxation Account No.: 329724
Total Land Area of Property: 5.13 (x Acres) (Square Feet)
Election District: 04.03 Zoning of Property: Residential RC-DEO
Subdivision Name and Plat No. (If applicable): _____
Total Land Area of Use (If different than above): _____ (Acres) (Square Feet)

4. **Conditional Use Request:**
Conditional Use Category: Commercial
Section 131.N. 30.A
Specific Use Requested: Dog Kennel, training facility

8. **Summary of Request:**

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

a. The present use of the subject property: Property currently is residential with a split foyer home and separate two car garage.

b. Details of the proposed use, including, **where applicable**: types of indoor and outdoor activities; hours of operation; number of employees, occupants, and/or customers; quantity and types of vehicles or equipment used; outdoor lighting to be used; quantities and capacities of materials stored; etc.: see attached

d. Any additional information which will be useful in the evaluation of whether the conditional use complies with the specific criteria for the conditional use category within Section 131.N.:

See attached

e. Will the conditional use generate any physical conditions such as noise, dust, fumes, odors, lighting, or vibrations which would be discernible from abutting and vicinal properties?

See attached

12. General Standards for Conditional Uses:

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

1. The proposed conditional use plan will be in harmony with the land uses and policies indicated in the Howard County General Plan for the district in which it is located. In evaluating the plan under this standard, the Hearing Authority shall consider:

The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site; and

If a conditional use is combined with other conditional uses or permitted uses on a site, the overall intensity and scale of uses on the site is appropriate given the adequacy of proposed buffers and setbacks.

2. The proposed use at the proposed location will not have adverse effects on vicinal properties above and beyond those ordinarily associated with such uses. In evaluating the plan under this standard, the Hearing Authority shall consider whether:

The impact of adverse effects such as noise, dust, fumes, odors, lighting, vibrations, hazards or other physical conditions will be greater at the subject site than it would generally elsewhere in the zone or applicable other zones.

The location, nature and height of structures, walls and fences, and the nature and extent of the landscaping on the site are such that the use will not hinder or discourage the development and use of adjacent land and structures more at the subject site than it would generally in the zone or applicable other zones.

Parking areas will be of adequate size for the particular use. Parking areas, loading areas, driveways and refuse areas will be properly located and screened from public roads and residential uses to minimize adverse impacts on adjacent properties.

The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.

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

PETITIONER Wesley and Rebecca Jenson

ADDRESS 3101 Florence Road, Woodbine, MD 21791

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

The person(s) signing below hereby declare(s) 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 petition to the Hearing Authority for a conditional use as requested.

I, we, do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my, our, knowledge, information and belief.

Michael S. Young
Witness

Michael S. Young
Witness

Wesley Jenson
Signature

Rebecca Jenson
Signature

8-9-05
Date

8-9-05
Date

The Conditional Use Hearing Fee is \$500.00. The Poster fee is \$15.00 per poster. The department of Planning and Zoning will determine the number of posters that are required.

For DPZ use only:

Hearing fee: \$ _____

Poster fee: \$ _____

TOTAL: \$ _____

Receipt No. _____

(Make checks payable to "Director of Finance")

Revised 8/04 (T:\Applications\BDAPPEAL\CondUse)

8. Summary Request

- b. The proposed unit will be used primarily as a training facility for canines. The facility will have ten (10) indoor/outdoor kennel runs for kenneling of dogs. The indoor outdoor runs will be single units with the wall of the building serving as the divider between the interior and exterior of each run. In addition, each run will have a door allowing entry to the internal and/or external portions of the run which can be locked by a handler to keep the dogs inside at night. In addition, there will be an internal facility to bath dogs, space for an office, bathroom and kitchen facility as well as a laundry room. The offices and bathroom/groom/kitchen facilities will be in the center of the building, the other half of the building will be an arena style facility to be used for in door training and exercise for boarding dogs. The building will be designed aesthetically to resemble a small office building. There will be full insulation of all walls and ceilings for temperature control as well as noise abatement. The Petitioner anticipates if the market permits to do doggy day care during the week. That however would be contained within the arena facility with some supervised outdoor activities. Petitioner anticipates this to be a family run business with Wesley Jenson being a full time manager, and his wife as part time. There will be a separate entrance with no noticeable increase in the traffic on Florence Road. The facility will have motion detection lighting externally which will face toward the building with some lighting which will face away from the building on the corners toward the uninhabited portions of the adjoining property which will be controlled manually and only at a time of extreme emergency (such as an attempted break

in). There will be perimeter fencing around the entire property which will consist of a white laminate based cross hatch fencing and a second fence around the kennel itself which will be a privacy style wood fence. To that there will be a parking area to the side of the kennel/office facility with parking for at least 20 vehicles and the entire facility will be serviced by a separate septic system which will be built in accordance with the Howard County guidelines. Petitioners have been in contact with the Department of Health and Environment and Maryland Department of Environment. Based upon the guidelines now in place for a kennel facility and to accommodate the planned water consumption as well as direct waste disposal for the kennel Petitioner has been advised that a 460 ft. trench for the septic system will be required and the plans will accommodate such a septic system. Petitioner anticipates the storage of dog training materials, leashes, training harnesses and other training materials, dog food, and required kennel medicines as well as cleaning supplies such as laundry detergent. In addition, there will be normal office equipment, a desk, chair and computer as well as file cabinets in the office itself to house the business records of the facility.

- d. The facility will be surrounded by a perimeter fence to contain any dogs in the event one escapes. That is assuming the animal escapes the secondary fencing around the kennel, which will be privacy style wood fence, this is in addition to the exterior runs, which will have their own six-foot fencing. In addition there will be a natural barrier of trees to abate any noise from the facility. The septic system is more than adequate to accommodate direct deposit of feces so that there will be no discernable smell from the animals. Petitioner intends for any kenneled

dogs to be in the INTERNAL runs by 7:30 p.m. in recognition of the noise concerns of the neighboring properties in the evening.

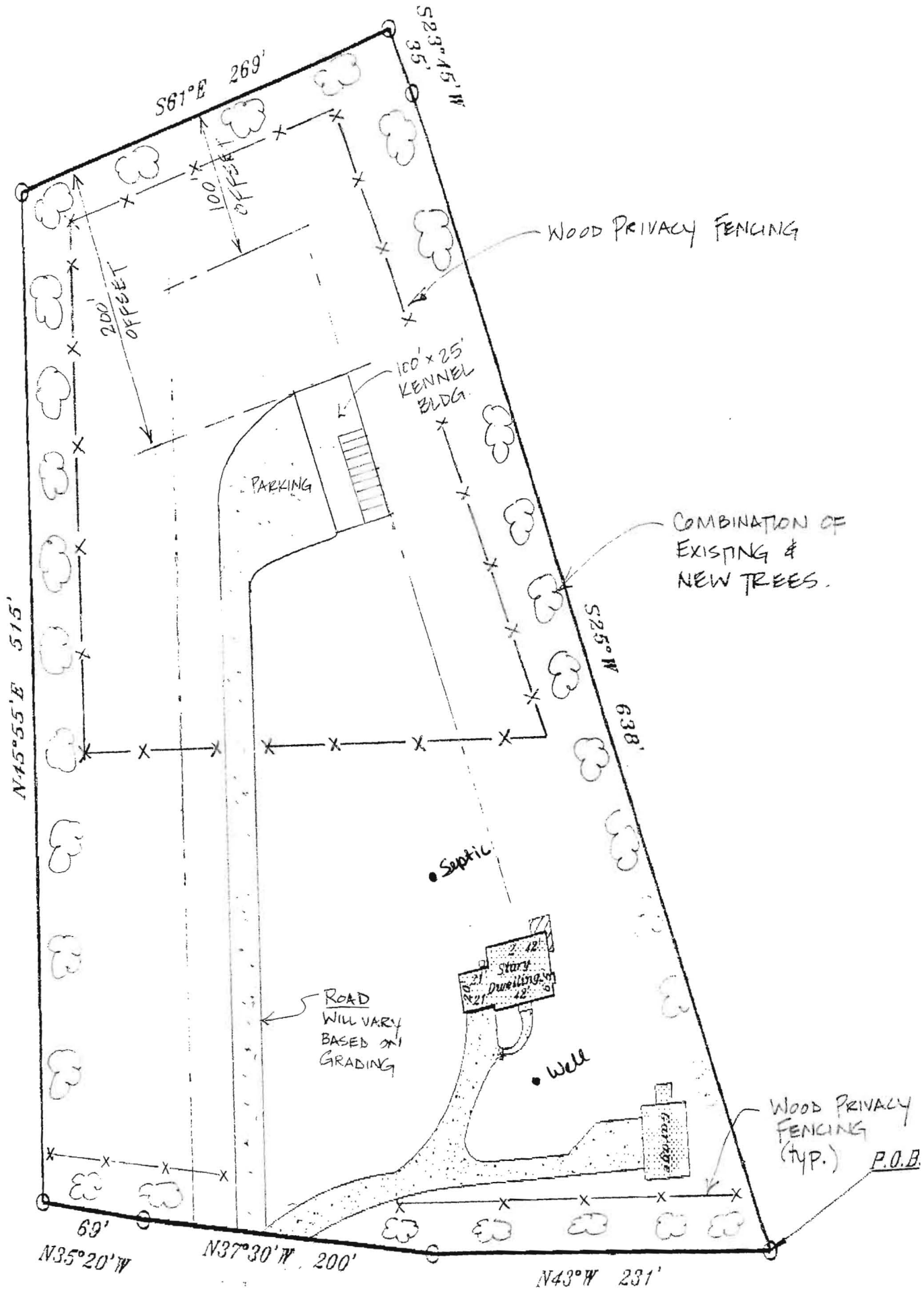
- e. No. Currently there are dogs externally kenneled across the street from the property in question. In addition there is constant noise from barking dogs from adjacent properties. With the noise barrier as well as the indoor facility there is no anticipated increase in the noise in the area. The septic system will be done in accordance with the ruling already sought by the Howard County Department of Health and Environment and would actually accommodate a kennel significantly larger than the one intended for this property and will also accommodate all feces odors therefore there will be no difference in the odors in the area. Finally with kennels for long term care and dog training (even if the doggy day care does come to fruition) there will be no discernable impact on the traffic in the area as this property is on the end of the road allowing for easy access and departure. All parking and turning will be done in the parking lot of the facility and not on or near the road itself.

