

HOWARD COUNTY  
 PERMIT APPLICATION

PERMIT NUMBER  
 B07000623

Building Address 820 HOODS MILL RD  
COOKSVILLE MD 21723  
 Suite/Apt. #: \_\_\_\_\_ SDP/WP/Petition #: \_\_\_\_\_  
 Census Tract \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Section \_\_\_\_\_ Area \_\_\_\_\_ Lot \_\_\_\_\_  
 Tax Map \_\_\_\_\_ Parcel \_\_\_\_\_ Grid \_\_\_\_\_  
 Zoning \_\_\_\_\_ Map Coordinates \_\_\_\_\_ Lot size \_\_\_\_\_

Property Owner's Name Barbara + Jamie Jensen  
 Address 820 HOODS MILL RD  
 City COOKSVILLE State MD Zip Code 21723  
 Home Phone 410-489-9466 Work Phone 410-9053606  
 Applicant's Name & Mailing Address, (if other than stated hereon): \_\_\_\_\_  
 Phone \_\_\_\_\_ Fax 410-489-9469

Existing Use Single family dwelling  
 Proposed Use storage household goods  
 Estimated Construction Cost \$ 8,000.00  
 Description of Work 2 1 story addl. to existing  
shed, one pier + post + one  
slab + foundation  
32 x 56 - "As-Built"

Contractor Company owner  
 Contact Person \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
 License No. \_\_\_\_\_  
 Phone \_\_\_\_\_ Fax \_\_\_\_\_

Occupant or Tenant \_\_\_\_\_  
 Contact Name Barbara + Jamie Jensen  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Phone \_\_\_\_\_ Fax \_\_\_\_\_

Engineer or Architect Company \_\_\_\_\_  
 Contact Person \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Phone \_\_\_\_\_ Fax \_\_\_\_\_

BUILDING DESCRIPTION - COMMERCIAL

BUILDING DESCRIPTION - RESIDENTIAL

Building Characteristics	Utilities
Height: _____	Water Supply: _____ Public <input type="checkbox"/> Private <input type="checkbox"/>
No. of stories: _____	Sewage Disposal: _____ Public <input type="checkbox"/> Private <input type="checkbox"/>
Gross area, sq. ft. per floor: _____	Electric Yes <input type="checkbox"/> No <input type="checkbox"/> Gas Yes <input type="checkbox"/> No <input type="checkbox"/>
Use group: _____	Heating System: _____ Electric <input type="checkbox"/> Oil <input type="checkbox"/> Natural Gas <input type="checkbox"/> Propane Gas <input type="checkbox"/>
Construction type: _____ Reinforced Concrete <input type="checkbox"/> Structural Steel <input type="checkbox"/> Masonry <input type="checkbox"/> Wood Frame <input type="checkbox"/> State Certified Modular <input type="checkbox"/>	Sprinkler system: N/A <input type="checkbox"/> Full <input type="checkbox"/> Partial <input type="checkbox"/> Other Suppression <input type="checkbox"/> # of Heads _____

Building Characteristics	Utilities
SF Dwelling <input type="checkbox"/> SF Townhouse <input type="checkbox"/> Depth _____ Width _____ 1st floor: _____ 2nd floor: _____ Basement: _____ Finished Basement <input type="checkbox"/> Unfinished Basement <input type="checkbox"/> Crawl space <input type="checkbox"/> Slab on Grade <input type="checkbox"/> No. of Bedrooms _____ Height: _____ Multi-family dwellings: No. of efficiency units: _____ No. of 1 BR units: _____ No. of 2 BR units: _____ No. of 3 BR units: _____ Other Structure: _____ Dimensions: _____ Footings: _____ Roof Height: _____ State Certified Modular <input type="checkbox"/> Manufactured Home <input type="checkbox"/>	<u>NONE</u> Water Supply: _____ Public <input type="checkbox"/> Private <input type="checkbox"/> Sewage Disposal: _____ Public <input type="checkbox"/> Private <input type="checkbox"/> Electric Yes <input type="checkbox"/> No <input type="checkbox"/> Gas Yes <input type="checkbox"/> No <input type="checkbox"/> Heating System: _____ Electric <input type="checkbox"/> Oil <input type="checkbox"/> Natural Gas <input type="checkbox"/> Propane Gas <input type="checkbox"/> Sprinkler system: N/A <input type="checkbox"/> NFPA #13D _____ NFPA #13R _____ Other: <u>STORAGE SHED</u>

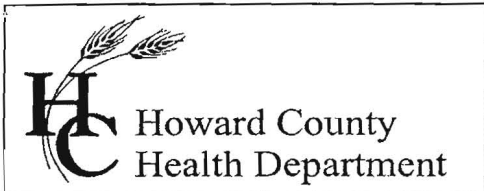
THE UNDERSIGNED HEREBY CERTIFIES AND AGREES AS FOLLOWS: (1) THAT HE/SHE IS AUTHORIZED TO MAKE THIS APPLICATION; (2) THAT THE INFORMATION IS CORRECT; (3) THAT HE/SHE WILL COMPLY WITH ALL REGULATIONS OF HOWARD COUNTY WHICH ARE APPLICABLE THERETO; (4) THAT HE/SHE WILL PERFORM NO WORK ON THE ABOVE REFERENCED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

