



APPLICATION

FOR PERCOLATION TESTING AND SITE EVALUATION

TEST DATE(S) 3/22/04 TEST TIME _____ A# 520076

AGENCY REVIEW: Ex. vacant parcel of record per DATE 3/2/2004

applicant, altho tax map indicates p/o of a larger occupied parcel
DO NOT WRITE ABOVE THIS LINE

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

CHECK AS NEEDED:

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

CHECK AS NEEDED:

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

CHECK ONE:

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

IS THE PROPERTY WITHIN 2500' OF ANY RESERVOIR?

- YES
- NO

THE TYPE OF STRUCTURE IS:

- RESIDENTIAL WITH 4 PROPOSED BEDROOMS IN THE COMPLETED STRUCTURE (NOTE **UNKNOWN** IF APPROPRIATE)
- COMMERCIAL (PROVIDE DETAIL OF NUMBERS AND TYPES OF EMPLOYEES/ CUSTOMERS ON ACCOMPANYING PLAN)
- INSTITUTIONAL/GOVERNMENT (PROVIDE DETAIL OF NUMBERS AND TYPES OF EMPLOYEES/USERS ON ACCOMPANYING PLAN)

PROPERTY OWNER(S) Bonnie J. Taylor

DAYTIME PHONE 410 CELL _____ FAX _____

MAILING ADDRESS 17226 Hardy Road MT. Airy MD 21771
STREET CITY/TOWN STATE ZIP

APPLICANT Bryan M. Roberts - Member Southern Homes, LLC.

DAYTIME PHONE 410-461-6122 CELL 443-253-3985 FAX 410-461-6122

MAILING ADDRESS 10149 Reed Lane Ellicott City MD 21042
STREET CITY/TOWN STATE ZIP

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

PROPERTY LOCATION
SUBDIVISION/PROPERTY NAME 17226 Hardy Road, The Taylor Property LOT NO. _____

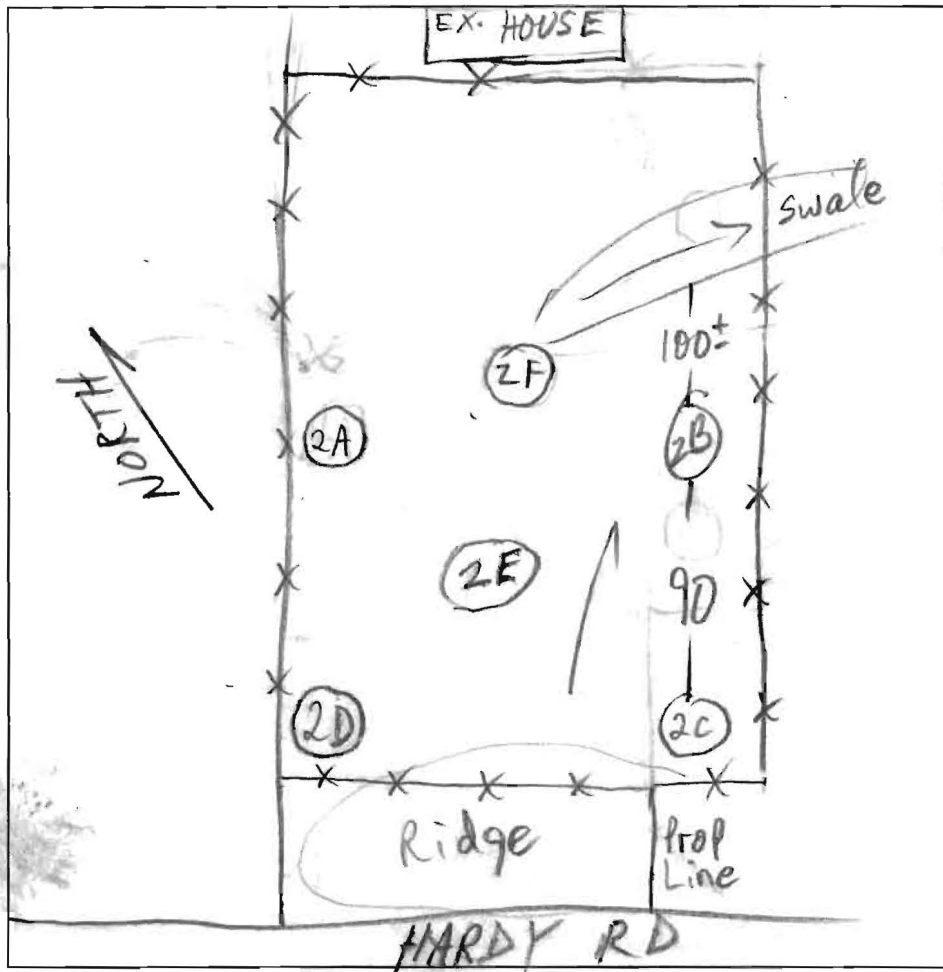
PROPERTY ADDRESS 17226 Hardy Road MT. Airy MD.
STREET TOWN/POST OFFICE

TAX MAP PAGE(S) 7 GRID 2 PARCEL(S) 275 PROPOSED LOT SIZE 2,617 A.

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

TEST RESULTS WILL BE MAILED TO APPLICANT. Bryan M Roberts
SIGNATURE OF APPLICANT

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



AP
2B
orge brn
cl lm
2
orge brn
si cl lm
15-20% Rx
5-6
brn orge
tan sa lm
25-35%
shale
10 1/2
HARD BOT

2D
brn orge
cl lm
4

orge brn
yel
si cl lm
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tan lt. brn
lt. red
sa mi lm
15-25% Rx
↑ w/depth
12

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orge
brn
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5-5 1/2

tan red
beige
gray
sa mi lm
15-20%
frags
11 1/2

2C
orge brn
si cl lm
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orge brn
hwy lm
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tan gray
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saprolite
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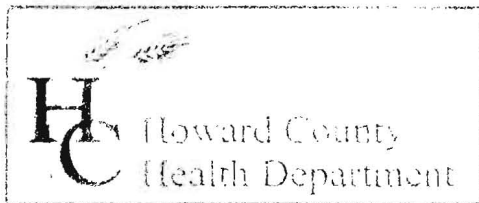
DATE	TEST #	DEPTH	START	BREAK 1" DROP	STOP 2" DROP	TIME OF 2nd INCH	P/F/H	
3/22/04	2B SM	7'9" / 10 1/2'	11:18 11:08:30	11:25 11:09:30	11:41 11:11:30	16 2	F	
	2C SM	8'4" / 12'	12:34 12:20:50	12:44 12:21:20	3/4" 12:22:50	1 1/2	F	
	2C ^M	8'4"	12:23:30	12:24:00	12:26:30	2 1/2	F	
	2D ^S	6 1/2' / 7' / 12'	1:22 1:40	1:31 1:51	3/4" 2:12	21	P	
	2A ^V	11'9"					P	
	2E ^S	6 12	2:20	2:31	2:52	21	P	
	2F ^V	11	NOT TESTED, NOT LIKELY TO PASS					

REMARKS ALL HOLES PER PLAN EXCEPT 2F, 2B & 2C FAIL DUE TO FAST TIMES

SANITARIAN M. R. R. Kin BACKHOE _____ OTHERS _____

TEST HOLES USED IN SDA A-D-E AVG. PERC TIME 21 SQ. FT/BR 270

TRENCH WIDTH 3 INLET DEPTH 4 MAX. BOT DEPTH 7 EFFECTIVE SW 0-1 1/2



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

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

March 9, 2004

Bonnie J. Taylor
17226 Hardy Road
Mt. Airy, MD 21771

RE: PERCOLATION TESTING A 520076
Hardy Road, Tax Map 7, Parcel 275
Existing Parcel of Record or Two-Lot Subdivision

Dear Mrs. Taylor:

A percolation test date for the referenced property has been reserved for Monday, March 22, 2004 at 9:00 a.m. Please call (410) 313-1771 to confirm this test date.

Scheduling of this test date is contingent upon your understanding that the status of this deeded parcel has not been confirmed. Although your engineer documents deed records and a discussion with Zoning which suggest that Parcel 275 is composed of a vacant 2.6 acre piece in front (proposed for testing) and an occupied 1.5 acre piece in the rear, available tax records show the parcel as a single contiguous unit. If the 2.6 acre piece exists as a legally-deeded parcel as determined by County Planning and Zoning, review of the well/septic situation at the existing house **is not** subject to review.

If, at the time of building permit review, County Zoning determined Parcel 275 to be a single contiguous unit, then the current proposal constitutes a two-lot subdivision, and the well and septic situation at the existing house **is** subject to review and percolation testing. These conditions were discussed with your engineer on this date.

You will be responsible for having a contractor on-site to excavate test holes to a depth of thirteen feet at the locations shown on the plan, which must be suitably staked prior to the test date. In the event of uncertain weather, please contact this office prior to 8:30 a.m. to confirm whether testing can be conducted. If testing is not feasible on that date, a new test date will be assigned.

Percolation test notes will be distributed by mail within two weeks after testing. Thank you for your cooperation in this matter.

Very truly yours,

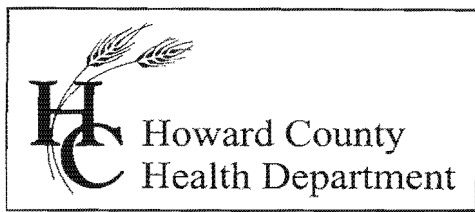
A handwritten signature in cursive script that reads 'Mark E. Rifkin'.

Mark E. Rifkin, R.S.

Water and Sewerage Program


MR

cc: Bryan Roberts, Southern Homes
Charles Crocken & Associates
File



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(410) 313-2640 Fax (410) 313-2648
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website: www.hchealth.org

Penny E. Borenstein, M.D., M.P.H., Health Officer
June 30, 2004

TO: Charles Crocken
FROM: Mark Rifkin 
Well and Septic Program
RE: File Number: PC 520076
Title: Taylor Property

The following comments must be addressed prior to approval of the referenced document:

1) SEWAGE AREA REQUIREMENTS

Several weeks ago, you called to verify requirements, stating it was difficult to propose 10,000 ft² given the restrictions on approvable test holes specified in my letter of April 26. I advised you 10,000 ft² was not required. More importantly, my letter specified including only holes A, D & E.

Your current plan ignores these stated requirements by extending the septic reserve beyond the stated holes into untested areas--presumably in order to obtain 10,000 ft². Please understand the following:

- a) 10,000 ft² is not required due to the claimed status of the parcel as legally established pre-1972.
- b) extending the septic reserve into untested areas cannot be defended, particularly given the concentration of rock already observed. Therefore, more septic area is not necessarily better.