On May 25, 2005 the petitioners did have a Public Hearing in their home, which is on the property, which is the subject of the Petition for Conditional use. Attached is the list of all parties who participated in the meeting. Below is a summary of the concerns raised and the discussion thereof.

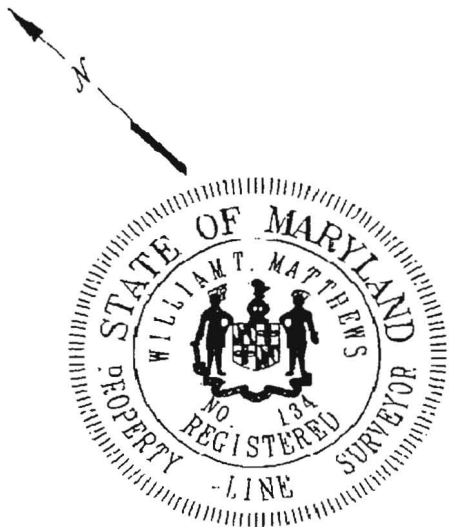
1. Noise. All neighbors questioned the impact of the kennel with the relation to noise in the area. Petitioners advised all parties that the kennel would be surrounded by a natural barrier of trees (like those required for industrial usage) as well and internal facilities within the kennel/training building. Petitioners also acknowledged that there are evening concerns and advised all parties that it was not their intention to ever leave dogs outside at the kennel until 10 pm but to put them inside for the evening so as to accommodate the evening of the area.
2. Safety – the parties were concerned as to the possibility of the escape of dogs from the kennel. Petitioner advised that while unlikely there would be a triple guard. External kennel fences in the runs would be devised so that the dog could not leave, if somehow the dog got out of there would be a fence external to the kennel (used for training but interior to the property line). If somehow the dog got out of both of those then there would be a fence along the perimeter of the property all the way around all five acres.
3. Odor - the issue of the septic system was addressed and the plans for direct deposit of fecal matter was explained.

4. Hunting/horseback riding – owners of adjacent property addressed that they allowed hunting and horseback riding on their property and did not want that disturbed by the dogs (they don't want dogs shot). Petitioner advised that there would be no disturbance as long as the hunters were not shooting on the petitioner's property. Again petitioners have taken more than adequate precautions to mark the property and contain any dog on the property. There should be no affect on any activity of the surrounding property especially insight of the perimeter fencing on the petitioners property which will serve as area boundary and markers for all parties.
5. Kennel dogs v. Day care dogs – there was discussion regarding the noise level with the additional dogs for a day care facility AND the kennel. Petitioners advised all parties that the facility is designed so that at no time are all the dogs outside all the time, half of the building is for internal day care and all kennels have internal runs.

The meeting started at 7:00 p.m. and adjourned at 10:00 p.m. The petitioners provided all attendees with business cards with home and cell phone numbers so that any other concerns or discussions could be raised.



FLORENCE ROAD



Location Drawing

Scale: 1" = 100'

This plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or refinancing. This plat is not to be relied upon for the establishment or location of fences, garages, buildings, dwellings or other existing or future improvements nor does this plat purport to reflect setbacks or other distances with any specific level of accuracy. This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing. The approximate location of the dwelling is shown in relation to the apparent property lines for the property known as