Barbara Jensen  
 Applicant's Signature  
 Title/Company \_\_\_\_\_

Barbara + Jamie Jensen  
 Print Name  
3/1/07  
 Date

Checks payable to: **DIRECTOR OF FINANCE OF HOWARD COUNTY**  
 \*\* PLEASE WRITE NEATLY AND LEGIBLY. \*\*  
 - FOR OFFICE USE ONLY -

AGENCY	DATE	SIGNATURE APPROVAL	DPZ SETBACK INFORMATION	PROPERTY ID#
✓ Land Development, DPZ			Front: _____ Filing fee \$ <u>25.00</u>	
State Highways			Rear: _____ Permit fee \$ <u>100.00</u>	
✓ Building Official			Side: _____ Excise tax \$ _____	
✓ Dev. Engineering, DPZ	<u>3/1/07</u>	<u>MJ Davis</u>	Side St.: _____ Add'l per. fee \$ _____	
✓ Health			All minimum setbacks met? YES <input type="checkbox"/> NO <input type="checkbox"/>	TOTAL FEES \$ _____
Fire Protection			Is Entrance Permit required? YES <input type="checkbox"/> NO <input type="checkbox"/>	Sub-total paid \$ _____
Is Sediment Control approval required prior to issuance? YES <input type="checkbox"/> NO <input type="checkbox"/>			Historic District? YES <input type="checkbox"/> NO <input type="checkbox"/>	Balance due \$ _____
CONTINGENCY CONSTRUCTION START: <input type="checkbox"/>			Lot Coverage for NewTown Zone _____	Check # <u>3453</u>
ONE STOP SHOP: <input type="checkbox"/>			SDP/Red-line approval date _____	Validation # _____
Distribution of Copies - White: Building Official Green: LDD, DPZ Yellow: DED, DPZ Pink: Health Gold: SHA			Accepted by _____	



7178 Columbia Gateway Drive, Columbia Maryland 21046  
(410) 313-1771 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

May 7, 2007

Barbara & Jamie Jensen  
Or current resident  
820 Hoods Mill Rd.  
Cooksville, MD 21723

**RE: 820 Hoods Mill Road  
B07000623**

To Whom It May Concern:

This letter is in response to building permit B07000623. The existing septic system installed under permit number P517392 in of January of 2003 was sized for a three bedroom home. The Code of Maryland Regulations (COMAR) Title 26 Department of the Environment, Subtitle 4, Regulation of Water Supply, Sewage Disposal, and Solid Waste, Chapter 2.02 General Provisions states that the requirements of this chapter apply to all new on-site sewage disposal systems, replacements, additions to existing systems, and **any material changes in the use of a system.**

*COMAR 26.04.02.02 B1 b (i) On-site disposal system. Notwithstanding any other provision of this regulation, the Department may approve an on-site disposal system:*

*(a) For a lot which was approved by the Department as of November 17, 1985 if it meets the Department's regulations and policies which were in effect on November 17, 1985 and has at least one replacement system area. However, if a lot was approved subject to a 10,000 square foot or greater disposal area, this disposal area shall be maintained.*

*(b) For a lot which was legally established without Department approval before November 18, 1985 if it meets the other requirements of this regulation, except that:*

*(i) Only area sufficient for an initial and one replacement system is required.*

*COMAR 26.04.02.02 D A person may not construct or alter any residence, floating home, or commercial establishment served by an on-site sewage disposal system or private water supply system, and a county or municipality may not issue, if applicable, a building permit for the desired new construction or alteration, until the Approving Authority (4) has certified the existing on-site system as capable of handling the existing sewage flows or water demand and any reasonable foreseeable increase in flows or water demand.*

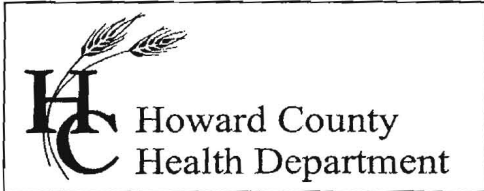
In order to proceed with this project a revised percolation certification plan will need to be developed showing a sewage disposal area large enough for an initial system and two replacements for the existing home and the proposed addition to the storage building. The septic system capacity will need to be increased if the home has been altered and has additional bedrooms. Provide a floor plan for the exiting house and label all rooms. Provide a copy of the construction plans for the storage structure that illustrates unfinished storage, not living space. Additionally, it my understanding that all of the plumbing will be removed as part of the project. If the structure is used as living space, an upgrade to the

sewage disposal system may be required before this Department can consider the septic system adequate for the existing and any reasonable foreseeable increase in flows.

Respectfully,

A handwritten signature in black ink, appearing to read "Michael J. Davis". The signature is written in a cursive style with a large, prominent initial "M".

Michael J. Davis, Program Supervisor  
Well & Septic Program



7178 Columbia Gateway Drive, Columbia Maryland 21046

(410) 313-1771 Fax (410) 313-2648

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website: [www.hchealth.org](http://www.hchealth.org)

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

May 9, 2007

Barbara & Jamie Jensen  
Or current resident  
820 Hoods Mill Rd.  
Cooksville, MD 21723

**RE: 820 Hoods Mill Road  
B07000623**

To Whom It May Concern:

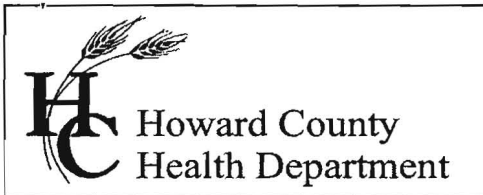
This letter is in response to building permit B07000623. The existing septic system installed under permit number P515224 in May of 2001 was sized for a three bedroom home. Based on current sizing criteria for a six bedroom home, the two eighty-seven foot drain fields are adequate for a six bedroom house. The proposal to utilize the existing second structure for your invisible dog fence company will not have a major impact on the existing septic system provided that you do not utilize the structure as an office with several employees. A building permit and other trade permits may be required for interior renovations to the shell structure. Provide a written description of the proposed use including the number of employees as part of your building permit submittal.