Please revise the uphill and downhill septic reserve borders to the center of holes A and D; please revise the eastern border to the west side of hole E. Revise the trench capacity accordingly. Requirements for a four-bedroom house are two systems of 300' of trench each.

2) LANGUAGE REQUIREMENTS

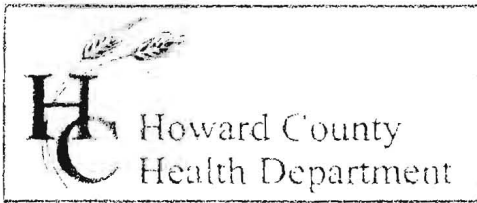
Because the parcel is claimed to predate 1972, the 10,000 ft² easement normally required by regulation does not apply. Please remove the 10,000 ft² reference in the MDE statement.

Because there is presumably no intent to record by plat the reserve area proposed by this document, the use of the term "easement" in the MDE statement does not apply. Easements, by definition, are recorded by plat. No recordation = no easement. Please replace each use of the term "easement" in the MDE statement with "reserve area".

The Health Department/Health Officer does not grant "variances for encroachments into" sewage easements/reserve areas. The Health Department/Officer may grant "adjustments to" sewage easements/reserve areas. Please replace "variances for encroachments into" with "adjustments to" in the MDE statement.

Please keep these requirements in mind for all future projects in Howard County.

MR
cc: File



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

April 26, 2004

Bryan Roberts
c/o Southern Homes
10149 Reed Lane
Ellicott City, MD 21042

RE: Percolation Test Results – A 520076
Taylor Property, Hardy Road, TM 7, P 275
Existing Parcel of Record

Dear Mr. Roberts:

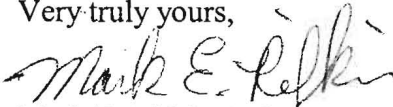
Percolation testing conducted March 22, 2004 on the referenced property indicated limited satisfactory soil conditions. The primary limiting factor is shallow depths to fractured bedrock, producing fast test times. Copies of the test results are enclosed.

Further review, based on the reported status of this property as a legally deeded vacant parcel of 2.6 acres, is contingent upon submission by a registered engineer/surveyor of a percolation certification plan showing the following:

- 1) actual locations of all excavated test holes with field-verified topography
- 2) proposed sewage reserve area including only holes A, D and E
- 3) proposed house site with a declaration of proposed number of bedrooms
- 4) proposed well site
- 5) certification that all existing wells and septic systems within 100 feet of property boundaries have been shown
- 6) a note indicating that depicted topography reflects field-verified information
- 7) the plan identification number (PC 520076) in the title block

The percolation certification plat should be submitted within 60 days to allow field verification if necessary. If you have any questions regarding this matter, please contact me at the above address or by calling (410) 313-2640.

Very truly yours,

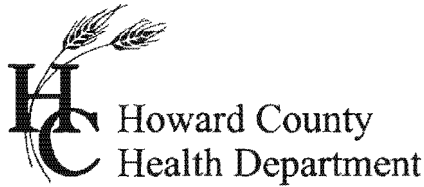

Mark E. Rifkin, R.S.
Well and Septic Program

MR

Enclosures

cc: Bonnie Taylor
Charles Crocken and Associates

File



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

DATE: September 28, 2010

TO: Kent Sheubrooks,
Acting Chief, Division of Land Development

CC: Fisher, Collins, & Carter,
Engineering, Inc. c/o Toni Fertitta

FROM: Dana Bernard ✉
Well and Septic Program
Development Coordination Section

RE: File Number: WP-10-080

TITLE: Taylor Property- 17226 Hardy Road, Mount Airy, MD 21771

The Howard County Health Department objects to the reference waiver petition File Number: WP-10-080. Subdivision development requires each buildable site to have an approved water supply and sewerage disposal area located on it. (*Code of Maryland Regulations 26.04.03*).

The information submitted, along with property file information at the Howard County Health Department, does not indicate the establishment of sewage disposal areas for the parcels reference in the petition. In addition, the status of the well on the 1st parcel of parcel 275 is unknown and the 2nd parcel of parcel 275 does not have an approved well. In order for these properties to be considered buildable lots, approved well sites and sewerage disposal areas must meet current code requirements.

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
Division of Land Development

DATE: January 5, 2010

DPZ File No. WP-10-080

Department of Planning and Zoning

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

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

Agencies

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

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

RE: Taylor Property, 17226 Hardy Road

ENCLOSED FOR YOUR = Signature Approval Review & Comments Files

THE ENCLOSED = Original Pre-Packaged Plan Set

Plans # of Plans

- Sketch Plan
- Prel Equiv Sketch Plan
- Preliminary Plan
- Final Plat/Plat of Easement/RE Plat
- Final Constr Plans (RDS)
- Final Development Plan
- Site Development Plan
- Landscape Plan/Supplemental Plan
- Grading Plan
- House Type Revision/Walk-Thru Red-Line
- Water and Sewer Plan

Applications

- 6 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

Supplemental Documents

- Wetlands Report
- Soils/Topo Map/Drain Area Map
- FSD/FCP/Worksheet and Application
- Declaration of Intent (Forest Cons)
- Drainage and/or Computation/Pond Safety Comps
- Preliminary Road Profiles
- APFO Roads Test/Mitigation Plan/Traffic Study
- Noise Study
- Sight Distance Analysis/Speed Flow Study
- Floodplain Study
- Stormwater Management Comps/Geo-Tech Report
- Industrial Waste Survey (DPW)
- Road Poster Form Letter
- Justification Letter
- Perc Plat
- Scenic Road Exhibits
- Deeds
- Photographs
- Retaining Wall Comps/Details
- Poster/Community or HDC Meeting Information
- Route 1 Details/Summary

WAS: Received Tentatively Approved Recorded
 Received and Revised Approved On January 5, 2010

COMMENTS: This WP was never forwarded to D&H. I wanted/believed they should provide comments. The due date for comments is 1/16/10, but if more time is needed please let me know. The 60-day drop dead due date is 2/12/10. Sorry for the inconvenience. Due- 17 Working Days: **January 16, 2010**
Check, initial and return to the Department of Planning and Zoning if plan is approved with no comments.

Thank you, Julia Boone
ext. 4342

DPZ STAFF INITIALS: JB

See comments 1/19/10

Terry Fisher

From: Kent Sheubrooks [ksheubrooks@howardcountymd.gov]
Sent: Monday, February 22, 2010 11:37 AM
To: Terry Fisher; Julia Boone
Cc: royltrepair@netzero.com; David Dell; Lisa Kenney
Subject: RE: Taylor Property WP10-080 Extension request

Revised
SEP 13 2010
DPZ - Lana Dev

Terry,

In response to your extension request for resubmitting additional information on Waiver Petition, WP-10-80 for the Taylor Property, this Division hereby grants your extension request based on the governmental delay justification as cited in your request for an additional 6 months from the deadline due date of March 13, 2010 or until September 13, 2010 to resubmit the revised plan information. If you have any questions about this extension request please contact me at your convenience.

Kent Sheubrooks

*Acting Chief, Division of Land Development
Department of Planning and Zoning
Phone No. (410) 313-4390
Fax No. (410) 313-3467
ksheubrooks@howardcountymd.gov
"Get in the Game"*



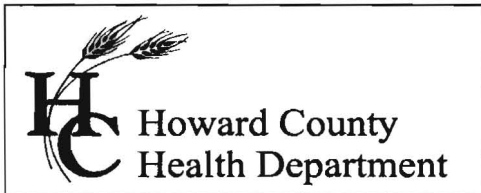
From: Terry Fisher [mailto:tfisher@fcc-eng.com]
Sent: Monday, February 22, 2010 10:58 AM
To: Julia Boone; Kent Sheubrooks
Cc: royltrepair@netzero.com
Subject: Taylor Property WP10-080 Extension request

Good morning Julia:

In response to your email this morning , we are requesting a 6 month extension to the milestone to submit additional information as a revised submittal on WP-10-080, Taylor Property based on government delay to perform the Percolation Testing listed in the Health Department review comments attached to the conditions of the revised submittal letter dated March 13, 2010.

Thank you for your consideration of this request.

terry



7178 Columbia Gateway Drive, Columbia MD 21046
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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: Kent Sheubrooks, Acting Chief
Division of Land Development

FROM: Sara Sappington, R.S. *SS*
Well and Septic Program

RE: File Number: WP-10-080
Title: Taylor Property 17226 Hardy Rd.

DATE: January 19, 2010

The Health Department objects to the referenced waiver petition. Subdivision development requires each buildable site to have an approved water supply and sewage disposal area located on it (*Code of Maryland Regulations 26.04.03*). The information submitted, along with property file information at the Health Department, does not indicate the establishment of sewage disposal areas for the parcels referenced in the petition. In addition, the status of the well on the 1st parcel of Parcel 275 is unknown, and the 2nd parcel of Parcel 275 does not have an approved well. In order for these properties to be considered buildable lots, approved well sites and sewage disposal areas meeting current code requirements are required.

Reset Form

Print Form

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

Date Submitted/Accepted 12/14/09 DPZ File Number WP-10-080

I. Site Description

Subdivision Name/Property Identification: Taylor Property

Location of property: 17226 Hardy Road, Mount Airy, Maryland 21771-3215
(Street Address and/or Road Name)

Residential
(Existing Use)

Residential
(Proposed Use)

7
(Tax Map No.)

2
(Grid/Block No.)

275
(Parcel No.)

Fifth
(Election District)

RC-DEO
(Zoning District)

4.086 acres
(Total Site Area)

Provide a brief site history including reference to all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, waiver petitions, etc.)
None

II. Waiver Request

In accordance with Section 16.104 of the Howard County Subdivision and Land Development Regulations, the Department of Planning and Zoning, in conjunction with the Subdivision Review Committee may grant **waivers or modifications** to the minimum requirements stipulated within the Regulations if it is **determined that extraordinary hardships or practical difficulties may result from strict compliance with the regulations, or if it is determined that the regulations may be served to a greater extent by an alternative proposal.**

In the area below, the petitioner shall enumerate the specific numerical section(s) from the Subdivision and Land Development Regulations for which a waiver is being requested and provide a brief summary of the regulation. Attach a separate sheet if additional information is appropriate.