3101 Florence Road
Howard County, Maryland

William T. Matthews 10/25/04

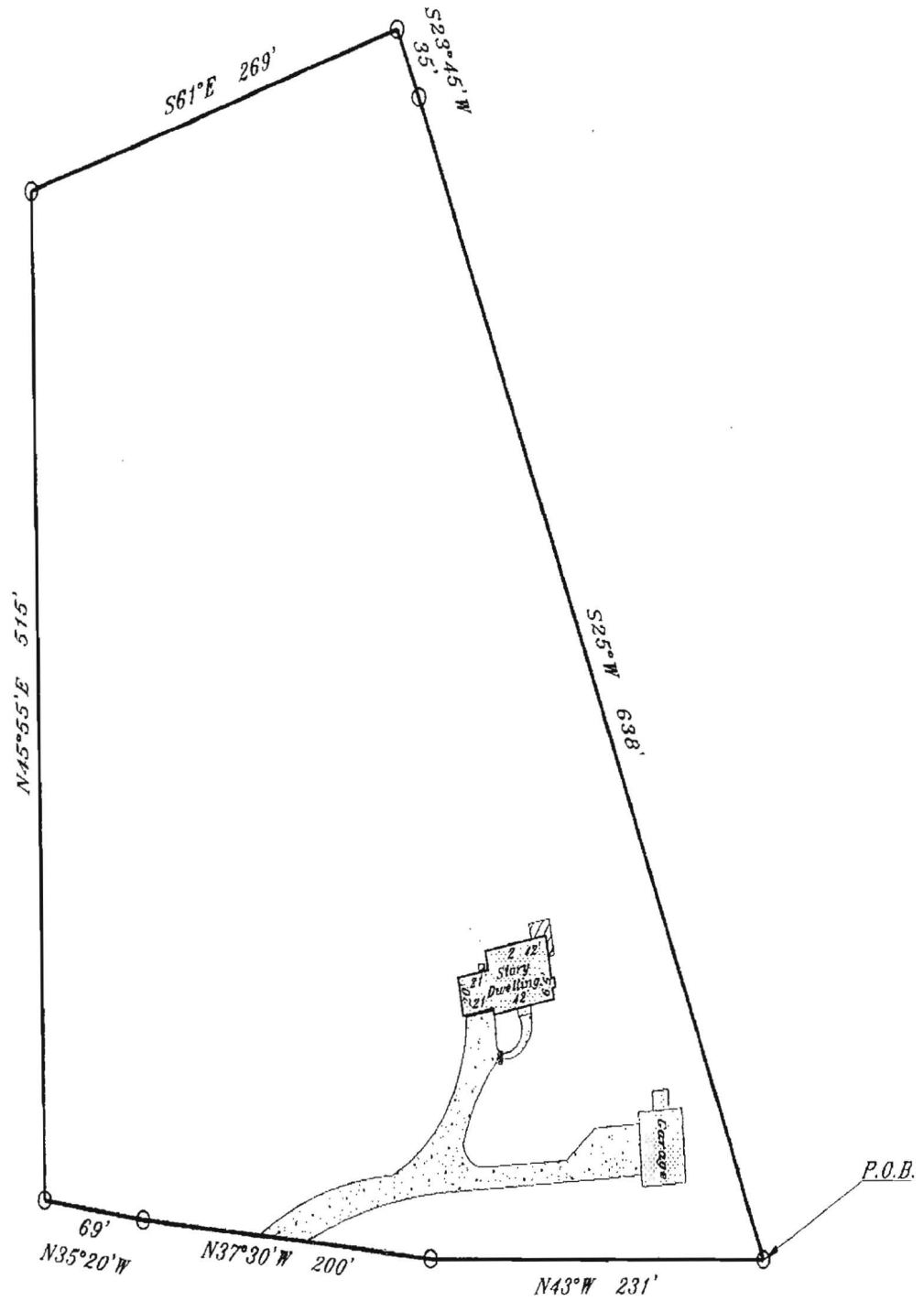
Ruxton Design Corporation

8422 Bellona Lane
Suite 300

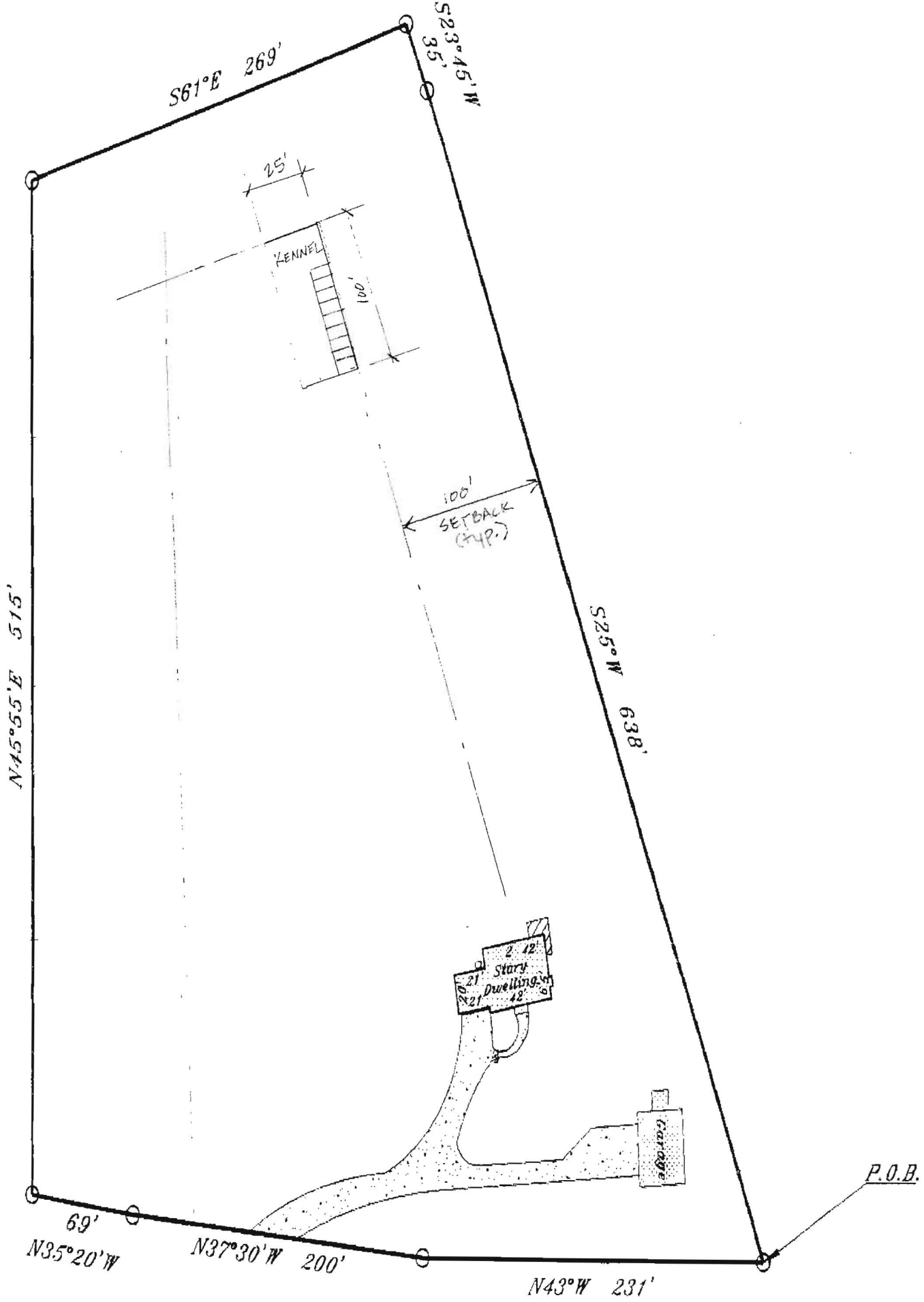
Towson, Maryland 21204

410-823-5000
410-823-0115 fax

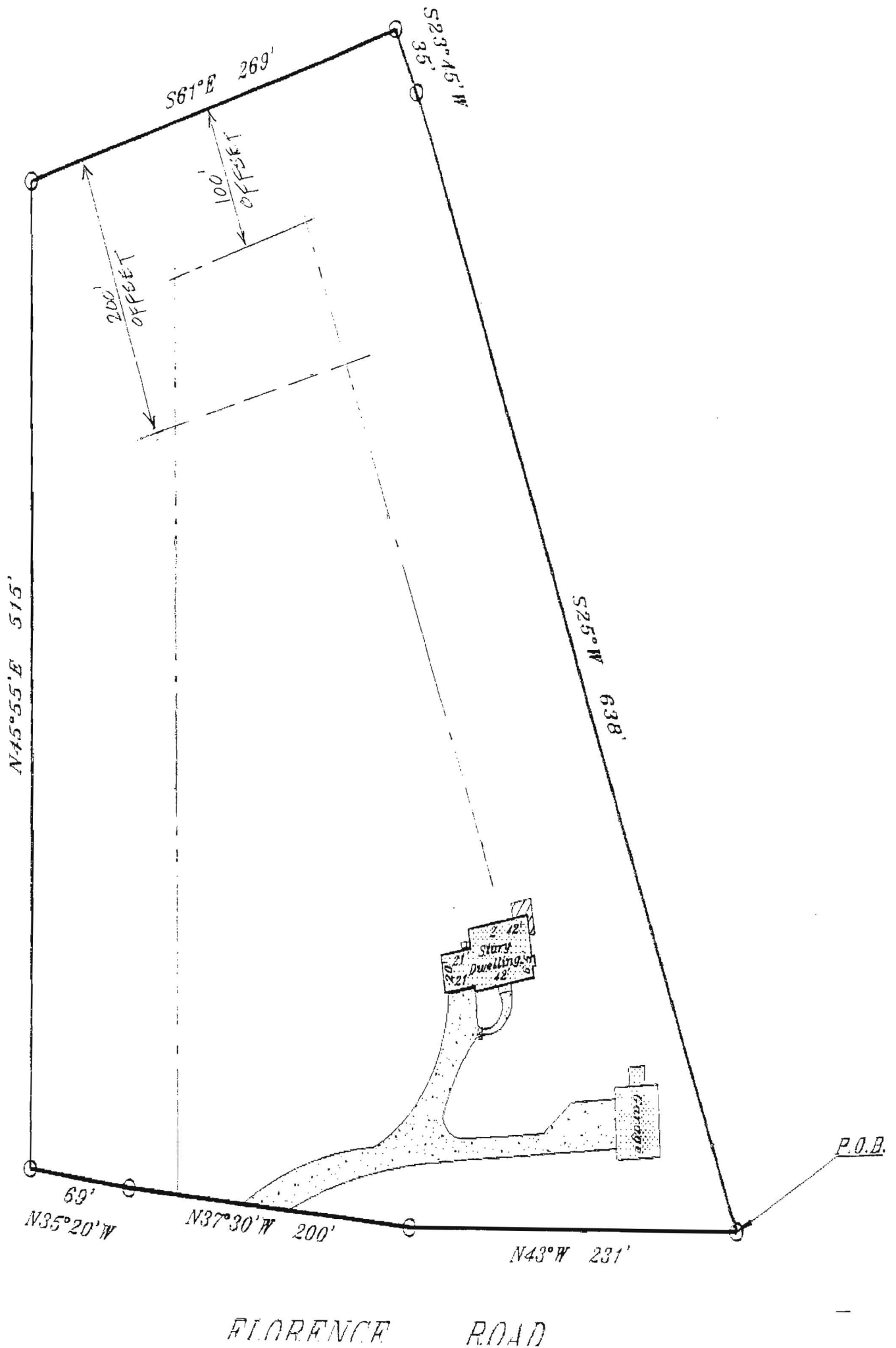
dc@ruxtondesign.com www.ruxtondesign.com



FLORENCE ROAD



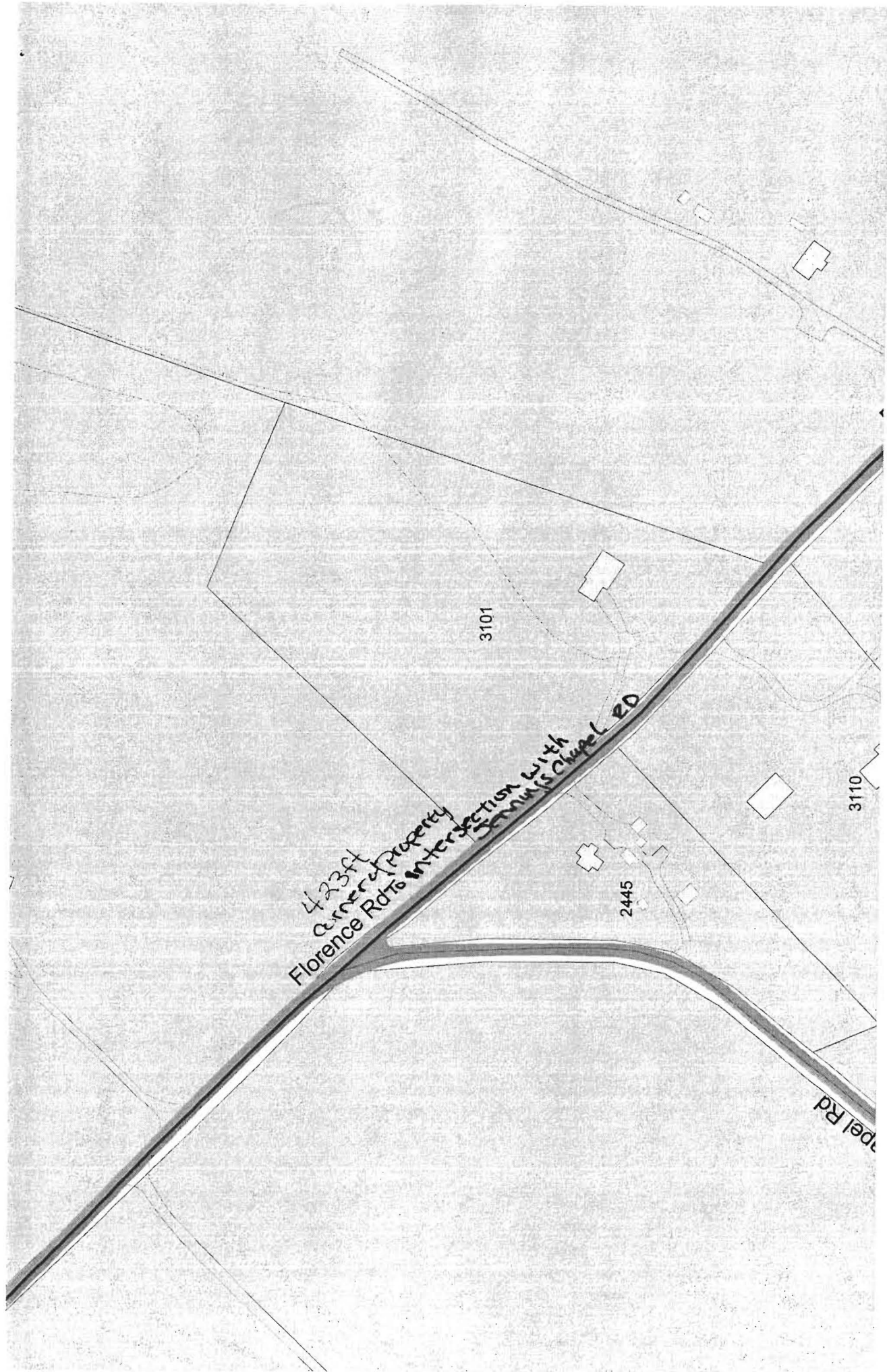
FLORENCE ROAD



FLORENCE ROAD

ROAD NAME	FROM	TO	SUBDIVISION	District	Hwy Zone	Fische #	Type	Liber/Folio	Deed Date	F #	Plat #	Atlas #	R/Wth	P/Wth	Miles
Flintfeet Lane	Deepage Drive	Culdesac		3	E										
		Owen Brown, Village of				20	Co	955/114	5/25/1979	73-60	25/18-26	3217	50-100	29	0.05
															0.05
Flintlock Court	Sharp Road	Culdesac		5	W										
		The Heritage				2	Co	1140/677	12/13/1982	77-31	3775-3778	2273	50-100	25	0.09
															0.09
Floating Clouds Path	Indian Summer Drive	Culdesac		4	C										
	12000 12037	River Hill, Village of				scan	Co	8126/401	1/14/2004	96-130	12923-12928	9064	50-110	24-120	0.13
															0.13
Florence Road	Long Corner Road	Ed Warfield Road		5	W										
		Bellaire Property				Scan	Co	2085/98	4/11/1989	89-131	8670	6663		widening	
		David R. Mullinix Property				Scan	Co	4685/102	12/9/1998	99-01	13554	9510		widening	
		DiPaula Property					Co	3951/169	2/21/1997	97-04	12663-12665	8866		widening	
		Florence Estates				1	Co	1792/596	2/9/1988	83-93	5896-5900	4554		widening	
		Helton Property				Scan	Co	1427/68	7/26/1985	85-128	6333	4814		widening	
		Hickory Estates					Co	1803/444	3/30/1988	87-203	7606	5684		widening	
		Lang Property					Co	4789/615	6/3/1999	98-137	13278	9298		widening	
		Leonhardt Subdivision					Co	2011/563	12/15/1988	88-158	8361	6117		widening	
		Olivia Subdivision				Scan	Co	1636/563	1/12/1987	87-80	7060	5308		widening	
		<u>Prescriptive ROW</u>				-	Pres	-	10/11/1961	-	-	-	50	25	6.99
		Robert A. Wojcik Property				Scan	Co	1427/48	6/25/1985	85-156	6446	4875		widening	
		Saint Michael's Overlook					Co	2398/493	1/28/1991	91-74	9839	6921		widening	
		Shaffer's Mill Estates				1	Co	856/152	11/16/1977	74-105	31/31	2086		widening	
		Snyder Subdivision					Co	2257/29	9/17/1989	89-190	9218	6546		widening	
		Virginia Smith Property					Co	2072/375	4/29/1988	89-60	8786	6322		widening	
		Wakefield Farm Estates				Scan	Co	1230/277	12/8/1983	84-65	5694-5695	4413		widening	