Additionally, be advised that the original building permit application, B00134768, was issued for a three bedroom home and work may have been performed without a permit to convert the home to a six bedroom home.

Please disregard my previous letter dated May 7, 2007. If you have any questions I may be reached at 410 313-2651.

Respectfully,

Michael J. Davis, Program Supervisor  
Well & Septic Program



Bureau of Environmental Health  
7178 Columbia Gateway Drive, Columbia MD 21046  
(410) 313-2640 Fax (410) 313-2648  
TDD (410) 313-2323 Toll Free 1-866-313-6300  
website: www.hchealth.org

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

**MEMORANDUM**

TO: George Beisser, Chief  
Division of Planning & Zoning Administration

FROM: Michael J. Davis *MJD*  
Well & Septic Program Manager

DATE: December 28, 2007

RE: Petition # **BA 07-031C**

The Department of Health has no objection to the conditional use for a home based contractor provided that the structure will not employ more than one non-resident office employee on a full time basis and customer use of the office will be minimal. The supplement to the petition describes this limitation.

MJD

**SUPPLEMENT TO CONDITIONAL USE PETITION  
PARCEL 204, TAX MAP 8  
DEBORAH SMITH, PETITIONER**

The subject "Property" is a 4.8797 acre parcel, Parcel 204, located at the terminus of a pipestem driveway running westward from minor arterial Route 97 to the immediate north of the intersection with Old Frederick Road, the improvements on which being commonly known as 820 Hoods Mill Road, Cooksville, Maryland 21723. The Property, itself, is the northwestern most lot, Lot No. 2, of that certain four lot subdivision being commonly known as the "Hinzman Property," recorded among the land records of Howard County as Plat No. 13553, previous DPZ file No.: WP 95-115; WP 96-72; F-96-104; and WP 98-96. The Property consists of two major improvements, a single family residence unit and an accessory structure. In addition, two existing sheds are located on the south eastern edge of the Property. Ingress and egress to and from the Property exists along the above-mentioned pipestem driveway, which driveway is shared and used by five additional neighboring properties for ingress and egress and is maintained under a Declaration of Maintenance recorded among the land records of Howard County.

The Property is improved by a 3,200 square foot single family residence located to the northwest, a 2,280 square foot accessory structure located centrally, extensive front, side and rear grassed areas and landscaping, and a portion of the shared pipestem driveway, which runs from the southeast to the northwest, diagonally across the Property, to the front of the single family residence. No additional construction on the Property is proposed in connection with this conditional use and no other conditional and/or accessory uses are currently present on the Property. The single family residence on the Property is serviced by private water and sewer facilities. There are no steep slopes or wetlands located on the Property other than a 75 foot

stream buffer which encroaches slightly into the western boundary line and a small wetlands area which runs across a portion of the shared driveway to the far east. The Property is surrounded to the west, east, and southeast by lush private forest conservation easements, and the improvements constructed on the Property are adequately shielded from the all neighboring properties by buffers of heavily wooded and densely vegetated terrain.

A wide roundabout area has been constructed along a portion of the pipestem driveway running directly along the front of the accessory structure, thus, resulting in increased parking area and a more efficient traffic pattern to and from the Property. The shared pipestem driveway terminus along Route 97 provides for safe access with adequate sight distance, based on actual conditions.

As the improvements upon the Property are already in existence and no planned extensions, alterations, or modifications are being sought in connection with this conditional use petition, there will be no additional adverse effects relating to noise, dust, fumes, odors, lighting, vibrations, hazards or other physical conditions attributable to the conditional use on the Property which would be greater than it would generally be elsewhere in the zone or applicable other zones, particularly when viewed in connection with the rather extensive and naturally existing buffers separating the Property from its neighbors. In addition, the compatibility of the character of the architecture is consistent with good design and construction as existed in the modern period and the location, the nature and height of structures and the nature and extent of the landscaping on the Property are not such that the use will hinder or discourage the development and use of adjacent land and structures more at the Property than it would generally in the zone or applicable other zones. The Petitioner submits that the grating of the conditional use outlined herein will result in a more productive use of her rural, residential land while, simultaneously,

preserving the rural character of the Property and the surrounding properties. As such, Petitioner submits that this proposed use is in harmony "Vision 2" of the *2000 General Plan of Howard County, Maryland* ("Our rural lands will be productive and rural character will be conserved").

The Petitioner seeks the home based contractor conditional use under this petition in order to operate a central office facility for the sale and installation operations of her invisible fence concern, currently operating under the name Invisible Fence of Maryland. The central office facility currently contemplated would be housed solely within the accessory structure and employ one non-resident employee on a full-time basis, whose duties would include data entry, secretarial work, phone sales, and other such types of general light office work. The employee mentioned herein shall be engaged primarily in phone related sales, but clients may enter onto the property on a light and/or infrequent basis to satisfy immediate, emergency needs such as battery replacements and/or product replacements. The storage of any and all business related items connected with the home based contractor use shall be stored and/or maintained in the accessory structure located upon the Property. As shown on the attached conditional use plan ("Exhibit A"), the accessory structure to be utilized under the Petitioner's proposed conditional use is located at least 100' from the closest neighboring property line.

