


Bureau of Environmental Health
7178 Columbia Gateway Drive, Columbia, MD 21046-2147
(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: 9/13/07

TO: Cindy Hamilton, Chief
Division of Land Development

FROM: Gabriel Creighton, Sanitarian 
Well and Septic Program

RE: File Number: WP-08-016
Title: *High Forest Estates, Lot 26*
15005 High Forest Ct., Dayton, MD 21036

The Howard County Health Department has reviewed the above referenced submittal by Brian Higgins, submitted to DPZ on 9/12/07.

The Bureau of Environmental Health does not object to the proposed waiver, however, the petitioner/owner should be made aware that the apparent deck to be proposed (as shown on the drawings) may be subject to review and/or revision at the stage of building permit review.

As shown, the proposed deck extends 15 feet from the back of the existing house. The current setback from an elevated deck to a septic tank is a minimum of 5'. A brief review of health department records indicates that the existing septic tank(s) may fall within five feet of the proposed construction. Howard County Health Department would require the proposal to be revised to make the deck no less than five feet from the septic tank(s) at all points prior to building permit approval.

GAC
cc: file

Howard County Department of Planning and Zoning
Division of Land Development

WAIVER PETITION APPLICATION

Date Submitted/Accepted 9/12/07 DPZ File Number WP-08-016

I. Site Description

Subdivision Name/Property Identification: High Forest Estates / Lot No. 26

Location of property: 15005 High Forest Ct., Dayton, MD 21036
(Street Address and/or Road Name)

Residential
(Existing Use)

Residential
(Proposed Use)

27
(Tax Map No.)

11
(Grid/Block No.)

147
(Parcel No.)

5
(Election District)

RC-DEO
(Zoning District)

1.13 ac (1.31 ac per SDAT records)
(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.)

Subdivision was developed in 2000-2001. Residence was constructed in 2001-2002
WP-03-057; BA-03-027U; F-02-056 plat # 13958-62
AA-04-008 F-98-167

II. Waiver Request

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

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

Section Reference No.	Summary of Regulation
1. <u>16.120(b)(A)(iii)</u>	<u>Requires a 35-foot setback from a Forest Conservation Easement</u>
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

V. **Plan Exhibit**

A. Number of Copies Required

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

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

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.
- NA 4. Location, extent, boundary lines and area of any proposed lots.
- 5. Any existing or proposed building(s), structures, points of access, driveways, topography, natural features and other objects and/or uses on the subject and adjacent properties which may be relevant to the petition; i.e. historic structures, cemeteries or environmentally sensitive areas.
- 6. Delineation of building setback lines.
- 7. Delineation of all existing public road and/or proposed street systems.
- 8. Identification and location of all easements.
- 9. Approximate delineation of floodplain, streams, wetland and forested areas, if applicable, and/or provide a professional certification that environmental features do not exist on the property.
- NA 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.
- NA 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).
- NA 12. Photographs, perspective sketches or cross-sections as necessary to adequately portray the waiver request.
- 13. The exhibit plans should be highlighted to accurately illustrate the requested waiver(s) to allow proper evaluation (i.e. proposed grading, tree clearing or other disturbances within environmentally sensitive areas or buffers).
- NA 14. Submit 2 sets of photographs for all existing on-site structures.
- 15. Identify the location of any existing wells and/or private septic systems.

NA 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.

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.**


VI. **Fees**

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

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

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

Owner's authorization attached *

 9/11/07
(Signature of Property Owner) (Date)
(Fee Simple Owner Only)

(Signature of Petition Preparer) * (Date)

Brian Higgins
(Name of Property Owner)

(Name of Petition Preparer, Surveyor/Engineering or Agent/Developer)

15005 High Forest Ct.
(Address)

(Address)

Dayton, MD 21036
(City, State, Zip Code)

(City, State, Zip Code)

E-Mail bwh0421@comcast.net

E-Mail _____

(443) 629-5190
(Telephone) (Fax)

(Telephone) (Fax)

Contact Person: Same as owner

Contact Person: _____

Howard County Department of Planning and Zoning
Division of Land Development

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

Project Name High Forest Estates Sub 26 DPZ File No. WP-08-016
 DPZ Plan Reviewer Harb Submission Date 9-12-07
 Plan Consultant Representative Brian Higgins Time _____