6.99



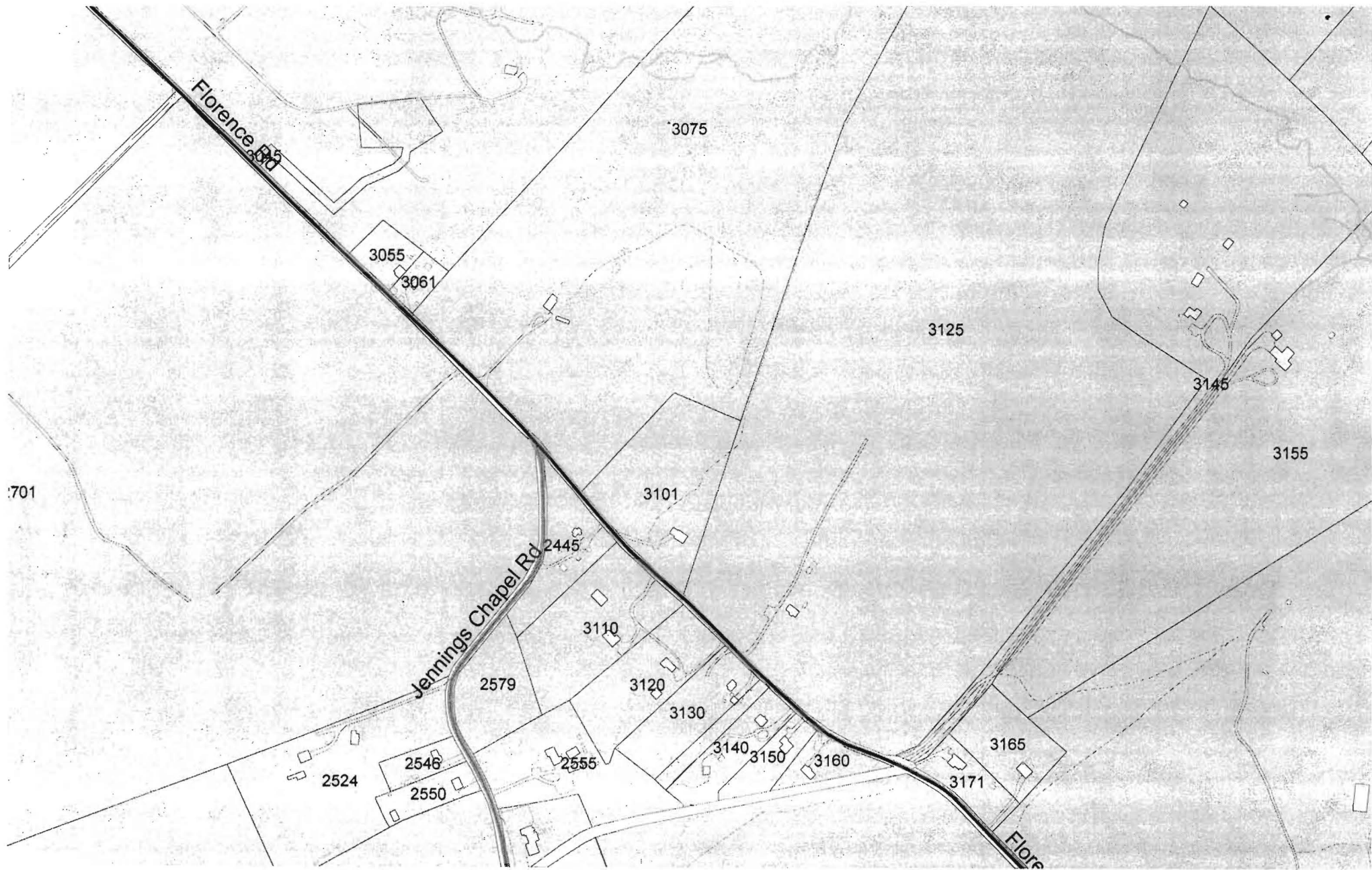
423ft
corner property
Florence Rd to intersection with
Schapel Rd

3101

2445

3110

Schapel Rd



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
Division of Land Development

DATE: October 31, 2014

DPZ File No. WP-15-059

Department of Planning and Zoning

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

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

Agencies

- Soil Conservation District
1 Department of Inspections, Licenses & Permits
1 Department of Fire and Rescue Services
1 State Highway Administration
(1) Health Department
1 Public School System
1 Recreation and Parks
WSSC (Non-Residential Only)
MD Aviation Administration

- Tax Assessment
Verizon
BGE
Cable TV
Police
MTA
Finance
1 DPW, Real Estate Services
DPW, Construction and Inspection
DPW, Bureau of Utilities

RE:

ENCLOSED FOR YOUR Signature Approval [checked] Review & Comments Files

THE ENCLOSED Original Pre-Packaged Plan Set

Table with 3 columns: Plans, # of Sheets, Supplemental Documents. Lists various plan types and associated documents like Wetlands Report, Soils/Topo Map, etc.

WAS: [checked] Received Tentatively Approved Recorded
Received and Revised Approved On October 31, 2014
COMMENTS: SRC/Comments Due By: 11/25/2014

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

H.O. DPZ STAFF INITIALS: RJ

Kent Sheubrooks

Chief, Division of Land Development
Department of Planning and Zoning
Phone No. (410) 313-4390
Fax No. (410) 313-3467
ksheubrooks@howardcountymd.gov

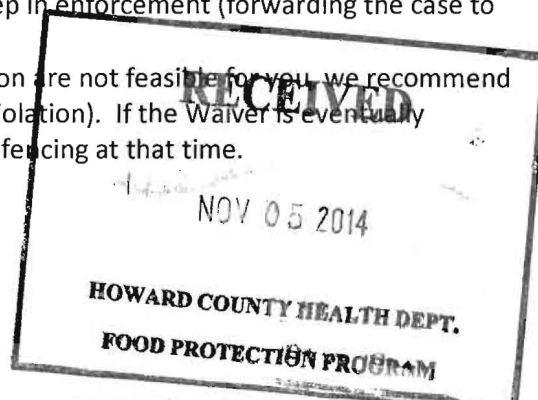
From: Hamilton, Cindy
Sent: Tuesday, September 30, 2014 11:02 AM
To: Marcia.Ellison@aimco.com
Cc: LaRose, Anthony; Sheubrooks, Kent; Braithwaite, Curtis; Flowers, Kimberley
Subject: 5764 Steven's Forest Road (VOM, Section 2, Area 3--Grand Pointe Apts.)

Ms. Ellison—This e-mail is to serve as a follow-up to our conversation yesterday about the abatement of the Citation you received from this office regarding the above referenced property. As discussed yesterday, you desire to implement the most efficient and expeditious means by which to rectify the violations existing within the Grand Pointe Apartment complex.

Subsequent to our conversation I communicated with several staff members about the options available to you. The following reflects the consensus:

- The best solution is for the apartment management/owner to add a permanent dumpster and dumpster fence enclosure. Prior to constructing a dumpster pad and enclosure, the appropriate building permits must be acquired. The County's Land Development Regulations require that such permits will only be issued if the improvements are documented on a Site Development Plan (SDP) which has been reviewed and approved by the appropriate County staff. Since the Site Development Plan of record (SDP-71-43) really isn't an SDP in terms of the information provided (it's more like a utility drawing, and it really doesn't cover the area in which the dumpster will be located), it is not appropriate to revise it to show the improvements. Given the minor scope of the site changes, it also doesn't make sense for the management/owner to process a new SDP.
- Instead of trying to revise SDP-71-43 or submitting a new SDP, we suggest that the management/owner process a Waiver Petition to the SDP requirement. Be advised that by filing this Waiver, you are asking the County to relax our requirement for an SDP and instead to accept your drawings/exhibits as a viable alternative. As part of the Waiver Petition you will have to fully justify why this is a better alternative to processing a new SDP (or attempting to revise the old one). At a minimum your Waiver Petition we'd need: to see where the dumpster and enclosure will be located; to know how many apartment units there are; to have information on parking and a demonstration that parking will remain adequate if the dumpster/enclosure displaces two spaces; to see a fence detail including height and materials; and to know that the enclosure meets all applicable setbacks (consult Final Development Plan 79-A-3).
- Waiver Petition applications are submitted by appointment to the Division of Land Development. I have copied the Chief of that Division (Kent Sheubrooks) on this e-mail. If you have questions about what to submit or how to do so, please contact him.
- Given that a Citation has been issued, we need to make sure that you move expeditiously toward resolution of the violations. I am giving you a one month period in which to file your Waiver Petition application (**by NOVEMBER 1, 2014**). While the Waiver is being filed and reviewed we will hold off taking any additional enforcement action. Be advised, however, that failure to submit the Waiver Petition in a timely manner compliant with the stated deadline will result in us taking the next step in enforcement (forwarding the case to the Hearing Examiner for the possible imposition of fines).
- This is a suggestion--if the processing deadlines for the Waiver Petition are not feasible for you, we recommend that the dumpster/fencing be totally removed (thereby abating the violation). If the Waiver is eventually favorably acted upon, you could reinstall the dumpster and erect the fencing at that time.

Please let me know if you have questions.



Sheubrooks, Kent

From: Sheubrooks, Kent
Sent: Tuesday, September 30, 2014 11:23 AM
To: Hamilton, Cindy; Marcia.Ellison@aimco.com
Cc: LaRose, Anthony; Braithwaite, Curtis; Flowers, Kimberley
Subject: RE: 5764 Steven's Forest Road (VOM, Section 2, Area 3--Grand Pointe Apts.)
Attachments: wpapp - rev - 5-14.pdf; waiverpetitionbrochure.pdf

Dear Ms. Ellison,

The Waiver Petition Applications are available on-line on the DPZ webpage under forms and applications. I have attached a copy of the WP application with this email for you. Also, I have attached a copy of our waiver petition brochure which should help in explaining the waiver petition process.