In addition to the office based employee mentioned above, the Petitioner's existing business concern employs two installation/service technicians, each of whom operates a commercial vehicle. Any and all such commercial vehicles associated with and/or utilized in Petitioner's proposed home based contractor use shall be parked off-site and remain off-site throughout the day; subject, however, to the brief and temporary daily visits as herein described. Petitioner estimates that the technicians currently in her employ will be required to come upon the Property at most once per day to engage in business related activities, including the picking

up and/or dropping off of materials and/or supplies, the completing of paperwork, and other such related matters. Petitioner submits that any such daily visits by these technicians shall be limited in duration and of limited impact on the Property and/or the surrounding properties. As such, any increase in use of the shared pipestem driveway resulting from such daily visits shall have a minimal impact on the adjacent properties and shall not result in damage to and/or deterioration of the shared pipestem driveway or in increased hazards to the other users thereof. Any loading and/or unloading of materials or supplies or the temporary parking of any commercial vehicles on the Property in connection with the above-mentioned daily visits will be limited to the area immediately surrounding the accessory structure.

There are two properties adjoining the Property, neither of which derives its access via the shared pipestem driveway. There is a single family residence to the immediate north of the Property, with improvements being commonly known as 780 Hoods Mill Road, Cooksville, MD 21723. This residence, constructed in 1994, consists of a 2 story frame structure with a finished basement and lies situate on a 27 acre lot. In addition, there is a single family residence to the immediate west of the Property, with improvements being commonly known as 15150 Old Frederick Road, Woodbine, Maryland 21797. This residence, constructed in 1976, consists of a 1 story frame structure with a finished basement and lies situate on a sizable and largely undeveloped 131 acre lot. The improvements located on Property are well shielded from the view of each of these residences by buffers consisting of heavily wooded and vegetated terrain, including forest conservation easement lands. As stated above, neither of these properties derives its ingress or egress from the shared pipestem driveway connecting the Property to Route 97. As such, any effects of this proposed home based contractor conditional use on these properties would be negligible.

In addition to the above-mentioned properties, however, the Property shares a common boundary, either along the buildable portion of the Property or along the 10,426 square foot shared pipestem driveway, with four additional lots, with improvements being commonly known as 818, 822, 824, and 828 Hoods Mill Road. The lots constituting 818, 822, and 824 Hoods Mill Road are included in the same subdivision as the Property. As such, the lot size of each (ranging from 4.94-5.12 acres) and the types of residences constructed thereon (each is consists of a two story frame structure, with a finished basement, built during 2001-2002) are all similar to the Property. In contrast, the residence on 828 Hoods Mill Road, constructed in 1982, consists of a 1 story frame structure with a finished basement and lies situate on a more sizable 15.32 acre lot. The improvements located on Property are well shielded from the view of each of these residences by buffers consisting of heavily wooded and vegetated terrain, including multiple forest conservation easement lands. While these four additional properties derive their access via the shared pipestem driveway servicing the Property, as stated above, the conditional use proposed by Petitioner would result in no damage to and/or deterioration of the shared pipestem driveway or in increased hazards to the other users thereof. As such, any effects of this proposed home based contractor conditional use on these properties would be negligible.

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

Date: 12/12/07

Planning Board \_\_\_\_\_ Hearing Examiner 2/4/08  
Board of Appeals \_\_\_\_\_ Zoning Board \_\_\_\_\_

Petition No. BA 07-031C Map No. 8 Block 5 Parcel 204 Lot \_\_\_\_\_

Return Comments by 1/14/08 to Public Service and Zoning Administration

Location of Property: West side of Hoods Mill Rd

Applicant: Deborah Smith

Applicant's Address: 820 Hoods Mill Road, Cooksville, MD 21723

Owner: (if other than applicant) \_\_\_\_\_

Owner's Address: \_\_\_\_\_

Petition: cond use for home based contractor

\*\*\*\*\*

To:

- \_\_\_\_\_ Department of Education
- \_\_\_\_\_  Bureau of Environmental Health
- \_\_\_\_\_ Development Engineering Division
- \_\_\_\_\_ Department of Inspections, Licenses and Permits
- \_\_\_\_\_ Department of Recreation and Parks
- \_\_\_\_\_ Department of Fire and Rescue Services
- \_\_\_\_\_ State Highway Administration
- \_\_\_\_\_ Sgt. Karen Shinham, Howard County Police Dept.
- \_\_\_\_\_ James Irvin, Department of Public Works
- \_\_\_\_\_ MD Dept. of Human Resources, Janice Burris  
(Child Day Care)
- \_\_\_\_\_ Office on Aging, Terri Hansen (senior assisted living)
- \_\_\_\_\_ Police Dept., Animal Control, Deborah Baracco, (kennels)
- \_\_\_\_\_ Susan Fitzpatrick, Health Dept. (Nursing & Res. Care)
- \_\_\_\_\_ Land Development - (Religious Facility & Age-Restricted  
Adult Housing)