- I. **Application Requirements** Indicate Yes, No or N/A
- a. Application is complete yes
 - b. Required number of plans and applications are provided yes
 - ___ Plans (14 sets on County Road or
 - Applications 18 sets on State Road)
 - c. Supplemental Information is provided yes
 - d. Certification of pre-submission HDC advisory meeting for new projects in
Historic District or listed in Historic Sites Inventory N/A
 - e. Photographs of existing structures (for Historic Preservation Review) N/A
 - f. MAA Approval Letter (if applicable) N/A
 - g. Written summary of Route 1 manual compliance (if applicable) N/A

- II. **Fee Computation** Fee
- Number of waivers requested one
 - * Base Fee for first two waiver sections (\$450) 450.00
 - Fee for each additional waiver section (___ additional waivers x \$50 each) N/A
 - * (Maximum fee of \$350 for Agricultural Preservation parcels)
- TOTAL** 450.00

III. **Certification**
 Cash Receipt No. 2630 Account #011-005-4201 Amount 450.00

Check issued by _____

___ Waiver petition application is accepted for processing.

___ Scheduled SRC meeting date.

___ Waiver petition application is rejected.

Reason: _____

___ Resubmission is accepted.

Date 9-12-07

Staff initials [Signature]

Comments/Notes _____

III. JUSTIFICATION (CONTINUED)

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

It is submitted that the Property is encumbered with the following unique physical conditions inherent to the subject property.

Environmental Constraint: Swale. The eastern corner of the Property includes a natural swale that drains surface water off the Property along a generally north direction. The presence of the swale limits the placement of structures close to the northeast corner of the Property. For example, the driveway and percolation area for the septic system were required to be constructed away from the swale,¹ which actually resulted in the residential dwelling on the Property to be moved toward the swale on the eastern corner of the Property.

Unusual Shape. The presence of a T-shaped cutout on the east corner of the Property, which is required to accommodate the T-shaped turnaround at the termination of High Forest Ct., is a unique feature of the Property.² The cutout extends 15 feet from the edge of the right-of-way into the Property and is about 35 feet wide. The shape of the cutout affects the east edge of the Property and the building envelope, which is defined by a 50-foot front setback from the T-shaped turnaround. But for the presence of the 15-foot intrusion, the entire residential dwelling could have been constructed closer to High Forest Ct., providing approximately 10-15 feet of additional space between the rear of the residential dwelling and the 35-foot rear setback (a sufficient amount to allow construction of a deck).

Environmental Constraint: Sloping Rear Portion of Property. The sloping rear portion of the subject Property limits meaningful use of that half of the Property for building purposes (notwithstanding the fact that it is a non-buildable area anyway).

Existing Easements: Preservation Parcel. The presence of a Preservation Parcel easement restricts the size of the building envelope on the Property because of the larger 35-foot

¹ Owners were informed that the driveway could not be built across the swale by their builder, Toll Brothers, when, prior to construction, it was requested that the house be "flipped," such that the garage was on the northeast side of the residential dwelling instead of its current location on the southwest side.

² All of the other terminations in the subdivision are circular cul-de-sacs.

setback that is required (compared to the lots in the subdivision that do not include a portion of the Preservation Parcel). And because the Preservation Parcel easement cuts across the Property from a southwest to northeast direction, rather than straight across, the 35-foot setback pinches the building envelope on the northeast edge. In other words, while the natural swale and T-shaped cutout place restrictions on the effective size of the building envelope for the Property on one side, the sloping rear portion and angled Preservation Parcel in the rear of the Property limit the size of the rear portion of the building envelope and create an unusual shaped building envelope.

Given the above, if the existing 35-foot rear setback requirement is strictly enforced, the residential dwelling on the Property would continue to be without a direct access point from the main level of the residential dwelling to the rear of the Property, which is a practical difficulty imposed on the use and enjoyment of the Property.

Moreover, if the existing 35-foot rear setback requirement is strictly enforced, there would little room in which to construct a deck of even modest usable size behind the residential dwelling because the rear portion of the residential dwelling is within approximately one foot of the setback. This would unnecessarily create an encumbrance upon the property (and its ultimate resale value).

Moreover, if the existing 35-foot rear setback requirement is strictly enforced, there would be no room in which to erect a structure for providing shade on the west and northwest exposures of the residential dwelling (e.g., lattice pergola, shade trees, etc.). Such a structure, which would provide aesthetic enhancement to the residential dwelling and Property, is primarily intended to be used to shade the structure and consequently reduce energy consumption. The cost of energy to cool the residential dwelling is seen as a contributing economic hardship on the Property.