Please complete the following on the attached Waiver Petition application:

1. ALL of Section I on Page 1.
2. On Page 1, Fill out the applicable Section number which is **Section 16.155(a)(2)(iii)** of the Subdivision and Land Development Regulations for the waiver request. This section of the Regulations requires the submission of a site development plan for site improvements for properties under the Columbia New Town zoning where the VOM final development plan, FDP-79-A-3 criteria require submission of a site development plan.
3. On Page 2 ADDRESS ALL 4 SECTIONS OF THE JUSTIFICATION SECTION. Place the justification on a separate sheet or sheets if necessary and completely address each section-a, b, c and d (see attached brochure for assistance).
4. As part of your justification, you must provide as much information as you can for your request.
5. Complete page 5 of the application. At least 1 copy of the application must contain ORIGINAL (not copied) signatures of the affected property owners.
6. You MUST set up an appointment with the DPZ, Division of Land Development to submit the application. Contact Carol Stirn at 410-313-4351 to set up this appointment. You will bring all required information to the George Howard Building located at 3430 Courthouse Drive, Ellicott City, MD. 21043. The Division of Land Development is on the second floor.
7. You will need to provide 15 copies of the waiver application, justification, supporting documentation and any supporting plan exhibits. The site plan exhibits for this request should include all of the information that Cindy has explained below for the trash dumpster and enclosure location with dimensions locating it from all adjoining property lines, location of the existing apartment units labeled as existing, location of the existing parking spaces and those affected by the trash dumpster, the fencing details, existing landscaping, etc. and any other information that is necessary for processing your request. Please include a copy of the approved Village Board approval letter with your waiver petition application.
8. The processing fee is \$450.00 and the check should be made out to the "Director of Finance".

I hope this helps in your completion of the waiver application, if you have additional questions, please contact me.

06 JAN 12 PM 3:45

**Wesley and Rebecca Jenson
3101 Florence Road
Woodbine, MD 21797**

**J. Robert Lalush, Planner II
Division of Public Service
And Zoning Administration
3430 Courthouse Drive
Ellicott City, MD 21043**

**RE: Wesley and Rebecca Jenson
Board of Appeals Case No. 05-033C**

Dear Mr. Lalush:

Your letter to our counsel dated August 25, 2005 has been forwarded to us from our counsel for response and review. We appreciate the opportunity to clarify any questions that you may have regarding our plans and will address your questions in numerical order.

- 1. Please provide details on the following items; the approximate number of dogs that would be kept in the facility at any one time, the hours and days of operation, the total number of employees.**

Response:

The facility will be a kennel (for individual who need to board their dogs while they are away) there would be no more than 10 dogs at one time being boarded, obviously the dogs would be at the facility 24 hours however the hours of operation will be from 6:00 am to 7:00 pm. Dogs that are being boarded are anticipated to be allowed in external runs no later than 9:00 p.m. After 9:00 p.m. they will be in the enclosed portion of the kennel.

This is a family business, at this time there will be the petitioners as employees, however that does not preclude the hiring of additional individuals at some point in the future, however we do not anticipate more that two additional full time employees and perhaps some part time, we really cannot commit to that as it will depend

Department Of Planning and Zoning

Page 2 of 2

upon the need of the business and whether we will be able to quit our jobs at this time to work full time at the Kennel.

- 2. Please specify the surface materials for the new driveway and parking area.**

Response:

Gravel.

- 3. Please specify the height of the building, the heights of the fence described as wood privacy fencing and the fence described as perimeter fencing. The plan does not depict a gate for the wood privacy fence so please clarify whether there will be such a gate.**

Response:

The building is a single story, which will aesthetically match the local structures (i.e. it will be an actual building, not a barn or some prefabricated structure this will be a constructed facility).

**The wood privacy fence will be 6 feet tall around the kennel
The perimeter fencing in the front of the property will be white vinyl fencing being 5 or 6 feet (depending upon what is available) semi private with 3.5" spacing
The fencing around the exterior of the entire property will be 4'3" split rail, which aesthetically matches the external fencing on all surrounding properties.**

We anticipate there will be one external gate toward the front of the building to be used in case of emergency only. The building will be designed so that all access to the kennels will be through the building facility.

- 4. There are two plans included with the petition, one showing the facility approximately centered in the rear of the property and a second one showing the facility much further to the northeast. The first plan is more detailed so it is assumed this is the proposed conditional use plan, but please explain the significance of the second plan.**

Response:

Department Of Planning and Zoning

Page 3 of 3

It is the intention for the facility to have the front of the kennel building facing toward the street with the actual kennel runs facing toward the rear of the property where there is a farm and building restrictions. Petitioners provided to proposed placements for consideration for zoning only to ensure that the septic system that will have to be placed will be adequately accommodated while meeting the necessary zoning spatial requirements for the building facility. We intend to go with the center placement.

- 5. According to the most recent aerial photograph of the property the rear area of the property is shown as being wooded. If this is true, the pal should depict the approximate limits of clearing for the new facility.**

Response:

Petitioners apologize, as they were obviously unclear in their previous submission. As we stated we intend to leave a perimeter of trees around the entire exterior of the property as well as a tree line between our residence and the Kennel. It is anticipated that this tree line will be approximately 6 to 10 feet in depth in order to provide sufficient noise barrier for neighboring homes. It is anticipated that speratic trees will be left in the tree line as well as scattered throughout the area of the Kennel, so there will not be a clear cut in any area except the actual building and kennel.

Please feel free to contact us if you should have any questions.

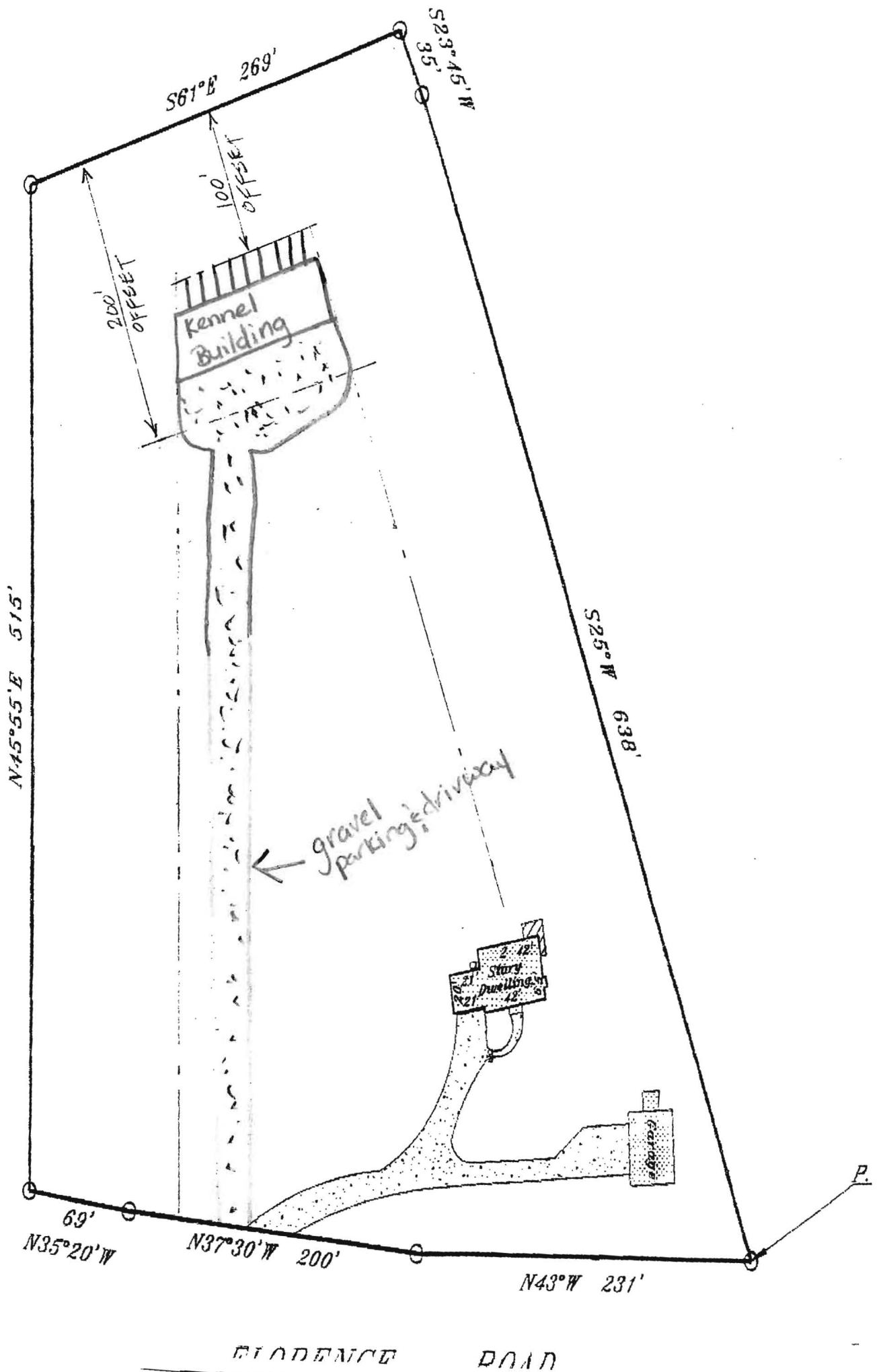
Respectfully submitted,

Wesley Jenson



Rebecca Jenson





BLODENCE ROAD

2

31 FEB 1993

PAYMENT OF TAXES
NOT NECESSARY

12/23/92

ny
#164

R. F. Sewary J/CB
DIRECTOR OF FINANCE OF HOWARD COUNTY

DEED OF EASEMENT

THIS DEED OF EASEMENT is made this 22nd day of DECEMBER, 1992, by and between RAYMOND BECRAFT, also known as RAYMOND J. BECRAFT, JR. (the "Grantor") and Howard County, Maryland, a body politic and corporate of the State of Maryland (the "County").

RECITALS

WHEREAS, pursuant to and in accordance with Sections 15.501 to 15.510, inclusive, of the Howard County Code, as amended, the County is authorized to protect and enhance agricultural land in Howard County, Maryland by purchasing the Development Rights (hereinafter defined in paragraph A of the Covenants, Conditions, Limitations and Restrictions in this Deed of Easement) in agricultural lands located within the County.

#440390-C679 R01 T12+3
12/23/92

WHEREAS, the Grantor is the owner in fee simple of certain agricultural real property located in Howard County, Maryland and more particularly described in Exhibit A hereto (the "Land"). This Land is located in an agricultural preservation district established pursuant to Sections 15.601 to 15.608, inclusive, of the Howard County, Maryland Code, as amended, and by the District Agreement recorded among the Land Records of Howard County, Maryland immediately preceding this Deed of Easement.