<u>Section Reference No.</u>	<u>Summary of Regulation</u>
1. <u>16.147</u>	<u>Final Subdivision Plan and Final Plat</u>
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

III. **Justification** (if additional space is needed for justification, please attach to the application)

All waiver requests must be fully justified by the petitioner. Incomplete or inadequate justification may result in rejection of the application. Justification must be specific to the subject property. The justification provided by the petitioner should include all factors which rationalize or substantiate the request in accordance with the following criteria:

- a. Summarize any extraordinary hardships or practical difficulties which may result from strict compliance with the Regulations.
- b. Verify that the intent of the Regulations will be served to a greater extent through the implementation of the alternative proposal.
- c. Substantiate that approval of the waiver will not be detrimental to the public interests.
- d. Confirm that approval of the waiver will not nullify the intent of the Regulations.

See Attached Waiver Justification

IV. **Pre-Submission Meeting Requirements**

- ➔➔➔a. **HDC Meeting Requirement** - A pre-submission advisory meeting with the Historic District Commission is required for new development located within a Historic District or if the site is listed in the Historic Sites Inventory in accordance with Section 16.805 of the Howard County Code. Verify this requirement by checking the Historic Sites Inventory list and maps available at the DPZ public service desk. The property owner/developer must contact the DPZ, Division of Public Service and Zoning Administration for the HDC scheduling process and procedures. The property owner/developer must submit a copy of the minutes from the HDC Advisory Meeting to DPZ along with the initial subdivision or site development plan application.
- ➔➔➔b. **MAA Meeting Requirement** - For all proposed subdivisions or developments located within the BWI Airport Noise Zone or the Airport Zoning District (4 mile radius from the center of the airport), the review and approval by the Maryland Aviation Administration is required prior to signature approval of final plan road and SWM construction drawings, and/or site development plans, or waiver approval of SDP. Please contact the MAA at P.O. Box 8766, BWI Airport, Maryland, 21240-0766, or (410) 859-7100. A copy of the MAA approval letter must accompany the submission of the final road/SWM construction plan original drawings, and/or site development plan original, or waiver petition application.
- ➔➔➔c. **Design Advisory Panel (DAP)** - For projects requesting a waiver of the SDP requirement for any proposed building or site improvements, a pre-submission advisory meeting with the Design Advisory Panel may be required 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 in accordance with Sections 16.1501 and 16.1504 of the Howard County Code (CB Nos. 24-2008 and 25-2008). 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 recommendation to DPZ along with the waiver petition application submission, if applicable.

V. **Plan Exhibit**

A. **Number of Copies Required**

The waiver petition application must be accompanied by copies of a detailed plot plan, subdivision plat or site development plan **(7 sets of the completed waiver application and plan exhibit if the subject property adjoins a County road; 11 sets for properties adjoining a State road)**. In instances where the waiver request concerns an approval extension or if an associated plan is in active processing, only 2 sets of plans are required along with 7 or 11 copies of the application form. Plans must be folded to a size no larger than 7-1/2" x 12". The pre-packaging of plans and supplemental reports by SRC agency will be permitted by DPZ provided that each package contains a cover letter which itemizes all plans, reports and documents included in the package.

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

Plan applications are available on the DPZ website at [formsfeesapplications.htm](http://www.co.ho.md.us/DPZ/formsfeesapplications.htm).

<http://www.co.ho.md.us/DPZ/>

B. **Plan Requirement Checklist**

The detailed waiver petition exhibit, plot plan, subdivision plat 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:	<u>T</u> Information Provided	<u>X</u> Information Not Provided, Attached
	<u>NA</u> Not Applicable	Justification

- T ___ 1. Vicinity map scale 1" = 2,000' indicating and identifying the total boundary of the property, exact site location, vicinity roads and north arrow.
- T ___ 2. Bearings and distances of property boundary lines for the entire tract and size of tract area.
- T ___ 3. North arrow and scale of plan.
- N/A ___ 4. Location, extent, boundary lines and area of any proposed lots.
- T ___ 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.
- N/A ___ 6. Delineation of building setback lines.
- T ___ 7. Delineation of all existing public road and/or proposed street systems.
- N/A ___ 8. Identification and location of all easements.
- N/A ___ 9. Approximate delineation of floodplain, streams, wetland and forested areas, if applicable, and/or provide a professional certification that environmental features do not exist on the property.
- N/A ___ 10. Road profile to evaluate sight distance, if the application includes a request for direct access to a major collector or more restrictive roadway classification.
- T ___ 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).
- N/A ___ 12. Photographs, perspective sketches or cross-sections as necessary to adequately portray the waiver request.
- T ___ 13. The exhibit plans should be highlighted to accurately illustrate the requested waiver(s) to allow proper evaluation (i.e. proposed grading, tree clearing or other disturbances within environmentally sensitive areas or buffers).
- N/A ___ 14. Submit 2 sets of photographs for all existing on-site structures.
- N/A ___ 15. Identify the location of any existing wells and/or private septic systems.

N/A 16. **Route 1 Manual**

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

T 17. **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.**

T 18. Please complete the following:

A pre-submission meeting was held with DPZ on September 28, 2009 with Ms. Cindy Hamilton, Chief, Division of Land Development if applicable.
(date)
[DPZ, Director, DLD Division Chief or other SRC representatives]

VI. **Fees**

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

VII. **Owner's/Petitioner's Certification**

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

Bonnie J. Taylor Owner's authorization attached *
Roy L. Taylor 12/9/09 Terrell A. Fisher 12/9/09
(Signature of Property Owner) (Date) (Signature of Petition Preparer) * (Date)
(Fee Simple Owner Only)

Bonnie J. and Roy L. Taylor
(Name of Property Owner)

Fisher, Collins & Carter, Inc.
(Name of Petition Preparer, Surveyor/Engineering or Agent/Developer)

17226 Hardy Road
(Address)

10272 Baltimore National Pike
(Address)

Mount Airy, Maryland 21771-3215
(City, State, Zip Code)

Ellicott City, Maryland 21042
(City, State, Zip Code)

E-Mail Not Available

E-Mail tfisher@fcc-eng.com

410-549-2687 Not Available
(Telephone) (Fax)

410-461-2855 410-750-3784
(Telephone) (Fax)

Contact Person: Ms. Bonnie J. Taylor

Contact Person: Mr. Terrell A. Fisher, P.E., L.S.

Howard County Department of Planning and Zoning
Division of Land Development

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

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

- I. Application Requirements** *Indicate Yes, No or N/A*
- a. Application is complete.....
 - b. Required number of plans and applications are provided.....
 ___ Plans (7 sets on County Road or
 ___ Applications 11 sets on State Road)
 - c. Supplemental information is provided.....
 - d. Certification of pre-submission HDC advisory meeting for new projects in
 Historic District or listed in Historic Sites Inventory.....
 - e. Photographs of existing structures (for Historic Preservation Review).....
 - f. MAA Approval Letter (if applicable).....
 - g. Written summary of Route 1 manual compliance (if applicable).....
 - h. DAP project design recommendation for Route 1 projects.....

II. Fee Computation

	Fee
Number of waivers requested.....	1
* Base Fee for first two waiver sections (\$450).....	\$450.00
Fee for each additional waiver section (___ additional waivers x \$50 each).....	_____
* (Maximum fee of \$350 for Agricultural Preservation parcels)	
TOTAL	\$450.00

III. Certification
Cash Receipt No. _____ Account #011-005-4201 Amount _____

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 _____

Taylor Property
Tax Map 7, Grid 2, Parcel 275
Waiver Petition Justification

On behalf of our clients, Bonnie J. Taylor and Roy L. Taylor, Tenants in the Entirety, and the owners of the property located at 17226 Hardy Road, Mount Airy, Maryland 21771-3215, we are requesting a waiver to the Howard County Subdivision and Land Development Regulations (Regulations) **Section 16.147. Final Subdivision and Final Plat.**

Deed History Synopsis:

At the present time there are two (2) existing parcels that evolved from the Lot Lettered "L" (approx 8.64 acres) on the Plat of Poplar Subdivision, which plat was recorded among the Land Records of Howard County on February 2, 1946 in Plat Book B.M.Jr. No. 3 Folio 26. One is the Taylor parcel which is the subject of this particular waiver request and the other is the Baummer parcel which will be addressed under a separate cover. A brief history of the Lot Lettered "L" is that it is the same property which, by deed dated September 30, 1949, recorded in Liber 232 at Folio 121 was granted and conveyed, in its entirety, by Anna M. Umstead to Garland A. Stansbury and Dorothy M. Stansbury. Several years later, the Stansburys, by deed dated May 28, 1952, recorded in Liber 232 at Folio 580 granted and conveyed Lot Lettered "L", in its entirety, to Henry W. Krause and Lillian V. Kruase. The Krauses, by deed dated August 31, 1964, recorded in Liber 426 at Folio 324 granted and conveyed the aforementioned Lot Lettered "L", in its entirety, to Fred A. Burke and Ruth L. Burke. Then, by deed dated July 6, 1965, recorded in Liber 438 at Folio 599 the Burkes granted and conveyed the first part of said Lot Lettered "L" (1.469 acres later known as Parcel 275, 1st Parcel) to Robert Baudrau and Charlotte Baudrau. Again, the Burkes, by deed dated September 28, 1982, recorded in Liber 1120 at Folio 704 granted and conveyed the second part of said Lot Lettered "L" (2.617 acres later known as Parcel 275, 2nd Parcel) to the same Robert Baudrau and Charlotte Baudrau. Finally, the Burkes, by deed dated September 28, 1982, recorded in Liber 1120 at Folio 706 granted and conveyed the remainder of the Lot Lettered "L" (4.555 acres, later known as Parcel 11) to Larry Wayne Myers and Sharon A. Myers.

The final disposition of the property known as the Lot Lettered "L" on the Plat of Poplar Subdivision and consisting of approximately 8.64 acres is as follows:

By deed dated December 27, 2001, recorded in Liber 5892 at Folio 94 the Baudrau's conveyed and granted 4.086 acres (1.469 acres known as Parcel 275, 1st Parcel and 2.617 acres known as Parcel 275, 2nd Parcel) to Bonnie J. Taylor. Then, by deed dated November 2, 2004, recorded in Liber 8774 at Folio 302 Bonnie J. Taylor granted and conveyed the aforementioned 4.086 acres (Parcel 275, 1st and 2nd Parcels) to Bonnie J. Taylor and Roy L. Taylor (wife and husband) who now share the property as Tenants in the Entirety.