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

As indicated above, the waiver request would allow construction that would mitigate energy consumption on the Property by reducing solar radiation on the residential dwelling, provide for the aesthetic architectural enhancement of the Property, reduce the amount of turf

grasses that need to be cut (which consequently would reduce air pollution from mowers), and would have little or no adverse impacts on the ecology or environmental conditions of the Preservation Parcel because construction would not involve removal of any foliage or trees, would not change the existing topography, and would not impact any environmental condition such as the rear slope or natural swale on the Property.

c. Substantiate that approval of the waiver request will not be detrimental to the public interests

As noted above, the proposed deck improvement will not impact the current site conditions by requiring the removal of any foliage or trees, changing the topography, or impact any environmental condition such as the rear slope or natural swale on the Property. The deck improvement will be used for permitted residential purposes, and will not change the nature or intensity of the use of the Property. Even with the addition of a 600 square foot deck, the size of the residential dwelling will still be smaller than the average size of the other residential dwellings in the subdivision. Thus, if granted, the waiver would not alter the essential character of the neighborhood or area where the Property is located, and it will not substantially impair the appropriate use or development of the surrounding properties.

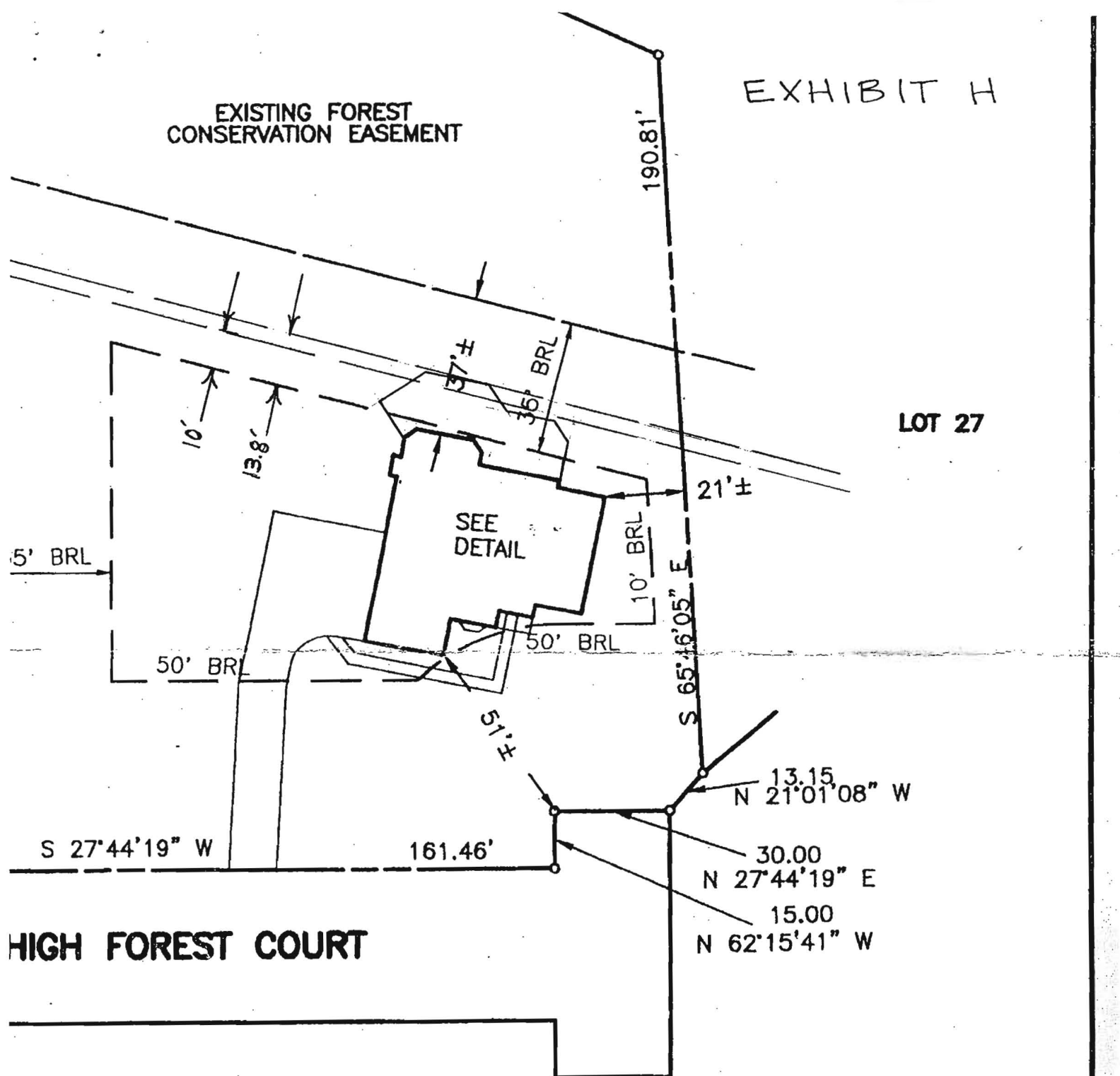
d. Confirm that approval of the waiver request will not nullify the intent and purpose of the Regulations