WHEREAS, the Grantor has offered to sell to the County its Development Rights in the Land by executing and delivering this Deed of Easement in order to restrict the use of the Land as described herein.

WHEREAS, the County has accepted the offer and will receive the Grantor's Development Rights in the Land for conservation purposes, including the preservation of farm land, forest land and certain open space, pursuant to the County's conservation policy and for the scenic enjoyment of the general public.

WHEREAS, the transfer by the Grantor of the Development Rights in the Land shall be in perpetuity.

WHEREAS, in order to provide for the payment of the purchase price for the rights in the Land created hereby, the Grantor and the County have entered into an Installment Purchase Agreement of even date herewith (the "Installment Purchase Agreement").

GRANT AND AGREEMENTS

NOW, THEREFORE, in consideration of the foregoing, the covenants and promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor hereby for Grantor, Grantor's heirs, personal representatives, successors and assigns, and for any subsequent owner of the Land hereby (1) grants to the County, its successors and assigns, forever and in perpetuity an

RECEIVED
State
Assess

Agricultural Land Tax

Carol Hand

12/23/92

NO 119
Carol Hand

agricultural preservation easement, of the nature and character and to the extent hereinafter set forth, in, on, over and with respect to the Land and (2) establishes, creates and declares the restrictions herein set forth in favor of and for the benefit of the County, its successors and assigns.

AND the Grantor covenants with the County, (1) to do and refrain from doing upon the Land all and any of the various acts hereinafter set forth, it being the intention of the parties that the Land shall be preserved for agricultural or related use in accordance with the provisions of Subtitle 5, Agricultural Land Preservation and Subtitle 6, Agricultural Preservation Districts, of Title 15, Natural Resources, of the Howard County Code, as in effect on the date hereof; and (2) that this Deed shall create a perpetual easement in gross running with the Land and all portions thereof as an incorporeal and nonpossessory interest therein, enforceable against the Grantor and upon any purchaser, grantee, lessee or owner of all or any portion of the Land and any other person or entity having any right, title or interest therein and upon their respective heirs, personal representatives, devisees, successors and assigns; and (3) that the covenants, conditions, limitations and restrictions contained herein are intended to limit the use of the Land as hereinafter set forth.

COVENANTS, CONDITIONS, LIMITATIONS AND RESTRICTIONS

A. Subject to the reservations hereinafter contained, the Grantor covenants, grants and relinquishes the right to develop the Land for any purpose, except those which are related directly to or as an accessory use of the premises for farming and agricultural purposes ("Development Rights"). Development Rights include, but are not limited to, the right to develop the Land for use in the following manner:

- (1) industrial or commercial uses;
- (2) multifamily or single-family attached dwelling units;
- (3) display of signs, billboards or other similar advertising structures, except that regulations may be adopted by the County Council or its designee to permit the limited use of such structures in conjunction with the lawful existing use of the affected property;
- (4) subdivision for residential uses, except as provided in paragraph B; and
- (5) storage or depository of trash, junk, rubbish or debris.

B. The Grantor reserves, as a personal covenant only and

one not intended to run with the Land:

- (1) the right to release up to one acre to Grantor for the purpose of constructing a dwelling for Grantor; and
- (2) the right to convey up to one acre to each child of Grantor for the purpose of constructing a dwelling for that child's personal use, so long as the number of dwelling lots for children does not exceed the ratio of one lot for each 20 acres or portion thereof contained in the Land and so long as the total number of lots for children does not exceed 10 regardless of the size of the Land. A lot, up to one acre in size, around a tenant house may be conveyed to a child for the child's dwelling instead of a separate lot for the construction of a new dwelling; and
- (3) the right to create a one acre lot around the existing dwelling of Grantor, from which one acre lot to be hereafter specifically located and recorded pursuant to the subdivision process, the easement restrictions are expressly excluded; and
- (4) for each one acre lot the Grantor has the right to release from the easement restrictions or to convey pursuant to the rights reserved in paragraphs B(1) and B(2), the Grantor may, as a substitute, elect to release to the Grantor and/or to convey to a child of the Grantor a lot of up to one acre in size, around a tenant house or other existing dwelling for the purpose of a personal dwelling for grantor and/or a dwelling for the child's personal use, instead of a lot for constructing a new dwelling.

The price to be paid to the County for the release of the easement restrictions for a lot for the Grantor or each child pursuant to Paragraphs B(1), (2) or (4) shall be Six Thousand Dollars (\$6000.00), the price per acre that the County paid Grantor for the grant of the easement. Since the easement purchase price has been reduced by the value of one acre for the existing dwelling of Grantor, no payment of money is due to the County upon subdivision and recording to create a one acre lot around the existing dwelling of Grantor pursuant to paragraph B(3).

The rights reserved in Paragraphs B(2), B(3) and, as appropriate in Paragraph, B(4) may be effectuated by the Grantor, or by any person whom the Grantor by appropriate document shall have designated and empowered to exercise such rights, including by way of example and not limitation, personal representative(s) acting pursuant to instructions in Grantor's will, attorney(s)

acting pursuant to a power of attorney, trustee(s) acting pursuant to a trust created by the Grantor.

Before any conveyance of a lot is made pursuant to paragraph B(1), (2), (3) or (4) above, the Grantor shall agree not to subdivide any lot so conveyed and this agreement shall be recorded among the Land Records of Howard County and shall bind all future owners of such lot. Any lot so conveyed shall no longer be considered to be part of the Land. All building lots shall be located so as to minimize any disruption of agricultural activities. The Grantor shall notify the County in writing in advance of any proposed subdivision of Land to permit the County to determine whether such proposed subdivision violates any of the covenants, conditions, limitations or restrictions contained herein.

C. The Grantor reserves to Grantor, Grantor's heirs, successors and assigns the right to construct, subject to the approval of the County's Office of Planning and Zoning, houses for tenants fully engaged in the operation of the farm, provided the number of tenant houses does not exceed one tenant house for each 50 acres. The Land on which a tenant house is constructed may not be subdivided from the Land and the tenant house may not be conveyed separately from the Land.

D. And the parties, for themselves, their heirs, personal representatives, successors and assigns, further covenant and agree as follows:

(1) The Development Rights transferred do not include the right to use the Land for any agricultural, horticultural, silvicultural, aquacultural or other farming purposes (which includes, but is not limited to the raising, breeding, caretaking, handling of cattle, horses, sheep, poultry, and other livestock) or the right to carry on all normal farming practices, including (a) the operation, at any time, of any machinery used in farm production or the primary processing of any agricultural products; (b) the right to conduct upon the Land agricultural activities or operations which are in accordance with good husbandry practices and which do not cause bodily injury or directly endanger human health, including activities which may produce normal agricultural related noise and odors; (c) the sale of agricultural products produced on the Land, subject to applicable zoning regulations; (d) any use related directly or as an accessory use to the use of the Land for any and all permitted purposes; and (e) and all other rights and privileges not hereby relinquished, including the right to privacy in the occupancy of the Land.

(2) The Grantor shall manage the Land in accordance with sound agricultural soil and water conservation practices so as not to substantially reduce the agricultural value of the land by use of practices unacceptable to the Department of Agriculture or the Maryland Department of Agriculture; provided, however,

that if Grantor ceases to own the Land, the obligations of this paragraph D.(2) are enforceable only against the owner of the Land responsible for violating the obligations. The County shall be empowered to seek an injunction in circuit court to halt any such practice and to seek monetary damages of up to twenty-five (25) percent of the value of Development Rights.

(3) This deed does not grant the public any right of access or any right of use of the Land.

(4) THIS EASEMENT SHALL EXIST IN PERPETUITY AND RUN WITH THE ENTIRE ACREAGE OF THE LAND.

AND, the Grantor further covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the development rights hereby conveyed; that he will warrant specially the property interest herein conveyed, and that he will execute such further assurances of the same as may be required.

WITNESS, the hand and seal of the Grantor as of the date first above written.

WITNESS:

GRANTOR

Patricia A. McKenzie
(as to both)
Patricia A. McKenzie

Raymond Becraft (SEAL)
RAYMOND BECRAFT

Raymond J. Becraft Jr. (SEAL)
RAYMOND J. BECRAFT JR.

STATE OF MARYLAND, COUNTY OF HOWARD, to wit:

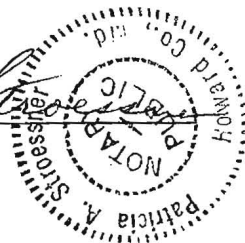
I HEREBY CERTIFY that, on this 22nd day of December, 1992, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared RAYMOND BECRAFT, also known as RAYMOND J. BECRAFT, JR., known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Deed of Easement and acknowledged that he executed the same for the purposes therein contained and in my presence signed and sealed the same.

AS WITNESS my hand and Notarial Seal.


Patricia A. Stoen
Notary Public

My Commission Expires:

11/1/95



I, the undersigned, hereby certify that (a) I am an attorney admitted to practice before the Court of Appeals of Maryland, and (b) this instrument was prepared by me or under my supervision.