By deed dated September 27, 2001, recorded in Liber 5722 at Folio 454 Sharon A. Myers, conveyed and granted the remainder of the Lot Lettered "L" (4.555 acres, Parcel 11) to Adrianus J. Meijer and Avis A. Meijer. Later, by deed dated July 25, 2002, recorded in Liber 6316 at Folio 438 the Meijers, conveyed and granted the aforementioned Parcel 11 consisting of 4.555 acres to Eric S. Baummer and Lisa A. Baummer who shared the property as Tenants in the Entirety; however, the Baummer's vesting/tenancy was changed to Joint Tenants by a Corrective Quit Claim Deed on August 26, 2006 recorded in Liber 10322 at Folio 142.

not recorded
as parcels 1 & 2?
real property
data shows
area
as 4.086
Ac.

While it is recognized that the above discussed parcel conveyances were not processed via the recordation of record plats process as required by the Howard County Subdivision Regulations, it is respectfully requested that restorative recognition of the Taylor parcel be granted and the requirements of **Section 16.147** be waived based upon the following justification:

a. **“Summarize any extraordinary hardships or practical difficulties which may result from strict compliance with the Regulations.”**

Strict compliance with the Regulations will create extraordinary hardships and practical difficulties for the Taylors, present owners of Parcel 275, 1st Parcel and Parcel 275, 2nd Parcel consisting of a total of 4.086 acres. As described in the above Deed History Synopsis, on July 6, 1965, Parcel 275, 1st Parcel and on September 28, 1982, Parcel 275, 2nd Parcel were parceled, by deed, out of Lot Lettered “L” of the Plat of Poplar Subdivision previously recorded among the Land Records of Howard County. Over the ensuing 49 and 27 years, respectively, the properties changed owners several times until purchased by the Taylors on November 2, 2004. They purchased the property in good faith, unaware of the deed history and Howard County Subdivision and Land Development Regulations requiring the recordation of a Record Plat in order to re-subdivide a parcel of land. In light of these facts, the imposition of recording a Final Plat for a parcel of ground they have owned for approximately five (5) years would involve the expense of retaining an engineering firm to prepare the plat and handle the acquisition of the necessary approvals.

b. **“Verify that the intent of the Regulations will be served to a greater extent through the implementation of the alternative proposal.”**

The intent of the Regulations will be served to a greater extent through the implementation of the alternative proposal. The Taylors are not attempting to circumvent the Regulations by the approval of this waiver request, but are requesting relief from a set of circumstances not of their creation. Also, it should be noted that all of the various owners of these parcels have dutifully paid their property taxes since Parcel 275, 1st Parcel was created 49 years ago and Parcel 275, 2nd Parcel was created 27 years ago.

c. **“Substantiate that approval of the waiver will not be detrimental to the public interests.”**

The requested waiver will not be detrimental to the interests of the public. Parcels 275, 1st Parcel and 275, 2nd Parcel, consisting of 4.086 acres cannot be re-subdivided under the current RC-DEO Zoning District density requirements. As such, there will no more or less an impact on the traffic patterns and increase in the school enrollment in the area.

d. **“Confirm that approval of the waiver will not nullify the intent of the Regulations.”**

Approval of this waiver request will not nullify the intent of the Regulations since it is recognized that the Taylor parcels consisting of 1.469 acres known as Parcel 275, 1st Parcel and 2.617 acres known as Parcel 275, 2nd Parcel were not legally created, but have

existing as viable parcels of land, the owners of which have been subject to the same ordinances, taxes, zoning regulations, etc., as if they had been created by the recordation of a Final Plat.

Maryland Department of Assessments and Taxation HOWARD COUNTY Real Property Data Search (2007 v04.3d)	Go Back View Map New Search
---	-----------------------------------

Account Identifier: District - 04 Account Number - 309375

Owner Information			
Owner Name:	TAYLOR BONNIE J TAYLOR ROY L T/E	Uses:	RESIDENTIAL
Mailing Address:	17226 HARDY RD MOUNT AIRY MD 21771-3215	Principal Residence:	YES
		Deed Reference:	1) / 8774/ 302 2)

Location & Structure Information	
Premises Address 17226 HARDY RD MOUNT AIRY 21771	Legal Description 4.086 A 17226 HARDY RD ST MICHAELS RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
7	2	275						2	Plat Ref:

Special Tax Areas	Town	Ad Valorem	Tax Class
		NO A/V, RURAL FIRE TAX	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1966	2,992 SF	4.08 AC	
Stories	Basement	Type	Exterior
2	YES	STANDARD UNIT	SIDING

Value Information				
	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2009	07/01/2010
Land	258,100	303,100		
Improvements:	240,470	322,850		
Total:	498,570	625,950	583,490	625,950
Preferential Land:	0	0	0	0

Transfer Information		
Seller: TAYLOR BONNIE J	Date: 11/15/2004	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 8774/ 302	Deed2:
Seller: BAUDRAU ROBERT & WF	Date: 01/02/2002	Price: \$300,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 5892/ 94	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information			
Partial Exempt Assessments	Class	07/01/2009	07/01/2010
County	000	0	0
State	000	0	0
Municipal	000	0	0
Tax Exempt:	NO		
Exempt Class:	Special Tax Recapture: * NONE *		



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

January 27, 2010

Revised
SEP 13 2010
DPZ - Land Dev

Roy & Bonnie Taylor
17226 Hardy Road
Mount Airy, MD 21771

RE: WP-10-080 Taylor Property
Waiver to Section 16.147
1st Revised Request

Dear Mr. & Mrs. Taylor:

Regarding the above referenced waiver petition, this Division is advising you that no action can be taken until the enclosed comments have been addressed, and the following additional information is provided.

Copies of the exhibit/plan and the supplemental information and a response letter to the comments for each agency should be submitted to this Division for distribution in the following manner:

Agency: DLD	#Copies: 1 (Courtesy Copy)
Agency: DED	#Copies: 1
Agency: Health	#Copies: 1

The requested information (**revised plans**) must be submitted to this Division within 45 days of the date of this letter (on or before **March 13, 2010**), or this Division will recommend that the Planning Director deny this waiver.

PLEASE REFER TO THE ENCLOSED NOTIFICATION OF THE DATE AND TIME OF YOUR REVISED SUBMISSION APPOINTMENT.

Once the requested information has been received and reviewed, this office will coordinate agency comments and will prepare a recommendation for the Planning Director's action.

If you have any questions regarding a specific comment, please contact the review agency prior to preparing the revised plans/information. Compliance with all items indicated above is required before the revised plans/information will be accepted.

Please bring a copy of this letter with you to your submission appointment.

If you have any questions, please contact Julia Boone at (410) 313-2350 or email at jboone@howardcountymd.gov.

Sincerely,

Kent Sheubrooks
Kent Sheubrooks, Acting Chief
Division of Land Development

KB/TKM/jb
Enclosures: DED, Health
cc: Research
FCC

THE FOLLOWING IS YOUR SCHEDULED SUBMISSION APPOINTMENT FOR THE ENCLOSED LETTER.

PROJECT Taylor Property WP-10-80

TYPE OF SUBMISSION: Revised

DATE: March 11

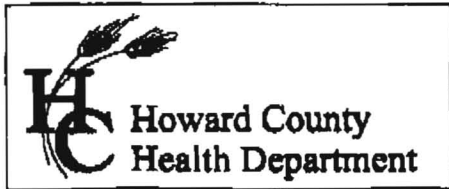
TIME: 8:15

PERSON WITH: Jennifer

By contacting Carol Stirn of the Division of Land Development at 410-313-2350 or via email at cstirn@howardcountymd.gov, you may make **ONE CHANGE** to this appointment to bring your 'revised plans' in on an alternate date, but only if the date chosen is available and you know that the submission will be completely ready. You will have to take the time/person that is available and assigned.

If the date you picked is not available, then the submission **WILL** remain on the originally scheduled date.

You are reminded that failure to submit your revised plan by the date specified in the accompanying letter will result in the voiding of this plan.



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: Kent Sheubrooks, Acting Chief
 Division of Land Development

FROM: Sara Sappington, R.S. *SS*
 Well and Septic Program

RE: File Number: WP-10-080
 Title: Taylor Property 17226 Hardy Rd.

DATE: January 19, 2010

The Health Department objects to the referenced waiver petition. Subdivision development requires each buildable site to have an approved water supply and sewage disposal area located on it (*Code of Maryland Regulations 26.04.03*). The information submitted, along with property file information at the Health Department, does not indicate the establishment of sewage disposal areas for the parcels referenced in the petition. In addition, the status of the well on the 1st parcel of Parcel 275 is unknown, and the 2nd parcel of Parcel 275 does not have an approved well. In order for these properties to be considered buildable lots, approved well sites and sewage disposal areas meeting current code requirements are required.

**FISHER, COLLINS
& CARTER, INC.**

**CIVIL ENGINEERING CONSULTANTS
and LAND SURVEYORS**

Terrill A. Fisher, P.E., L.S.
Earl D. Collins, P.E.
Charles J. Crovo, Sr., P.E., L.S.

Paul W. Kriebel, P.E.
Mark L. Robel, P.L.S.
Aldo M. Vitucci, P.E.

December 10, 2009

Mr. Kent Sheubrooks, Acting Chief
Division of Land Development
Dept. of Planning & Zoning
3430 Courthouse Dr.
Ellicott City, MD 21043

RE: Waiver Petition
Section 16.147
Taylor Property
17226 Hardy Road

Dear Kent:

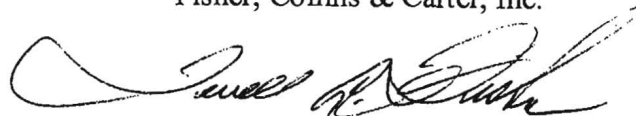
On behalf of our client, our office has prepared a Waiver Petition Application to Section 16.147 of the Howard County Subdivision and Land Development Regulations.

As you will recall, we spoke about this project by telephone after a meeting with Mrs. Cindy Hamilton and in concert with your internal email discussions with Mrs. Marsha McLaughlin.

Accordingly, we are enclosing the following items for your use:

- 1). Original and seven (7) copies of Waiver Petition Application and justification.
- 2). Eight (8) color prints of exhibit to accompany application.
- 3). Eight (8) copies of deeds.
- 4). Check in the amount of \$450.00 payable to the Director of Finance.

Very truly yours,
Fisher, Collins & Carter, Inc.



Terrill A. Fisher, P.E., L.S.