Because the deck improvement will have little if any ecological or environmental impact on the Property as indicated above, it is submitted that the waiver project is within the intent and purpose of the Regulations.

EXHIBIT H

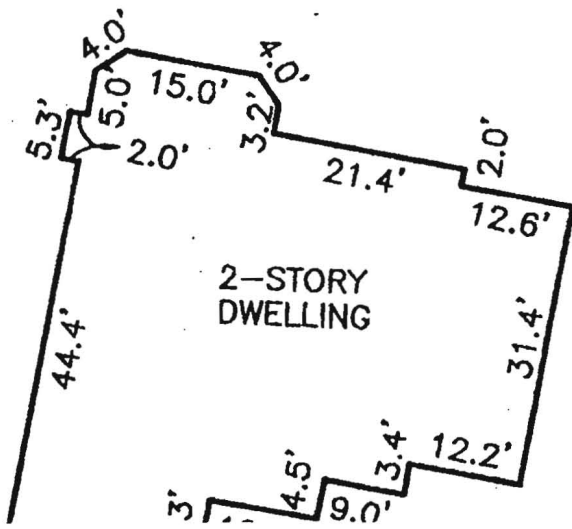
EXISTING FOREST
CONSERVATION EASEMENT

LOT 27

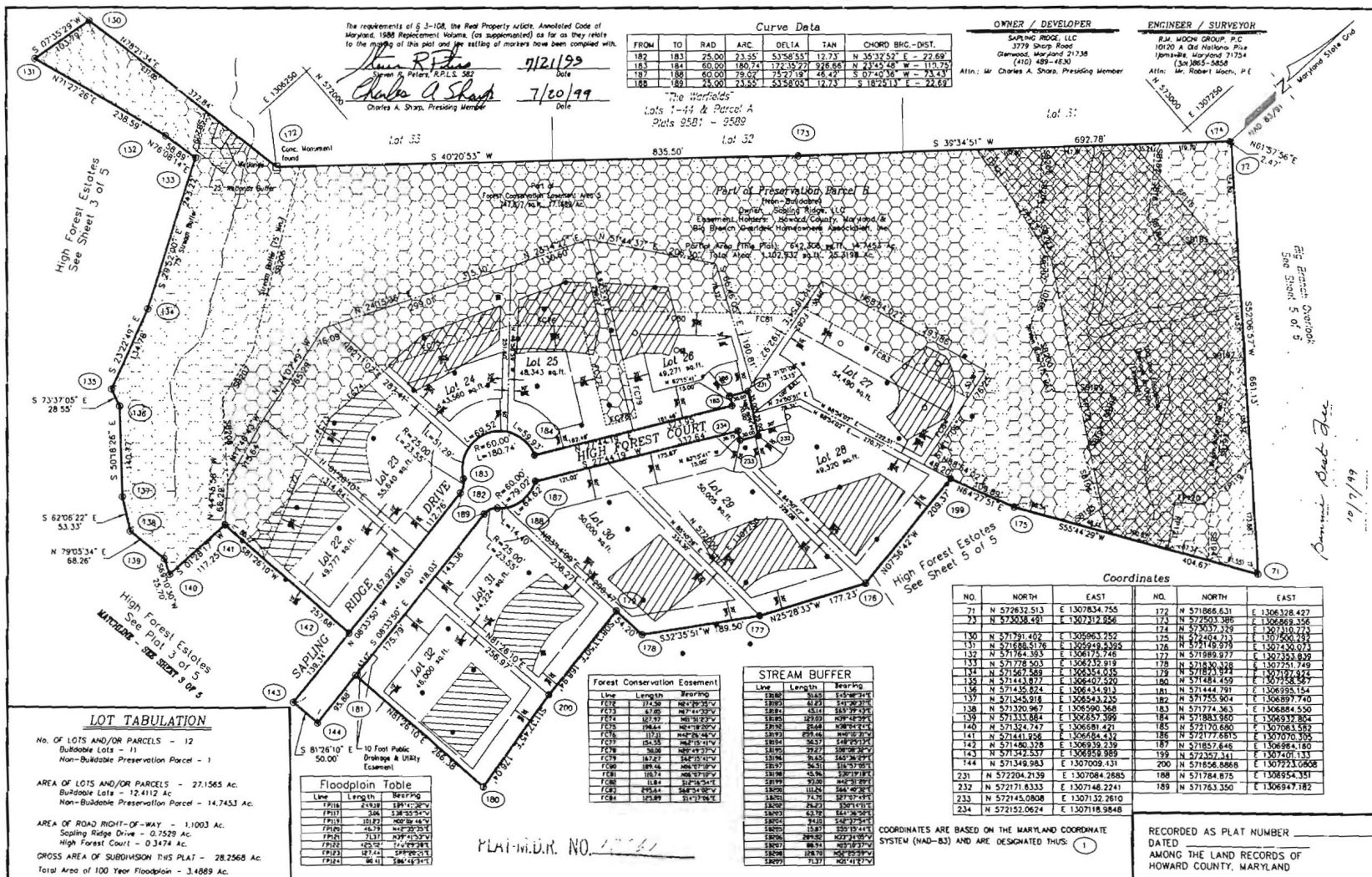


1" = 36.1' scale

MY KNOWLEDGE AND THIS DRAWING LIES COMPILED FROM TITLE MOVEMENTS ARE FOR DRAWING IS NOT A PREPARED ONLY. PREPARED REPORT.



hlo1



The requirements of § 3-108, the Real Property Article, Annotated Code of Maryland, 1986 Replacement Volume, (as supplemented) as far as they relate to the making of this plat and the setting of markers now being complied with.

Charles A. Sharp 7/21/99
 Date
 Charles A. Sharp, Presiding Member

Charles A. Sharp 7/20/99
 Date
 Charles A. Sharp, Presiding Member

Curve Data

FROM	TO	RAD	ARC	DELTA	TAN	CHORD	BKG.-DIST.
182	183	25.00	23.35	53.5631	12.27	N 35.3152° E	- 22.69
183	184	60.00	180.74	172.3572	226.86	N 23.4548° W	- 115.75
184	185	60.00	79.97	75.2719	48.47	S 07.4036° W	- 73.43
185	186	25.00	23.35	53.5631	12.23	S 18.7413° E	- 22.69

OWNER / DEVELOPER
 SAPLING RIDGE, LLC
 3779 Sharp Road
 Glenwood, Maryland 21738
 (410) 489-4830
 Attn: Mr. Charles A. Sharp, Presiding Member

ENGINEER / SURVEYOR
 R.M. MOCHI GROUP, P.C.
 10120 A Old National Pike
 Germantown, Maryland 21754
 (301) 883-5858
 Attn: Mr. Robert Mochi, P.E.

High Forest Estates
 See Sheet J of 5

High Forest Estates
 See Sheet K of 5

High Forest Estates
 See Sheet L of 5

High Forest Estates
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High Forest Estates
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High Forest Estates
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High Forest Estates
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High Forest Estates
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High Forest Estates
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High Forest Estates
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High Forest Estates
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High Forest Estates
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High Forest Estates
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High Forest Estates
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High Forest Estates
 See Sheet X of 5

High Forest Estates
 See Sheet Y of 5

High Forest Estates
 See Sheet Z of 5

LOT TABULATION

No. of LOTS AND/OR PARCELS - 12
 Buildable Lots - 11
 Non-Buildable Preservation Parcel - 1

AREA OF LOTS AND/OR PARCELS - 27,1565 Ac.
 Buildable Lots - 12,4112 Ac.
 Non-Buildable Preservation Parcel - 14,7453 Ac.

AREA OF ROAD RIGHT-OF-WAY - 1,1003 Ac.
 Sapling Ridge Drive - 0.7529 Ac.
 High Forest Court - 0.3474 Ac.