COMMENTS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Petition to the Howard County Department of Planning and Zoning  
Conditional Use RC-DEO (Home Based Contractor)  
Petitioner's Name: Deborah Smith  
Subject Property: 820 Hoods Mill Road, Cooksville, MD 21723-9710

Attached Exhibits

- Exhibit A Conditional Use Plan
- Exhibit B Photographs of the Subject Property
- Exhibit C Howard County GIS Map of the Subject Property (Land Features)
- Exhibit D Extract of Zoning Map 8
- Exhibit E SDAT Information Print-Out for Parcel 204



Howard County  
Health Department

Bureau of Environmental Health  
7178 Columbia Gateway Drive, Columbia MD 21046  
(410) 313-2640 Fax (410) 313-2648  
TDD (410) 313-2323 Toll Free 1-866-313-6300  
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Peter L. Beilenson, M.D., M.P.H., Health Officer

**MEMORANDUM**

TO: George Beisser, Chief  
Division of Planning & Zoning Administration

FROM: Michael J. Davis *MJD*  
Well & Septic Program Manager

DATE: December 28, 2007

RE: Petition # **BA 07-031C**

The Department of Health has no objection to the conditional use for a home based contractor provided that the structure will not employ more than one non-resident office employee on a full time basis and customer use of the office will be minimal. The supplement to the petition describes this limitation.

MJD

**REESE & CARNEY, LLP**  
*Attorneys at Law*

DAVID A. CARNEY  
DANIEL H. SCHERR  
LAURENCE B. RABER  
P. TYSON BENNETT  
KEVIN J. KELEHAN  
THOMAS M. MEACHUM  
JUDITH S. BRESLER  
MICHAEL S. MOLINARO  
ERIC C. BROUSAIDHS  
WILLIAM E. ERSKINE  
MICHELLE DiDONATO  
B. DARREN BURNS  
MANISHA S. KAVADI  
GLENN P. THOMAS  
HEATHER S. SWAN  
ANDREW H. ROBINSON

10715 CHARTER DRIVE  
COLUMBIA, MARYLAND 21044

(410) 740-4600  
WASHINGTON AREA  
(301) 621-6255

BALTIMORE FAX (410) 730-7729  
WASHINGTON FAX (301) 621-6273

November 14, 2007

170 JENNIFER ROAD  
SUITE 246  
ANNAPOLIS, MARYLAND 21401  
(410) 673-2001

OF COUNSEL  
FULTON P. JEFFERS  
124 E. MAIN STREET  
P.O. BOX 269  
SALISBURY, MARYLAND 21803  
(410) 860-1888

OF COUNSEL  
CHARLES A. REESE  
AUGUST W. STEINHILBER \*

DAVID C. HJORTSBERG  
(1941-1997)

\* ADMITTED IN WASHINGTON, D.C.  
AND OHIO

J. Robert Lalush  
Planning Specialist III  
Department of Planning & Zoning  
Division of Public Service and Zoning Administration  
3430 Court House Drive  
Ellicott City, MD 21043

RE: Board of Appeals Case No. 07-031C  
Deborah Smith – 820 Hoods Mill Road (the "Property")

Dear Mr. Lalush:

This correspondence is being sent to your attention in response to your letter dated October 22, 2007. In your letter, you requested of us that we provide you with certain supplemental pieces of information regarding the above-mentioned conditional use petition currently on file with your office with respect to the Property. Specifically, you have asked us to confirm the name and location of the structure to be used for the proposed use (as depicted on the Conditional Use Plan), the areas to be used for employee and customer parking and the surface treatment relating thereto, the total square footage on the property devoted to parking and/or the storage of equipment and supplies, and the use of the two existing sheds under the proposed use.

**With respect to Comment No. 1:** The structure labeled "Ex. Building" and located to the southeast of the "Ex. Dwelling" on the original conditional use plan attached to the Supplement to the Petition (the "Plan") is the accessory building (the "Accessory Building") to be utilized under this proposed conditional use.

**With respect to Comment No. 2:** Employee and Customer parking will be located as depicted on "Exhibit A" attached hereto. All of the use-on-common driveway serving the Petitioner's property is either paved or covered with a tar and chip surface treatment over a crushed gravel base except where indicated on the Revised Conditional Use Plan attached hereto as Exhibit B (*In addition*, see the attached Driveway Photographs, attached hereto as "Exhibit C").

07 NOV 16 AM 8:20

J. Robert Lalush  
November 14, 2007  
Page 2 of 2

**With respect to Comment No. 3:** The total square footage of the areas to be utilized under this proposed conditional use is as follows:

Interior (Accessory Building) – 550 square feet

Exterior (Parking) – 4,441 square feet

Total Area – 4,900 square feet

The area described above as “Exterior (Parking)” will be located as depicted on “Exhibit A” attached hereto and shall be utilized solely for customer/employee parking. As stated in the original Supplement to the Petition, the Petitioner will employ one full-time employee, two service technicians (who will be on the Property for approximately fifteen minutes per day), and customers will rarely, if ever, enter the Property in connection with this proposed conditional use. The area described above as “Interior (Accessory Building)” will consist solely of a 30’ x 15’ portion of the ground level floor of the Accessory Building (450 square feet) and a small section of the lower level (100 square feet). As stated in the original Supplement to the Petition, all storage of equipment and supplies will occur within the Accessory Building. No other areas on the Property will be utilized for parking and/or the storage of equipment and supplies under this proposed conditional use. Thus, the area used for parking and storage of commercial vehicles, equipment and supplies, whether exterior or interior, (4,941 square feet) is limited to no more than the lesser of five percent of the area of the lot (10,606 square feet) or 10,000 square feet.