WO #09035-3001
c.c. Mr. & Mrs. Roy Taylor (w/copies & receipt)

**DEPARTMENT OF PLANNING AND ZONING
DEVELOPMENT ENGINEERING DIVISION**

December 17, 2009

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

**FROM: Charles F. Dammers, Chief
Development Engineering Division**



Project Engineer: Jim Witmer

RE: DP&Z File #: WP-10-080

Taylor Property

After review of the submitted information requesting a waiver of the Subdivision and Land Development Regulations, Section 16.147, which requires a final subdivision plan and final plat, this Division will **DEFER** our decision based on the following:

1. The existing 2.617 acre parcel which has not been developed must meet the minimum requirements for sight distance. Based on a preliminary analysis from DED, it appears that achieving the minimum sight distance may be difficult. Please provide an appropriate sight distance and speed study.

**FISHER, COLLINS
& CARTER, INC.**

**CIVIL ENGINEERING CONSULTANTS
and LAND SURVEYORS**

Revised
SEP 13 2010
DPZ - Land Dev

Terrell A. Fisher, P.E., L.S.
Earl D. Collins, P.E.
Charles J. Crovo, Sr., P.E., L.S.

Paul W. Kriebel, P.E.
Mark L. Robel, P.L.S.
Aldo M. Vitucci, P.E.

September 12, 2010

Mr. James Witmer
Development Engineering Division
Howard County Department of Planning and Zoning
3430 Courthouse Drive
Ellicott City, Maryland 21043

Re: WP-10-080
Taylor Property
Hardy Road
Revised Plan Submission

Dear Jim:

Our office is in receipt of a letter dated January 22, 2010 requesting a revised submission for the above referenced Waiver Petition WP-10-080. On February 27, 2010 our office received an email from Mr. Kent Sheubrooks approving an extension to the submittal date for this revised submission until September 13, 2010.

On August 26, 2010, our office met with Mr. Roy Taylor to discuss the preparation of the response to your comments as well as other agencies requests. Mr. Roy Taylor instructed Fisher, Collins and Carter, Inc. not to prepare a speed study and analysis for the undeveloped deeded lot as requested in your comments for this waiver. Mr. Taylor has decided not to pursue the engineering efforts associated with this parcel and to request the Division of Land Development to allow the merger of this parcel's land back into the boundary of the parcel containing the existing house and to not continue to separate the entire tract into 2 parcels but adjoin the land by description into the total tract area.

Accordingly, we are forwarding the following for your use:

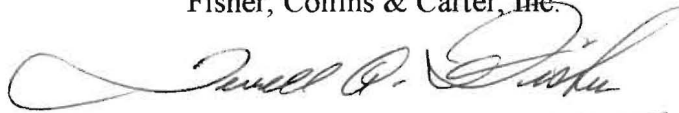
1. Copy of letter dated January 27, 2010.
2. Copy of email from Mr. Kent Sheubrooks dated February 22, 2010.
3. Print of revised Exhibit To Accompany Waiver Petition dated September 10, 2010.

**FISHER, COLLINS
& CARTER, INC.**

*CIVIL ENGINEERING CONSULTANTS
and LAND SURVEYORS*

Should you have questions, or require additional information, please contact this office at 410-461-2855.

Very truly yours,
Fisher, Collins & Carter, Inc.

A handwritten signature in black ink, appearing to read "Terrell A. Fisher", written over a horizontal line.

Mr. Terrell A. Fisher, P.E., L.S.

W.O. 09035-3001

cc. Mr. Roy Taylor
Ms. Julia Boone

the Taylor's who were unaware of the deed history and illegal creation when purchasing the lots five years ago.

Not Detrimental to the Public Interest

Approval of the waiver will not be detrimental to the public welfare. According to the deed history three parcels were illegally created from Lot Lettered "L" of the Poplar Heights Subdivision; Parcel 275, 1st Parcel and Parcel 11 (not included in this waiver request) which have existing dwellings, and Parcel 275, 2nd Parcel which is vacant. The applicant is requesting that Parcel 275, 1st Parcel and Parcel 275, 2nd Parcel be merged to create one parcel with one existing dwelling (built in 1966). The parcel cannot be re-subdivided under the current RC-DEO Zoning District density requirements; therefore, it will allow no more or less impact on the traffic patterns or increase in the school enrollment for the area.

Will not Nullify the Intent or Purpose of the Regulations

Approval of the waiver petition will allow the legal recognition of one merged parcel with an existing dwelling from the illegally created parcels, Parcel 275, 1st Parcel and Parcel 275, 2nd Parcel, by deed. No construction, improvements, or new lots will be created, nor will the merged parcel have further subdivision potential. Merging the two illegally created parcels will bring the parcel in compliance with the minimum lot size in accordance with the Zoning Regulations.

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

If you have any questions, please contact Julia Boone at (410) 313-2350 or email at jboone@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Acting Chief
Division of Land Development

KS/jb

cc: Research
DED
FCC, Inc.



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

October 26, 2010

Roy & Bonnie Taylor
17226 Hardy Road
Mt. Airy, MD 21771

RE: WP-10-080, Taylor Property

Dear Mr. & Mrs. Taylor:

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

As of the date of this letter, the Planning Director **approved** your request to waive **Section 16.147** of the Subdivision and Land Development Regulations, which requires that any division of land must be platted and recorded among the Land Records of Howard County in order to establish a legal lot.

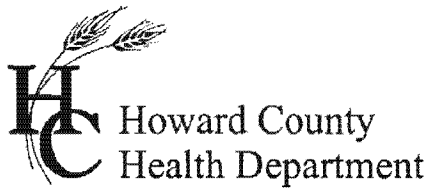
Approval is subject to the following conditions:

1. The "Adjoiner Deed" to merge Parcel 275, 1st Parcel and Parcel 275, 2nd Parcel shall be recorded in the Land Records Office of Howard County, Maryland within 120-Days of the date of this waiver approval (**on or before February 23, 2011**).
2. Recorded copies of the "Adjoiner Deed" shall be submitted to this Department for file retention purposes within 120-Days of the date of this waiver approval (**on or before February 23, 2011**).
3. The "Adjoiner Deed" shall reference this waiver petition file.
4. In accordance with the Zoning Regulations, the newly merged Parcel (Parcel 275, 1st Parcel and Parcel 275, 2nd Parcel) shall comply with the minimum bulk requirements including the building setbacks and minimum lot size requirements for the RC-DEO zoning district.
5. Approval of this waiver is to allow the merger for existing Parcel 275, 1st Parcel and Parcel 275, 2nd Parcel back into one buildable parcel containing the existing house. No other parcels are being legally endorsed, no additional lots will be created and no new development, construction or improvements are permitted under this request.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

The property has change owners several times since the lots were illegally created 27 years ago. The expense of employing an engineering firm to prepare the plat and handle the acquisition of the necessary approvals in order to correct a problem created decades ago is an extraordinary hardship for




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

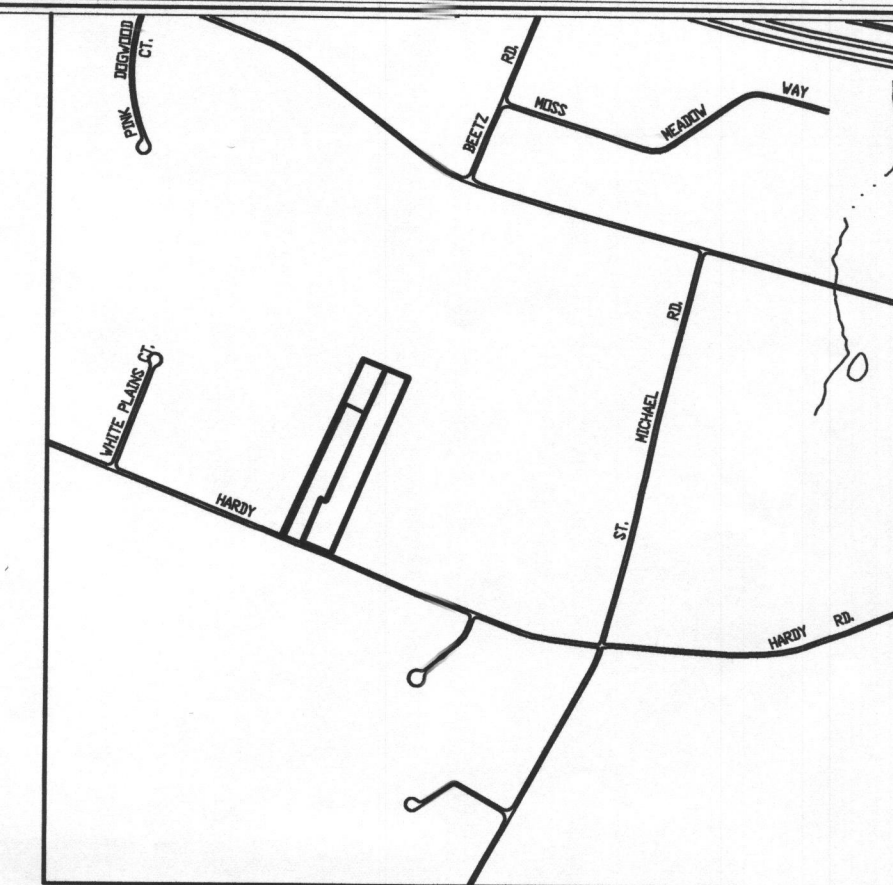
TO: Kent Sheubrooks, Acting Chief
Division of Land Development

FROM: Dana Bernard 
Howard County Health Department
Well and Septic Program
Development Coordination Section

RE: File Number: WP-10-080
Title: Taylor Property
17226 Hardy Road, Mount Airy, MD 21771

DATE: October 14, 2010

This memo is to amend the previous memo sent in reference to File Number: WP-10-080. The Howard County Department of Environmental Health has no objection to this waiver (WP-10-080).