CROSS AREA OF SUBDIVISION THIS PLAT - 28,2568 Ac.
 Total Area of 100 Year Floodplain - 3,4089 Ac.

Floodplain Table

Line	Length	Bearing
F101	2.94	S 81°26'10" E
F102	3.08	S 81°26'10" E
F103	10.82	N 81°26'10" W
F104	4.78	N 81°26'10" W
F105	11.31	S 81°26'10" E
F106	11.31	S 81°26'10" E
F107	11.31	S 81°26'10" E
F108	11.31	S 81°26'10" E
F109	11.31	S 81°26'10" E
F110	11.31	S 81°26'10" E
F111	11.31	S 81°26'10" E
F112	11.31	S 81°26'10" E
F113	11.31	S 81°26'10" E
F114	11.31	S 81°26'10" E

Forest Conservation Easement

Line	Length	Bearing
F115	17.30	N 81°26'10" W
F116	17.30	N 81°26'10" W
F117	17.30	N 81°26'10" W
F118	17.30	N 81°26'10" W
F119	17.30	N 81°26'10" W
F120	17.30	N 81°26'10" W
F121	17.30	N 81°26'10" W
F122	17.30	N 81°26'10" W
F123	17.30	N 81°26'10" W
F124	17.30	N 81°26'10" W
F125	17.30	N 81°26'10" W
F126	17.30	N 81°26'10" W
F127	17.30	N 81°26'10" W
F128	17.30	N 81°26'10" W
F129	17.30	N 81°26'10" W
F130	17.30	N 81°26'10" W

STREAM BUFFER

Line	Length	Bearing
S101	1.00	N 81°26'10" W
S102	1.00	N 81°26'10" W
S103	1.00	N 81°26'10" W
S104	1.00	N 81°26'10" W
S105	1.00	N 81°26'10" W
S106	1.00	N 81°26'10" W
S107	1.00	N 81°26'10" W
S108	1.00	N 81°26'10" W
S109	1.00	N 81°26'10" W
S110	1.00	N 81°26'10" W
S111	1.00	N 81°26'10" W
S112	1.00	N 81°26'10" W
S113	1.00	N 81°26'10" W
S114	1.00	N 81°26'10" W
S115	1.00	N 81°26'10" W
S116	1.00	N 81°26'10" W
S117	1.00	N 81°26'10" W
S118	1.00	N 81°26'10" W
S119	1.00	N 81°26'10" W
S120	1.00	N 81°26'10" W

Coordinates

NO.	NORTH	EAST	NO.	NORTH	EAST
71	N 572632.513	E 1307834.755	172	N 571866.631	E 1306328.427
72	N 573038.481	E 1307312.956	173	N 572503.389	E 1306869.356
130	N 571791.402	E 1305963.252	174	N 572033.359	E 1307110.273
131	N 571688.576	E 1305949.892	175	N 571404.211	E 1307400.549
132	N 571564.323	E 1306715.748	176	N 571481.919	E 1307430.073
133	N 571778.503	E 1306232.919	177	N 571989.977	E 1307353.829
134	N 571667.589	E 1306353.035	178	N 571830.628	E 1307251.749
135	N 571443.877	E 1306401.600	179	N 571893.891	E 1307197.845
136	N 571435.824	E 1306434.913	180	N 571484.459	E 1307558.527
137	N 571245.818	E 1306543.225	181	N 571444.791	E 1306955.154
138	N 571300.962	E 1306596.368	182	N 571555.904	E 1306897.740
139	N 571333.884	E 1306857.399	183	N 571774.363	E 1306884.550
140	N 571324.747	E 1306597.421	184	N 571883.960	E 1306833.804
141	N 571441.256	E 1306654.632	185	N 572170.680	E 1307083.582
142	N 571480.328	E 1306939.239	186	N 572172.835	E 1307070.305
143	N 571442.537	E 1306959.989	187	N 571857.646	E 1306954.100
144	N 571349.983	E 1307009.433	188	N 572467.341	E 1307401.133
231	N 572204.219	E 1307084.2885	189	N 571764.875	E 1306554.331
232	N 572171.8333	E 1307146.2241	189	N 571763.350	E 1306947.182
233	N 572145.0808	E 1307132.2810			
234	N 572152.0624	E 1307118.9848			