By: 
Name: _____

DESCRIPTION
LANDS OF RAYMOND BECRAFT
FOURTH ELECTION DISTRICT
HOWARD COUNTY, MARYLAND

Beginning for the same at a point in the center of the existing paving of Florence Road (30' Wide) said point being at the end of the fourth or South thirty-eight and one half degrees West twenty-eight perches line of the fourth parcel of land that was granted and conveyed by Joshua Chrobot and Irene Chrobot, his wife, to Effie Poole, for and during the term of her natural life with remainder over, upon her death, to Raymond Becraft, by deed dated October 17, 1968 and recorded among the Land Records of Howard County, Maryland in Liber 497 at Folio 532, said parcel being morefully described in a conveyance from Marshall T. Warfield to Joshua Poole and wife, by deed dated April 2, 1908 and recorded among the aforesaid land records in Liber 85 at Folio 347, thence leaving said point and said centerline and running with all of the fourth line of the aforesaid fourth parcel, reversed and with all of the fifth and sixth lines of a parcel of land that was granted and conveyed by Roland Becraft and Gloria Becraft, his wife, to Jack L. Thomas and wife, by deed dated May 8, 1970 and recorded among the aforesaid land records in Liber 532 at Folio 16, as now surveyed and in the datum of the Howard County Geodetic Control System,

- 1) North 41 degrees 32 minutes 33 seconds East 555.76 feet to an iron pipe found; and
- 2) South 65 degrees 22 minutes 27 seconds East 265.73 feet a point at the end of the first or South 62 degrees East 86 3/4 perches line of the first part of the first parcel of the aforesaid conveyance to Effie Poole, said parcel being morefully described in a conveyance from John Warfield, Executor, to Joshua Poole, by deed dated March 1, 1897 and recorded among the aforesaid land records in Liber 67 at Folio 1, thence leaving said point and with all of the second or North 20 3/4 degrees East 46 perches line of said first parcel and with all of the first or North 19 and one half degrees East 34 and one eighth perches line of the second parcel of the aforesaid conveyance to Effie Poole, said second parcel being morefully described in a conveyance from George Hardy and wife to Joshua Poole, Jr., by deed dated December 16, 1899 and recorded among the aforesaid land records in Liber 71 at Folio 440;

- 3) North 18 degrees 03 minutes 56 seconds East 1298.63 feet to a stone found at the end of the second or South 37 degrees 15 minutes West 15.62 chains line of a parcel of land that was granted and conveyed by Roland Becraft and Gloria Becraft, his wife, to LaRue Becraft, by deed dated October 17, 1968 and recorded among the aforesaid land records in Liber 497 at Folio 525, said parcel being morefully described in a conveyance from Norman H. Warfield and Clara Warfield, his wife, to Howard Poole and Arthur Poole, by deed dated September 2, 1916 and recorded among the aforesaid land records in Liber 102 at Folio 142 thence leaving said point and with all of said second line;

- 4) North 26 degrees 06 minutes 02 seconds East 1157.28 feet to a point at the end of the eighteenth or North 58 degree 26 minute 44 second West 122.54 footline of a parcel of land that was granted and conveyed by Warfield Limited Partnership, known now as Warfield Family Limited Partnership by Richard T. Warfield and Eugenia W. Culwell, general partners, to Gene W. Mullinix and Charlotte A. Mullinix, his wife by deed dated July 21, 1986 and recorded among the aforesaid land records in Liber 1507 at Folio 529, thence leaving said point and with all of the nineteenth line of said conveyance;

- 5) North 30 degrees 46 minutes 19 seconds West 446.98 feet to a point at the end of the sixth or South 14 degrees 52 minutes 42 seconds East 301.00 footline of a parcel of land that was granted and conveyed by Henry Thomas Grimes and Mary Warfield Grimes, his wife, to James F. Costello and Deborah L. Costello, his wife, by deed dated January 31, 1972 and recorded among the aforesaid land records in Liber 583 at Folio 364, thence with all of the seventh line of said parcel, with all of the ninth or South 50 and one half degrees West 78 and eleven twenty-fifths perches line of the third parcel of the aforesaid conveyance to Effie Poole, said parcel being morefully described in a conveyance from George Hardy and wife, to Joshua Poole, Jr., by deed dated August 22, 1902 and recorded among the aforesaid land records in Liber 76 at Folio 40; with all of the third line of the second parcel of the aforesaid conveyance to Effie Poole and with all of the fourth and fifth lines of the first part of the first parcel and with all of the fifth line of the second part of the first parcel of the aforesaid conveyance to Effie Poole;

- 6) South 43 degrees 54 minutes 29 seconds West 2991.79 feet to a point in the centerline of the aforesaid Florence Road, thence with the centerline of said road;
- 7) South 46 degrees 21 minutes East 547.91 feet to a point;
- 8) South 44 degrees 04 minutes East 141.00 feet to a point; and
- 9) South 41 degrees 10 minutes East 436.00 feet to the place of beginning, containing 60.429 acres of land.

Being all of the first, second and third and part of the fourth parcels of land that were granted and conveyed (1) by Effie Poole, Raymond Becraft, Arnold Becraft, Adrian Poole, Harry Chrobot, Roland Becraft, and Gloria Becraft, his wife, and Larue Becraft to Effie Poole for and during the term of her natural life, with remainder over upon her death to Raymond Becraft, by deed dated October 12, 1966 and recorded among the Land Records of Howard County, Maryland in Liber 463 at Folio 626 (2) by Roland Becraft and Gloria Becraft to Effie Poole, for and during the term of her natural life with remainder over upon her death to Raymond Becraft by deed dated October 17, 1968 and recorded among the aforesaid land records in Liber 497 at Folio 529 and (3) by Joshua Chrobot and Irene Chrobot, his wife, to Effie Poole, for and during the term of her natural life with the remainder over upon her death, to Raymond Becraft, by deed dated October 17, 1968 and recorded among the aforesaid land records in Liber 497 at Folio 532.

SUBJECT HOWEVER TO and together with (1) the rights of others, having a like right to the use of that portion of Florence Road, which lies within the limits of the above described parcel (2) an agreement between Joshua Poole and the Potomac Edison Company for the installation and maintenance of poles and overhead wires along Florence Road, by deed dated April 19, 1930 and recorded among the aforesaid land records in Liber 140 at Folio 322 (3) an agreement between Raymond J. Becraft, Jr., et al, and the Potomac Edison Company for the installation and maintenance of poles and overhead lines to the existing farmhouse and (4) an agreement between Raymond J. Becraft, Jr. and the Potomac Edison Company for the rebuilding of poles and electric lines along Florence Road, by deed dated August 31, 1976 and recorded among the aforesaid land records in Liber 846 at Folio 260.

Containing a total of 60.429 acres more or less as shown on a plat prepared by Boender Associates, Inc. and signed and sealed by William G. Hartel, L.S. No. 9436 on September 3, 1991.

MAIL TO:

Howard County Office of Law
 3430 Courthouse Drive
 George Howard Building
 Ellicott City, MD 21043

PAYMENT OF TAXES
NOT NECESSARY

2/28/91

R. L. Sweeney, Jr. (CB)
DIRECTOR OF FINANCE OF HOWARD COUNTY
17 fee

DEED OF EASEMENT

THIS DEED OF EASEMENT is made this 28th day of FEBRUARY, 1991, by and between LARUE BECRAFT, (the "Grantor") and Howard County, Maryland, a body politic and corporate of the State of Maryland (the "County").

RECITALS

WHEREAS, pursuant to and in accordance with Sections 15.501 to 15.510, inclusive, of the Howard County Code, as amended, the County is authorized to protect and enhance agricultural land in Howard County, Maryland by purchasing the Development Rights (hereinafter defined in paragraph A of the Covenants, Conditions, Limitations and Restrictions in this Deed of Easement) in agricultural lands located within the County.

WHEREAS, the Grantor is the owner in fee simple of certain agricultural real property located in Howard County, Maryland and more particularly described in Exhibit A hereto (the "Land"). This Land is located in an agricultural preservation district established pursuant to Sections 15.601 to 15.608, inclusive of the Howard County, Maryland Code, as amended, and by the District Agreement recorded among the Land Records of Howard County, Maryland immediately preceding this Deed of Easement.

WHEREAS, the Grantor has offered to sell to the County its Development Rights in the Land by executing and delivering this Deed of Easement in order to restrict the use of the Land as described herein.

WHEREAS, the County has accepted the offer and will receive the Grantor's Development Rights in the Land for conservation purposes, including the preservation of farm land, forest land and certain open space, pursuant to the County's conservation policy and for the scenic enjoyment of the general public.

WHEREAS, the transfer by the Grantor of the Development Rights in the Land shall be in perpetuity.

WHEREAS, in order to provide for the payment of the purchase price for the rights in the Land created hereby, the Grantor and the County have entered into an Installment Purchase Agreement of even date herewith (the "Installment Purchase Agreement").

GRANT AND AGREEMENTS

NOW, THEREFORE, in consideration of the foregoing, the covenants and promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor hereby for Grantor, Grantor's heirs, personal representatives, successors and assigns, and for any subsequent owner of the Land hereby (1) grants to the County, its successors and assigns, forever and in perpetuity an

RECEIVED FOR TRANSFER
State Department of
Assessments & Taxation
for Howard County

Carol A. Strunk 2/28/91

RECEIVED

FEB 28 1991

State Dept. of Assessments
and Taxation - Howard County

N/A
Carol A. Strunk 2/28/91

agricultural preservation easement, of the nature and character and to the extent hereinafter set forth, in, on, over and with respect to the Land and (2) establishes, creates and declares the restrictions herein set forth in favor of and for the benefit of the County, its successors and assigns.

AND the Grantor covenants with the County, (1) to do and refrain from doing upon the Land all and any of the various acts hereinafter set forth, it being the intention of the parties that the Land shall be preserved for agricultural or related use in accordance with the provisions of Subtitle 5, Agricultural Land Preservation and Subtitle 6, Agricultural Preservation Districts, of Title 15, Natural Resources, of the Howard County Code, as in effect on the date hereof; and (2) that this Deed shall create a perpetual easement in gross running with the Land and all portions thereof as an incorporeal and nonpossessory interest therein, enforceable against the Grantor and upon any purchaser, grantee, lessee or owner of all or any portion of the Land and any other person or entity having any right, title or interest therein and upon their respective heirs, personal representatives, devisees, successors and assigns; and (3) that the covenants, conditions, limitations and restrictions contained herein are intended to limit the use of the Land as hereinafter set forth.

COVENANTS, CONDITIONS, LIMITATIONS AND RESTRICTIONS

A. Subject to the reservations hereinafter contained, the Grantor covenants, grants and relinquishes the right to develop the Land for any purpose, except those which are related directly to or as an accessory use of the premises for farming and agricultural purposes ("Development Rights"). Development Rights include, but are not limited to, the right to develop the Land for use in the following manner:

- (1) industrial or commercial uses;
- (2) multifamily or single-family attached dwelling units;
- (3) display of signs, billboards or other similar advertising structures, except that regulations may be adopted by the County Council or its designee to permit the limited use of such structures in conjunction with the lawful existing use of the affected property;
- (4) subdivision for residential uses, except as provided in paragraph B; and
- (5) storage or depository of trash, junk, rubbish or debris.

B. The Grantor reserves, as a personal covenant only and

one not intended to run with the Land:

- (1) the right to release up to one acre to Grantor for the purpose of constructing a dwelling for Grantor; and
- (2) the right to convey up to one acre to each child of Grantor for the purpose of constructing a dwelling for that child's personal use, so long as the number of dwelling lots for children does not exceed the ratio of one lot for each 20 acres or portion thereof contained in the Land and so long as the total number of lots for children does not exceed 10 regardless of the size of the Land. A lot, up to one acre in size, around a tenant house may be conveyed to a child for the child's dwelling instead of a separate lot for the construction of a new dwelling; and
- (3) the right to create a one acre lot around the existing dwelling of Grantor, from which one acre lot to be hereafter specifically located and recorded pursuant to the subdivision process, the easement restrictions are expressly excluded.