VICINITY MAP
SCALE: 1" = 1200'

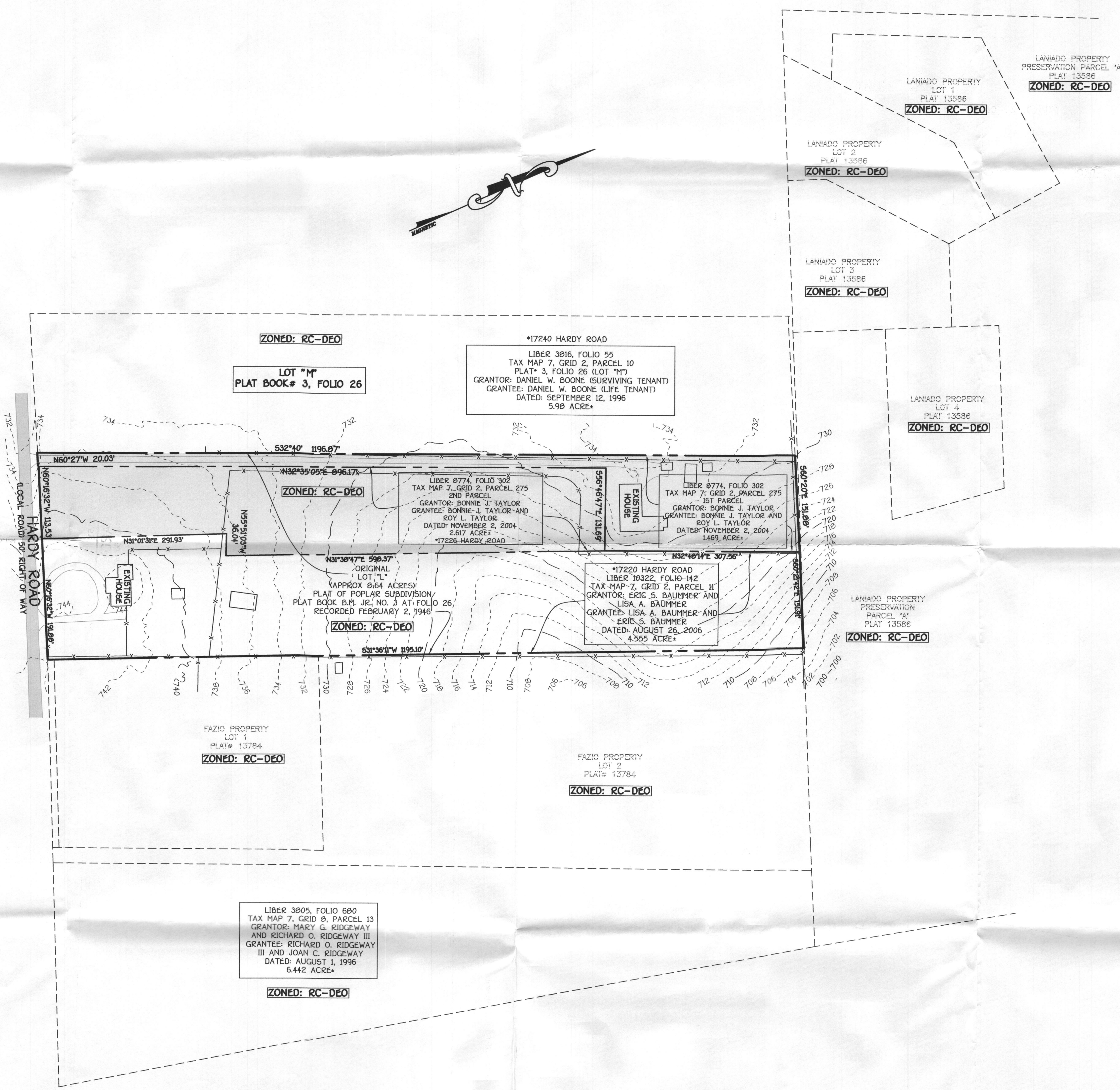
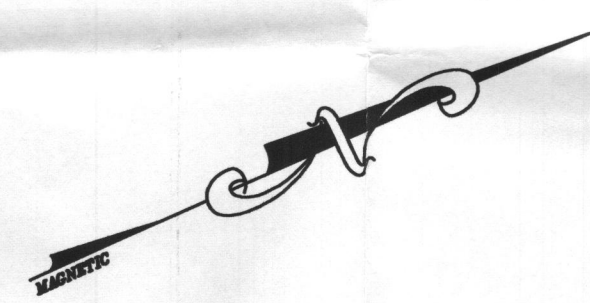
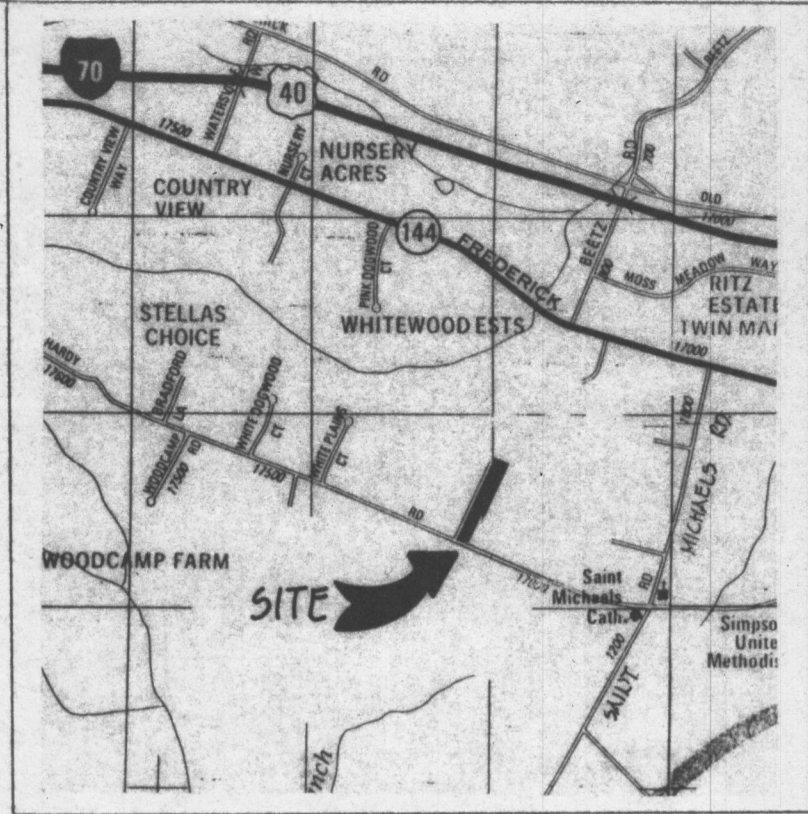


EXHIBIT TO ACCOMPANY
THE
WAIVER PETITION APPLICATION
TO WAIVE
SECTION 16.147 FINAL SUBDIVISION AND
FINAL PLAT
OF THE HOWARD COUNTY SUBDIVISION
AND LAND DEVELOPMENT REDULATION
TAYLOR PROPERTY
17226 HARDY ROAD
MOUNT AIRY, MARYLAND 21771
TAX MAP #7 GRID #2 PARCEL #275, 1ST AND 2ND PARCELS
FIFTH ELECTION DISTRICT HOWARD COUNTY, MARYLAND
SCALE: 1"=100' DATE: DECEMBER 10, 2009

1:\2009\06\02\09\06\02 Exhibit For Taylor Property.dwg, 12/10/2009 2:01:23 PM, lony, 1:100



VICINITY MAP
SCALE: 1" = 2000'

GENERAL NOTES

1. SUBJECT PROPERTY IS ZONED RCDEO
2. AREA OF PROPERTY = 2.617 acres.
3. EXISTING USE = AGRICULTURE
4. PROPOSED USE = SINGLE FAMILY RESIDENTIAL
5. NUMBER OF UNITS ALLOWED @ 3.00 ac. per unit = 1 UNIT
6. NUMBER OF UNITS PROPOSED = 1 UNITS
7. BOUNDARY BASED ON SURVEY DATED 6/17/65 BY EDWIN J. KIRBY & ASSOCIATES
8. TOPOGRAPHY BASED ON HOWARD COUNTY AERIAL SURVEY MAP 319, DATED 1998. WAS FIELD VERIFIED BY C.R.C. & ASSOC.
9. SERVICE: WATER = PRIVATE, SEWER = PRIVATE.
10. SOILS SURVEY MAP No. 2.
11. THERE ARE NO STREAMS, WETLANDS, FLOOD PLAINS OR STEEP SLOPES ON THE SUBJECT.

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

THERE ARE NO EXISTING WELLS AND SEPTIC SYSTEMS WITHIN 100 FT. OF THE LOT LINES SHOWN HEREON UNLESS NOTED OTHERWISE.