COORDINATES ARE BASED ON THE MARYLAND COORDINATE SYSTEM (NAD-83) AND ARE DESIGNATED THIS: 1

RECORDED AS PLAT NUMBER _____
 DATED _____
 AMONG THE LAND RECORDS OF
 HOWARD COUNTY, MARYLAND

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

Donna M. Matusz 7/22/99
 COUNTY HEALTH OFFICER CWO D.M. MASE DATE

APPROVED: HOWARD COUNTY DEPARTMENT OF PLANNING & ZONING

James S. Butler 10/1/99
 DIRECTOR JA DATE

Charles A. Sharp 7/20/99
 CHIEF, DEVELOPMENT ENGINEERING DIVISION DATE

Surveyor's Certificate

I hereby certify that the final plat shown herein is correct; that it is a subdivision of all of those parcels of land conveyed by Charles A. Sharp and Denise L. Sharp to Sapling Ridge, LLC by deeds dated February 26, 1999 and recorded among the aforementioned Land Records in Liber 4681 of Folio 029 and Liber 4681 of Folio 035, and all of that parcel of land conveyed by Charles A. Sharp, Denise L. Sharp, Sharp and Higdon Development Corporation to Sapling Ridge, LLC by deed dated February 26, 1999 and recorded among the aforementioned Land Records in Liber 4681 of Folio 023, and that all monuments in place or to be in place prior to the acceptance of the streets in a subdivision by Howard County as shown, in accordance with the Annotated Code of Maryland as amended, and meets the MINIMUM STANDARDS OF PRACTICE as described in Subtitle 13, Section 13-201. No monument is in accordance with the County Subdivision Regulations.

Charles A. Sharp 7/21/99
 Date
 Charles A. Sharp, P.L.S. 382

Owner's Dedication

I, Charles A. Sharp, Presiding Member of Sapling Ridge, LLC, a Maryland Limited Liability Company, hereby adopt this plan of subdivision, and in consideration of the approval of this final plat by the Department of Planning and Zoning, establish the minimum building restriction lines and grant unto Howard County, Maryland, its successors and assigns:

- The right to lay, construct and maintain sewers, drains, water pipes and other municipal utilities and services, and in and under all roads and street right-of-ways and the specific easement shown hereon;
- The right to require dedication for public use of the beds of the streets and/or roads, and flood plains and open space where applicable and for good and other valuable consideration, hereby grant the right and option to Howard County to acquire the fee simple title to the beds of the street and/or roads and flood plains, storm drainage facilities and open space where applicable; and
- The right to require dedication of waterways and drainage easements for the specific purpose of their construction, repair and maintenance; and
- That no building or similar structure of any kind shall be erected on or over the said easements and rights-of-way.

Witness my hands this 20th day of July, 1999

Charles A. Sharp
 Charles A. Sharp, Presiding Member

J. P. Pitzer
 Witness

High Forest Estates

Lots 1 through 50
 Buildable Preservation Parcel A
 Non-Buildable Preservation Parcel B

Election District No. 5 Howard County, Maryland
 Tax Map 27 Grid B Parcels 140, 141 & 142
 Scale: 1" = 100'
 May, 1999

R.M. MOCHI GROUP, P.C.

10120 A Old National Pike
 Germantown, MD 21754-2006
 98019.14 JAM

(301) 883-5858
 Fax: (301) 865-5111

Current Zoning: RC & RP
 Sketch Plat: S-87-21
 Prelim. Plat: P-98-14
 Final Plat: WP-98-10
 Home Partition: WP-99-103
 BA Code: No. 399-0

SHEET 4 OF 5

Plat # 13961

MSACSU 2125-1503-4 F. 98.167

EXHIBIT D



Point: 83° 43' 32.05" N 77° 00' 53.04" W elev 428ft

Summing 11111111 100%

Eye alt 16402ft

GOOGLE

B-1

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
Division of Land Development

DATE: 9-12-07

DPZ File No. WP-08-016

Department of Planning and Zoning

- Transportation Planning
- Historic Preservation
- Public Service and Zoning Administration
- Research
- Address Coordinator

- Environmental and Community Planning (Ag Pres/Route 1)
- Development Engineering Division
- Other
- File