The price to be paid to the County for the release of the easement restrictions for a Grantor or a child's lot shall be the price per acre that the County paid Grantor for the grant of the easement. Since the easement purchase price has been reduced by the value of one acre for the existing dwelling, no payment of money is due to the County upon subdivision and recording to create a one acre lot around the existing dwelling of Grantor.

Before any conveyance of a lot is made pursuant to paragraph B(1), (2) or (3) above, the Grantor shall agree not to subdivide any lot so conveyed and this agreement shall be recorded among the Land Records of Howard County and shall bind all future owners of such lot. Any lot so conveyed shall no longer be considered to be part of the Land. All building lots shall be located so as to minimize any disruption of agricultural activities. The Grantor shall notify the County in writing in advance of any proposed subdivision of Land to permit the County to determine whether such proposed subdivision violates any of the covenants, conditions, limitations or restrictions contained herein.

C. The Grantor reserves to Grantor, Grantor's heirs, successors and assigns the right to construct, subject to the approval of the County's Office of Planning and Zoning, houses for tenants fully engaged in the operation of the farm, provided the number of tenant houses does not exceed one tenant house for each 50 acres. The Land on which a tenant house is constructed

may not be subdivided from the Land and the tenant house may not be conveyed separately from the Land.

D. And the parties, for themselves, their heirs, personal representatives, successors and assigns, further covenant and agree as follows:

(1) The Development Rights transferred do not include the right to use the Land for any agricultural, horticultural, silvicultural, aquacultural or other farming purposes (which includes, but is not limited to the raising, breeding, caretaking, handling of cattle, horses, sheep, poultry, and other livestock) or the right to carry on all normal farming practices, including (a) the operation, at any time, of any machinery used in farm production or the primary processing of any agricultural products; (b) the right to conduct upon the Land agricultural activities or operations which are in accordance with good husbandry practices and which do not cause bodily injury or directly endanger human health, including activities which may produce normal agricultural related noise and odors; (c) the sale of agricultural products produced on the Land, subject to applicable zoning regulations; (d) any use related directly or as an accessory use to the use of the Land for any and all permitted purposes; and (e) and all other rights and privileges not hereby relinquished, including the right to privacy in the occupancy of the Land.

(2) The Grantor shall manage the Land in accordance with sound agricultural soil and water conservation practices so as not to substantially reduce the agricultural value of the land by use of practices unacceptable to the Department of Agriculture or the Maryland Department of Agriculture; provided, however, that if Grantor ceases to own the Land, the obligations of this paragraph D.(2) are enforceable only against the owner of the Land responsible for violating the obligations. The County shall be empowered to seek an injunction in circuit court to halt any such practice and to seek monetary damages of up to twenty-five (25) percent of the value of Development Rights.

(3) This deed does not grant the public any right of access or any right of use of the Land.

(4) THIS EASEMENT SHALL EXIST IN PERPETUITY AND RUN WITH THE ENTIRE ACREAGE OF THE LAND.

AND, the Grantor further covenants that he has not done or suffered to be done any act, matter or thing whatsoever, to encumber the development rights hereby conveyed; that he will warrant specially the property interest herein conveyed, and that he will execute such further assurances of the same as may be required.

WITNESS, the hand and seal of the Grantor as of the date first above written.

WITNESS:

GRANTOR

[Handwritten signature]

LaRue Becraft (SEAL)
LaRue Becraft

STATE OF MARYLAND, COUNTY OF HOWARD, to wit:

I HEREBY CERTIFY that, on this 28th day of February, 1991, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared LARUE BECRAFT, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Deed of Easement and acknowledged that she executed the same for the purposes therein contained and in my presence signed and sealed the same.

AS WITNESS my hand and Notarial Seal.

Patricia A. Stroessner
Notary Public


My Commission Expires:

1/1/95

I, the undersigned, hereby certify that (a) I am an attorney admitted to practice before the Court of Appeals of Maryland, and (b) this instrument was prepared by me or under my supervision.

By: *R.N. Fahrmeier*
Name: R.N. FAHRMEIER

#563080 C184 R01 T12:51

MAIL TO:
HOWARD COUNTY OFFICE OF LAW
3430 COURT HOUSE DRIVE
ELLCOTT CITY, MD 21043
ATT: RUTH FAHRMEIER, ESQ.

02/28/91

EXHIBIT A

Description of the residue of all that property originally containing 153 acres, 2 roods, 28 square perches, more or less, which was acquired by La Rue Becraft, unmarried, by the following deeds:

1. Deed from Guinevere Warfield to Arthur Poole and La Rue Becraft, Joint Tenants, dated August 27, 1965, and recorded in Liber 441, folio 145, among the Land Records of Howard County, Maryland; the said Arthur Poole having departed this life on or about February 13, 1966, vesting his interest in La Rue Becraft as surviving joint tenant.

2. Deed from Roland Becraft and Gloria Becraft, his wife, to La Rue Becraft, dated October 17, 1968, and recorded in Liber 497, folio 525, among said Land Records.

3. Deed from Joshua Chrobot and Irene Chrobot, his wife, to La Rue Becraft, dated October 17, 1968, and recorded in Liber 497, folio 527, among said Land Records.

4. Deed from Marc H. Nachman, Trustee, to La Rue Becraft, dated October 21, 1985, and recorded in Liber 1396, folio 317, among said Land Records, pursuant to Decree Quietening Title to Real Property, dated October 21, 1985, and filed in the Circuit Court for Howard County, Case No. 85-CA-2083. (Wherein the second and third lines of the description were inadvertently omitted)

SAID RESIDUE containing by deed computation, approximately 91.541 acres of land, more or less, and described as follows:

Description of 153 acres, 2 roods, 28 square perches, more or less, according to a survey made March 30, 1912, as set forth in Deed from Norman H. Warfield and Clara Warfield, his wife, to Howard Poole and Arthur Poole, dated September 2, 1916, and recorded in Liber 102, folio 142, among the Land Records of Howard County, Maryland, and described therein as follows:

BEGINNING for the same at a Bounded Black Oak Tree, the original beginning tree, expressed in a Deed from John and Samuel Welsh to Thomas Meredith, dated April 13, 1808, and being part of a tract of land called "Great Park" part of "Hobson's Choice" and part of "Small Piece" and running North 62° 56' West 12.72 chains to a stone, South 37° 15' West 15.62 chains to a stone, South 23 1/2° West 8.53 chains to a stone, South 23 1/2° West 11.70 chains to a stone, South 25° 17' West 1020 (sic) (probably intended to be 10.20) chains by a stone to the center of Union Chapel Road, then with the center of said County Road South 39° 15' East 5.38 chains, South 43° 15' East 5.67 chains, South 65° 45' East 2.34 chains, South 61° 30' East 3.55 chains, there leaving said Road North 80° East 1.59 chains to a white oak tree, then North 42° East 6 chains, South 43° East 2.58 chains, North 64° 47' East 40.50 chains to a stone at a corner between Mr. Hawkins' and Marshall Warfield's, then North 42° 15' West 34 chains to the beginning tree, containing (as surveyed March 30, 1912) 153 acres, 2 roods, and 28 square perches of land, more or less.

SAVING AND EXCEPTING FROM ABOVE-DESCRIBED PARCEL, the three following parcels:

1. All that parcel of land, said to contain 23.058 acres of land, more or less, which by Deed and Agreement dated June 15, 1970, and recorded in Liber 534, folio 418, among the Land Records of Howard County, Maryland, was granted and conveyed by La Rue Becraft to Edwin W. Gramkow and Mary Louise Gramkow, his wife, and described therein as follows:

BEGINNING FOR THE SAME at an iron pipe now set at 23.27 feet on the first or South 43° East 136 perches line of that land which by deed dated November 3, 1959 and recorded among the Land Records of Howard County in Liber No. 342, Folio 530, etc., was granted and conveyed by Mary E. Hawkins to C. Milton Jaycox and Mabel H. Jaycox, his wife, and running with a part of the said line, as now surveyed, (1) South 40° 39' East 1135.97 feet to a stone heretofore set at the intersection of the existing rail fences, thence leaving the said line with the first of eight lines of division now made and running with an existing fence and a straight line projection thereof, (2) South 51° 32' West 1063.22 feet to an iron pipe now set, thence passing through the Southwesternmost of two pear trees on a hilltop, (3) North 49° 22' West 518.10 feet to an iron pipe now set in the existing swale, thence running with the said swale, (4) North 18° 12' West 117.78 feet to a spring, thence running with the center of the spring branch the four following courses and distances, (5) North 08° 11' East 88.67 feet, (6) North 23° 29' East 169.91 feet, (7) North 41° 27' East 64.78 feet, (8) North 21° 44' East 395.48 feet, thence running with the said spring branch and running with a straight line extension thereof North of Cattail Creek, (9) North 31° 23' East 485.44 feet to the point of the beginning, containing 23.058 acres of land, more or less.

2. All that parcel of land, said to contain 0.057 acre, more or less, which by Deed dated December 15, 1988, and recorded in Liber 2011, folio 563, among the Land Records of Howard County, Maryland, was granted and conveyed by La Rue Becraft to Howard County, Maryland, and described as follows:

BEING shown and designated as "LAND DEDICATED TO HOWARD COUNTY, MD FOR THE PURPOSE OF A PUBLIC ROAD" containing 0.057 acre, more or less, as set forth on a plat of subdivision entitled "LEONHARDT SUBDIVISION, PARCEL 1" which plat is recorded among the Plat Records of Howard County, Maryland, as Plat C.M.P. No. 8361.

3. All that parcel of land, said to contain 39.019 acres, more or less, which by Deed dated July 26, 1989, and recorded in Liber 2032, folio 205, among the Land Records of Howard County, Maryland, was granted and conveyed by La Rue Becraft to Karl T. Leonhardt and Dorothy C. Leonhardt, his wife, and described as follows:

BEING known and designated as PARCEL 1, containing 39.019 acres, more or less, as shown on a plat of subdivision entitled "LEONHARDT SUBDIVISION, PARCEL 1" which plat is recorded among the Plat Records of Howard County, Maryland, as Plat C.M.P. No. 8361.

153.
 - 23
 39.019
 .057

 62.076

153.000
 - 62.076

 = 90.924