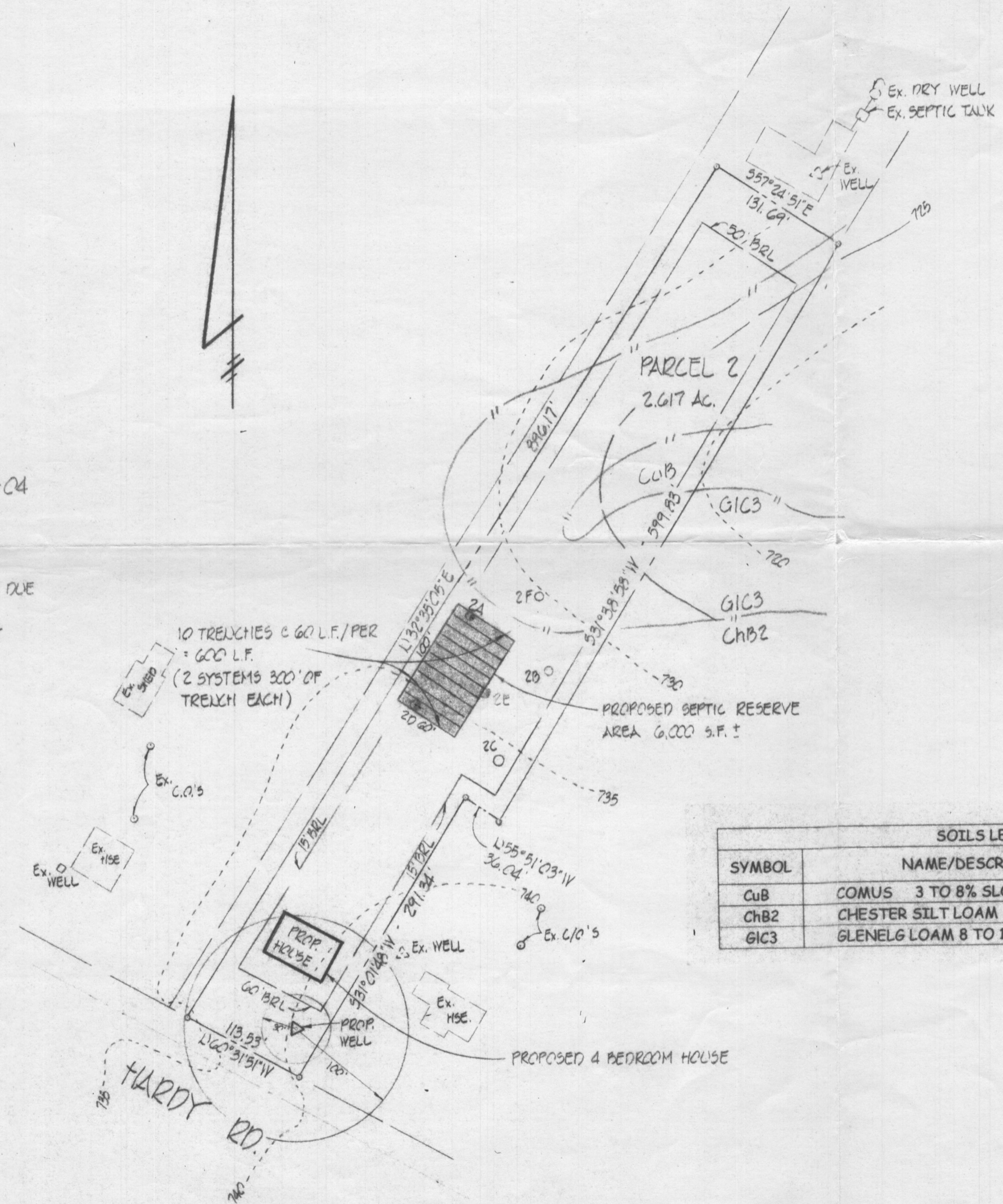
- DENOTES SATISFACTORY PERCOLATION TEST
- DENOTES 'FAILED' PERCOLATION TEST

NOTE: THE NEAREST WATER INTAKE STRUCTURE IS 500' +/- FT. AWAY.

PLAN ID # (PC 520076)

PERC TESTS 3-22-04

- 2A 11'-9" 21 MIN
 - 2D 7'-12" 21 MIN
 - 2E 6'-12" 21 MIN
- HOLES 2B & 2C FAILED DUE TO FAST TIMES
2F HOLE DUG, NO TEST

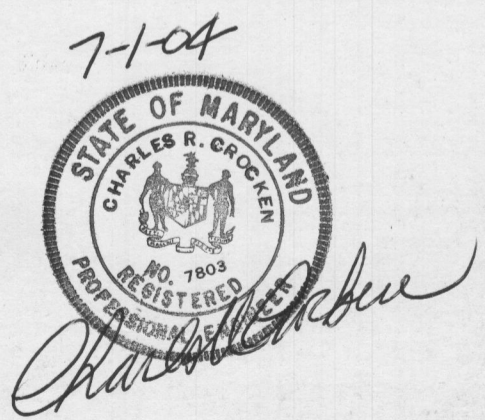


SOILS LEGEND		
SYMBOL	NAME/DESCRIPTION	SOIL GROUP
CuB	COMUS 3 TO 8% SLOPES	"B"
ChB2	CHESTER SILT LOAM 3 TO 8% SLOPES	"B"
G1C3	GLENELG LOAM 8 TO 15% SLOPES	"B"

EX. LOT OF RECORD
"ORIGINAL" TITLE REFERENCE
LIBER 438 FOLIO 599
DEED DATED JULY 6, 1965
FRED A. BURKE & WIFE
TO
ROBERT BALDRAU & WIFE

APPROVED FOR PRIVATE WATER AND PRIVATE SEWERAGE SYSTEMS IN CONFORMANCE WITH THE MASTER PLAN OF HOWARD COUNTY

Mr. Date
HOWARD COUNTY HEALTH OFFICER MR. DATE



DEVELOPER
DOUBLE R. DEVELOPMENT
946-A MARIMICH CT.
ELDERSBURG, MD. 21784

NO.	DATE	REVISION
2	JULY '04	REVISED SEPTIC AREA PER H.C.H.D.
1	JUNE '04	PER H.C.H.D. TEST RESULTS & COMMENTS
NO.	DATE	REVISION

PERCOLATION CERTIFICATION PARCEL 2
17226 HARDY RD
THE TAYLOR PROPERTY
LIBER 5892/ FOLIO 0094

TAX MAP 7 GRID 2
4TH ELECTION DISTRICT

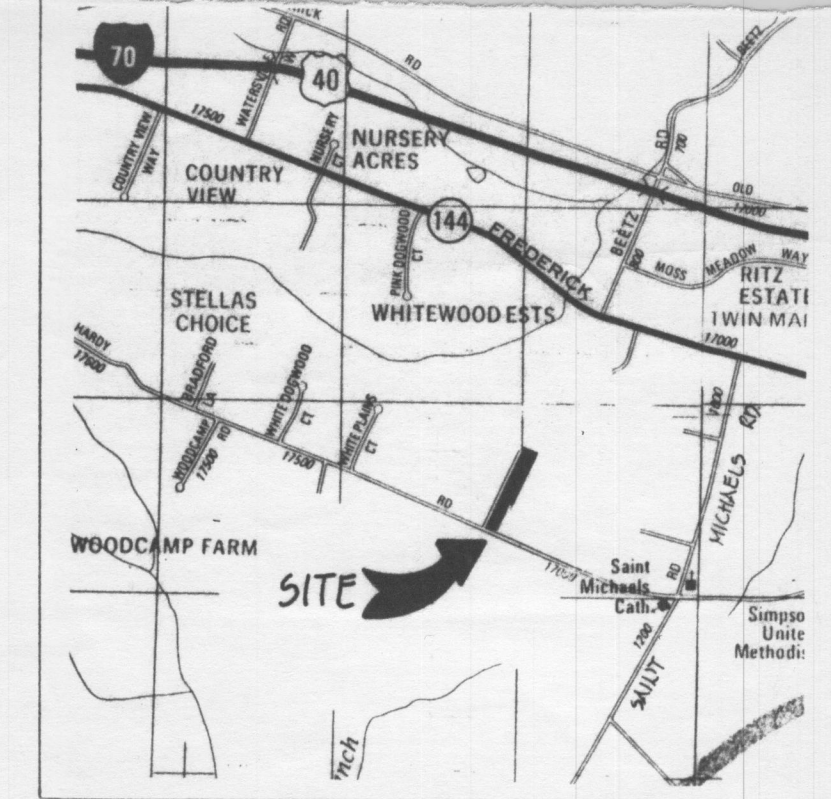
PARCEL #175
HOWARD COUNTY, MARYLAND

DATE: 01/2004

DES.		OWNER
CHK.		BONNIE J TAYLOR
DRW.		17226 HARDY RD.
		MT. AIRY, MD 21771

PREPARED BY
CHARLES R. CROCKEN & ASSOCIATES, INC.
CAL. ENGINEER - LAND PLANNING
P.O. BOX 507
WESTMINSTER, MARYLAND
PH: 410-588-5328
FAX: 410-588-5328

SCALE: 1" = 100' SHEET 1 OF 1



VICINITY MAP
SCALE 1" = 2,000'

GENERAL NOTES

1. SUBJECT PROPERTY IS ZONED RCDEO
2. AREA OF PROPERTY = 2.617 acres.
3. EXISTING USE = AGRICULTURE
4. PROPOSED USE = SINGLE FAMILY RESIDENTIAL
5. NUMBER OF UNITS ALLOWED @ 3.00 ac. per unit = 1 UNIT
6. NUMBER OF UNITS PROPOSED = 1 UNITS
7. BOUNDARY BASED ON SURVEY DATED 6/17/65 BY EDWIN J. KIRBY & ASSOCIATES
8. TOPOGRAPHY BASED ON HOWARD COUNTY AERIAL SURVEY MAP 319, DATED 1998.
9. SERVICE: WATER = PRIVATE, SEWER = PRIVATE.
10. SOILS SURVEY MAP No. 2.
11. THERE ARE NO STREAMS, WETLANDS, FLOOD PLAINS OR STEEP SLOPES ON THE SUBJECT.

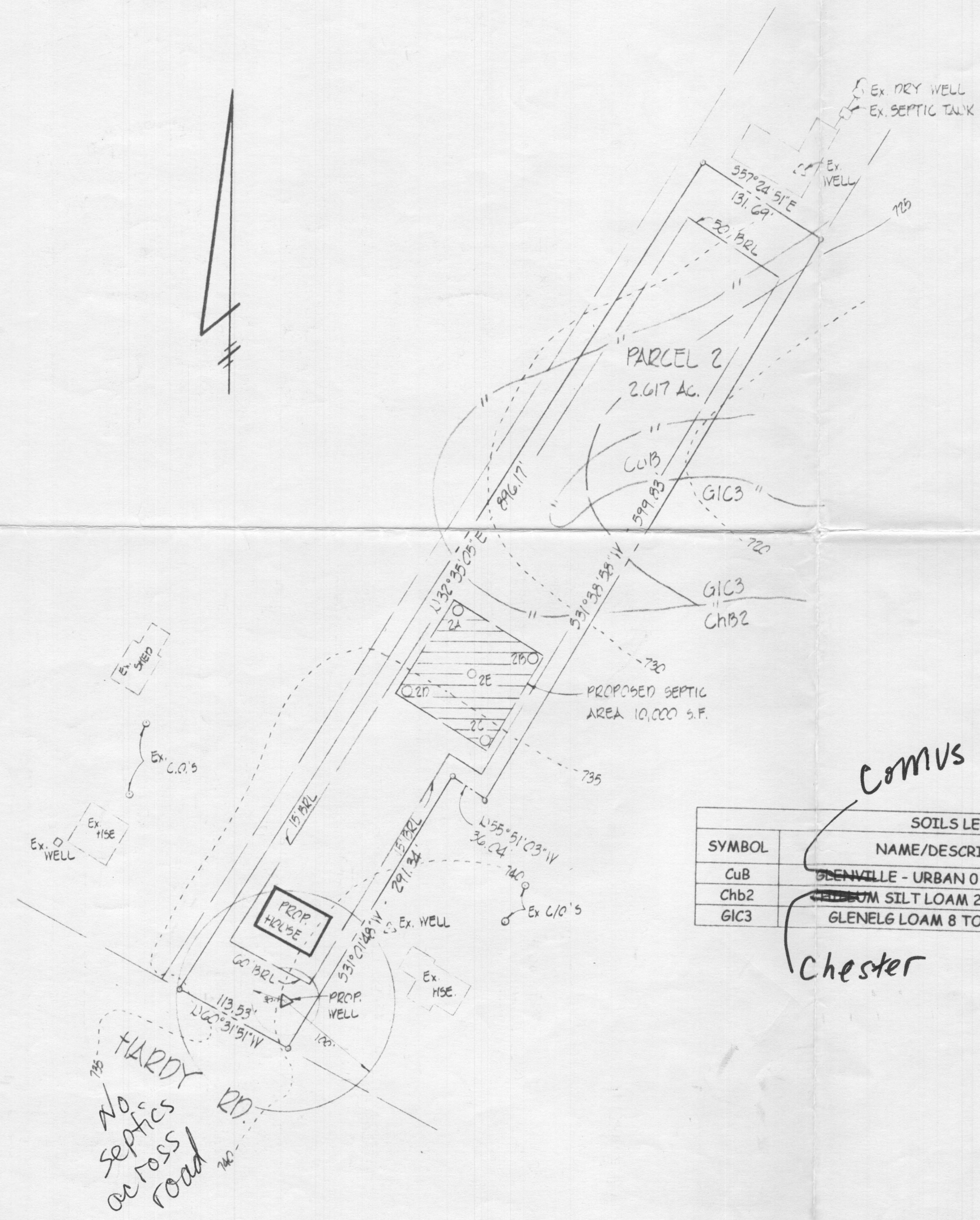
This area designates a private sewage easement of 10,000 sq. ft. As required by the Maryland Department of the Environment for Individual sewage disposal. Improvements of any nature in this area are restricted until public sewage is available. These easements shall become null and void upon Connection to a public sewage system. The county Health Officer shall have authority to grant variances for encroachments into the private sewage easements. Recordation of a modified sewage easement shall not be necessary.