Agencies

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

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

RE: High Forest Estates Plat 26

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

Plans	# of Sheets	Supplemental Documents
<input type="checkbox"/> Sketch Plan	_____	<input type="checkbox"/> Wetlands Report
<input type="checkbox"/> Prel Equiv Sketch Plan	_____	<input type="checkbox"/> Soils/Topo Map/Drain Area Map
<input type="checkbox"/> Preliminary Plan	_____	<input type="checkbox"/> FSD/FCP/Worksheet and Application
<input type="checkbox"/> Final Plat/Plat of Easement/RE Plat	_____	<input type="checkbox"/> Declaration of Intent (Forest Cons)
<input type="checkbox"/> Final Constr Plans (RDS)	_____	<input type="checkbox"/> Drainage and/or Computation/Pond Safety Comps
<input type="checkbox"/> Final Development Plan	_____	<input type="checkbox"/> Preliminary Road Profiles
<input type="checkbox"/> Site Development Plan	_____	<input type="checkbox"/> APFO Roads Test/Mitigation Plan/Traffic Study
<input type="checkbox"/> Landscape Plan/Supplemental Plan	_____	<input type="checkbox"/> Noise Study
<input type="checkbox"/> Grading Plan	_____	<input type="checkbox"/> Sight Distance Analysis/Speed Flow Study
<input type="checkbox"/> House Type Revision/Walk-Thru Red-Line	_____	<input type="checkbox"/> Floodplain Study
<input type="checkbox"/> Water and Sewer Plan	_____	<input type="checkbox"/> Stormwater Management Comps/Geo-Tech Report
Applications		<input type="checkbox"/> Industrial Waste Survey (DPW)
<input checked="" type="checkbox"/> Waiver Petition/Apply Exhibit	_____	<input type="checkbox"/> Road Poster Form Letter
<input type="checkbox"/> Planning Board Application	_____	<input type="checkbox"/> Response Letter
<input type="checkbox"/> ASDP/CSDP Application	_____	<input type="checkbox"/> Perc Plat
<input type="checkbox"/> DED Application/Checklist	_____	<input type="checkbox"/> Scenic Road Exhibits
<input type="checkbox"/> DED Fee Receipt/Deeds/Cost Estimate	_____	<input type="checkbox"/> Deeds
		<input type="checkbox"/> Photographs
		<input type="checkbox"/> Retaining Wall Comps/Details
		<input type="checkbox"/> Poster/Community or HDC Meeting Information
		<input type="checkbox"/> Route 1 Details/Summary

WAS: Received Tentatively Approved
 Received and Revised Approved

Recorded On 9-12-07

COMMENTS: _____ **SRC** Comments Due By: 10-4-07

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

DPZ STAFF INITIALS MJF

From: Gabriel Creighton
To: Jones, Derrick
Date: 10/17/2007 4:35:30 PM
Subject: Re: WP-08-016, High Forest Estates...

Derrick,

Thanks for forwarding these, I'll make sure they get filed with the project.

Looking at these photos, it appears pretty clearly that the deck is proposed too close to the septic tank and/or tanks (a 5 foot setback, no variance available). I am only assuming the yellow line painted on the ground is the proposed deck (on the photo looking north). Like I said in the waiver comments, the proposal will be subject to review and revision at the building permit stage, unless the applicant would like to make the adjustments now. It is likely that the septic tank or tanks extend 1-2 feet beyond the portions visible in the photo and although it is difficult to judge scale in a photo, I would guess that the deck as proposed is within this 5 foot setback by several feet.

Gabe

Gabe Creighton
Registered Environmental Sanitarian/GIS
Howard County Health Department
Bureau of Environmental Health
Well and Septic Program
7178 Columbia Gateway Drive
Columbia, MD 21046
(410) 313-2775
gcreighton@howardcountymd.gov

>>> Derrick Jones 10/17/2007 4:12 PM >>>
Hello Gabriel,

Here are photos of the rear of the house for the proposed deck, in regards to WP-08-016 and your comments concerning the location of wells in respect to the proposed deck. Thanks for your comments, dated 9/13/07. We are about to act upon this waiver soon.

Derrick L. Jones
Department of Planning & Zoning
Division of Land Development
410-313-4330

>>> "Brian Higgins" <bwh0421@comcast.net> 10/10/2007 12:54 PM >>>
Mr. Jones,

Per my earlier email, attached are two additional images of my property showing the portion between the rear of the house to the edge of the forested portion of the property.

Best regards,

Brian Higgins

(443) 535-8485

(443) 629-5907