There are no existing wells and septic systems within 100 ft. of the lot lines shown hereon unless noted otherwise.

Denotes satisfactory percolation test

○ Denotes PROPOSED percolation test

Note: The nearest water intake structure is 500' +/- Ft. away.



SOILS LEGEND

SYMBOL	NAME/DESCRIPTION	SOIL GROUP
CuB	GLENNVILLE - URBAN 0 TO 8% SLOPES	"B"
Chb2	GLENNVILLE SILT LOAM 2 TO 5% SLOPES	"B"
GIC3	GLENELO6 LOAM 8 TO 15% SLOPES	"B"

Comus sil/m

Chester

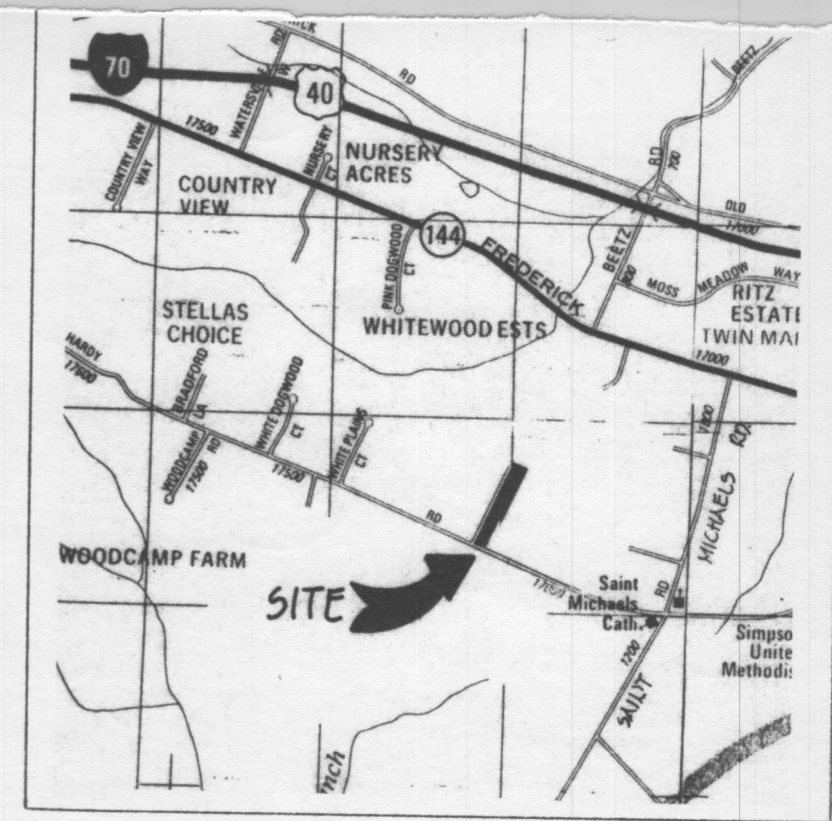
NO SEPTICS
across
HARDY RD.

DEVELOPER
DOUBLE R DEVELOPMENT
946-A MARIMICH CT.
ELDERSBURG, MD. 21784

902 LEE AVENUE
SUKENILLE, MD 21784

DATE	REVISION
PERCOLATION TEST PLAN FOR PARCEL 2 17226 HARDY RD THE TAYLOR PROPERTY LIBER 5892/ FOLIO 009A TAX MAP 7 GRID 2 4TH ELECTION DISTRICT PARCEL #175 HOWARD COUNTY, MARYLAND DATE: 01/2004	
DES.	OWNER BONNIE J TAYLOR 17226 HARDY RD. MT. AIRY, MD 21771
CHK.	
DRW.	
PREPARED BY: CHARLES R. CROCKEN & ASSOCIATES, INC. CAL. ENGINEER - LAND PLANNING P.O. BOX 307 WESTMINSTER, MARYLAND TEL. 410-543-3100 FAX 410-543-3010	SCALE: 1" = 100'
	SHEET 1 OF 1

A10514
P10254



VICINITY MAP
SCALE: 1" = 2,000'

GENERAL NOTES

1. SUBJECT PROPERTY IS ZONED RCDEO
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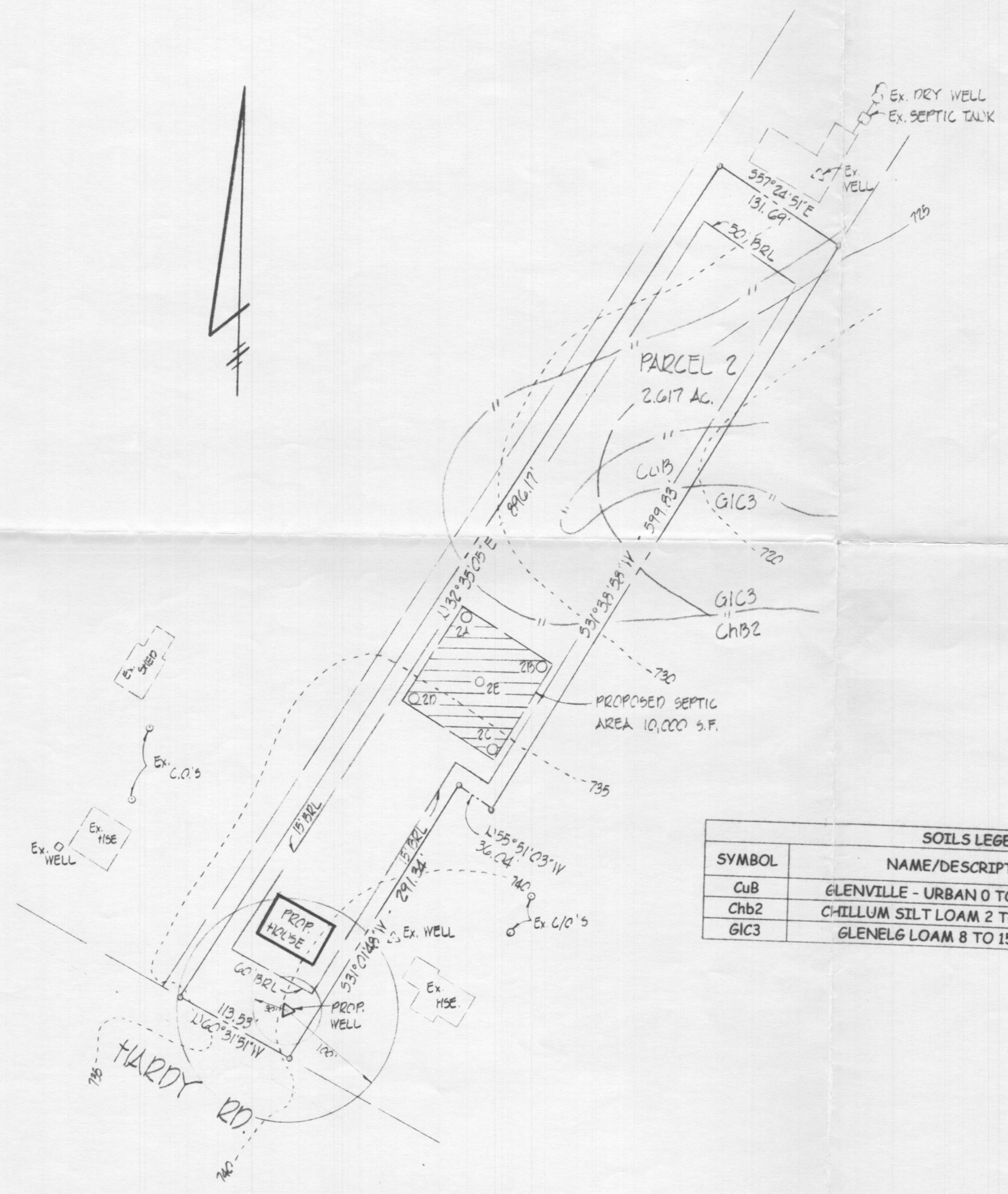
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Chb2	CHILLUM SILT LOAM 2 TO 5% SLOPES	"B"
G1C3	GLENELG LOAM 8 TO 15% SLOPES	"B"

DEVELOPER
DOUBLE R. DEVELOPMENT
946 'A' MARIMICH CT.
ELDERSBURG, MD. 21784

DATE	REVISION
PERCOLATION TEST PLAN FOR PARCEL 2 17226 HARDY RD THE TAYLOR PROPERTY LIBER 5892/ FOLIO 0094	
TAX MAP 7 GRID 2 4TH ELECTION DISTRICT	PARCEL #275 HOWARD COUNTY, MARYLAND
DATE: 01/2004	
DES.	OWNER DONNIE J. TAYLOR 17226 HARDY RD. MT. AIRY, MD 21771
CHK.	
DRW.	
PREPARED BY: CHARLES R. CROCKEN & ASSOCIATES, INC. CIVIL ENGINEERS - LAND PLANNERS P.O. BOX 307 WESTMINSTER, MARYLAND PH. 410-542-5705	SCALE: 1" = 100'
	SHEET 1 OF 1