**With respect to Comment No. 4:** The two accessory structures labeled as “Ex. Sheds” and located to the southeast of the Accessory Building on the Plan will not be utilized under this proposed conditional use.

It is our hope that these responses satisfy the comments put forth in your previous correspondence. If you require any further information, please advise us accordingly.

Very truly yours,

REESE AND CARNEY, LLP



Andrew H. Robinson, Esq.

AHR/  
Attachments  
cc: Deborah Smith

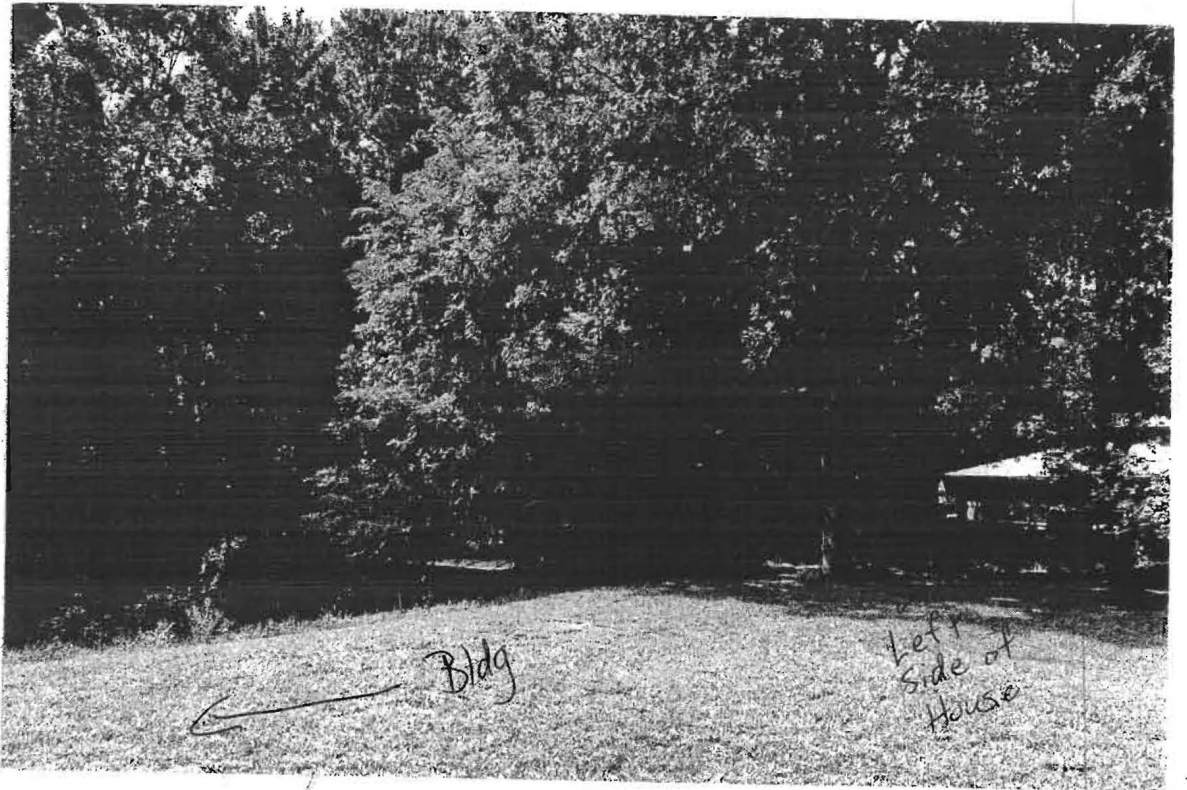
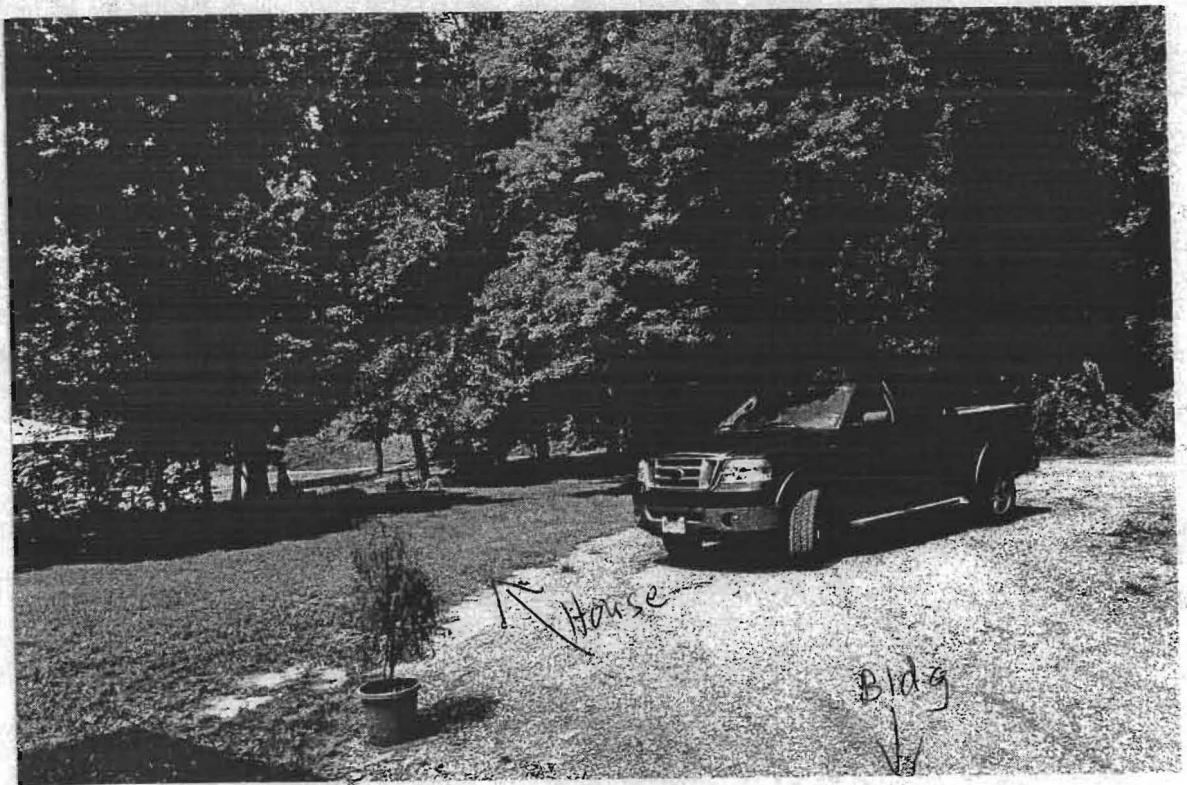
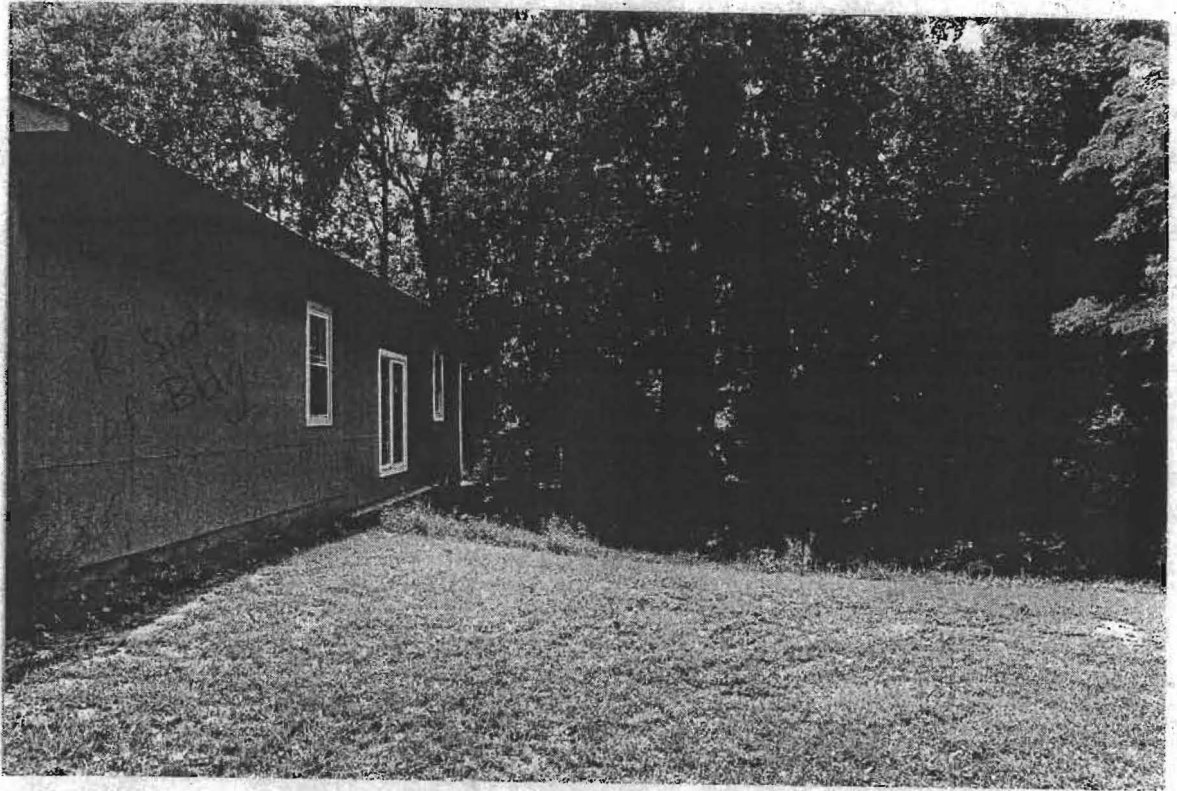
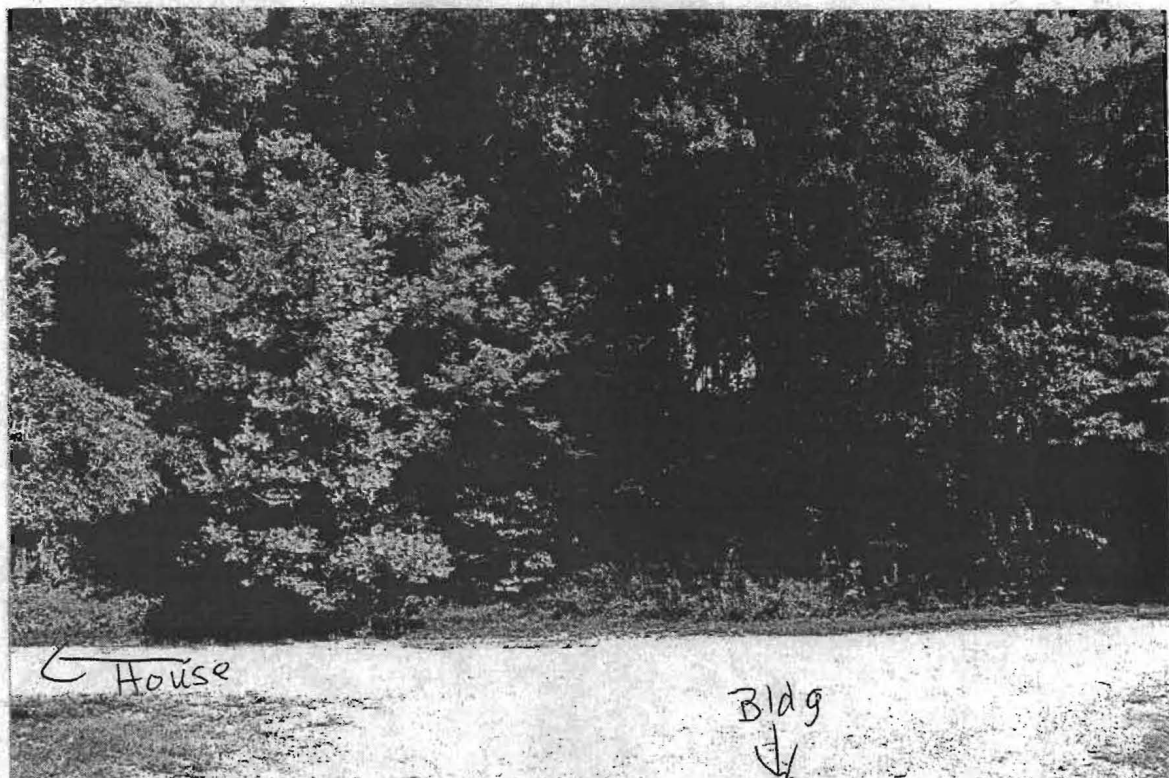
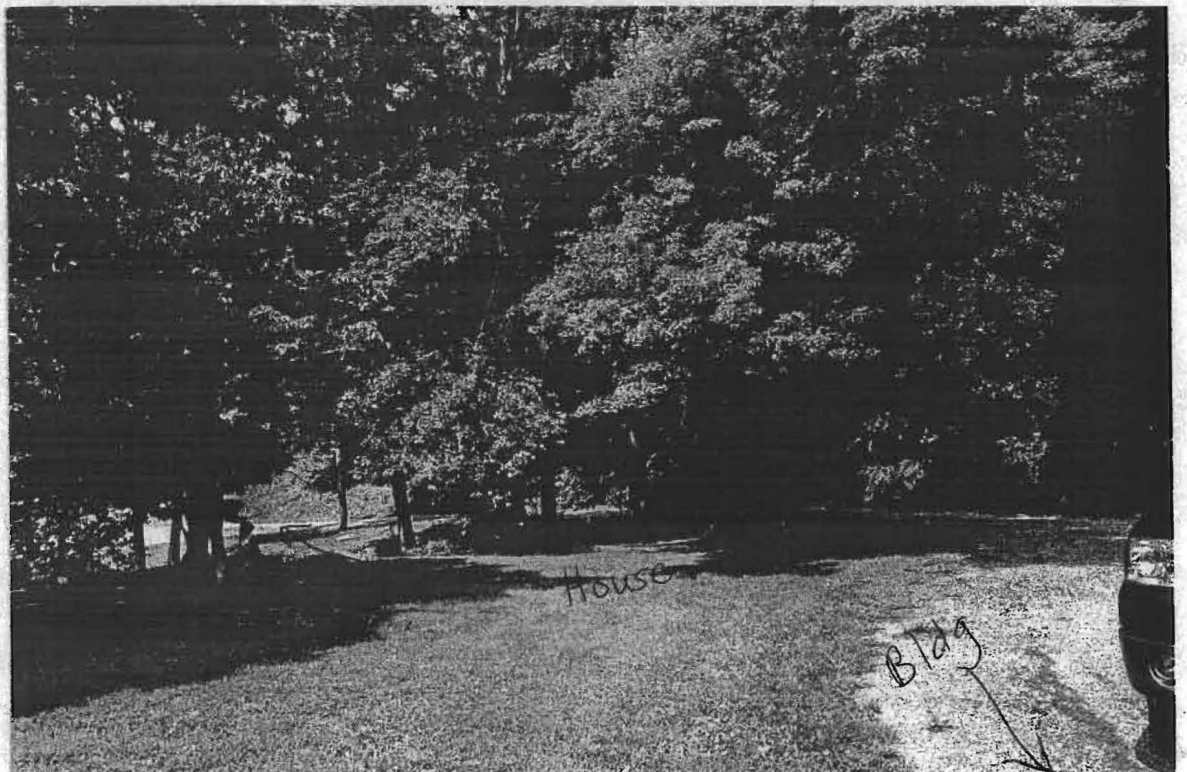
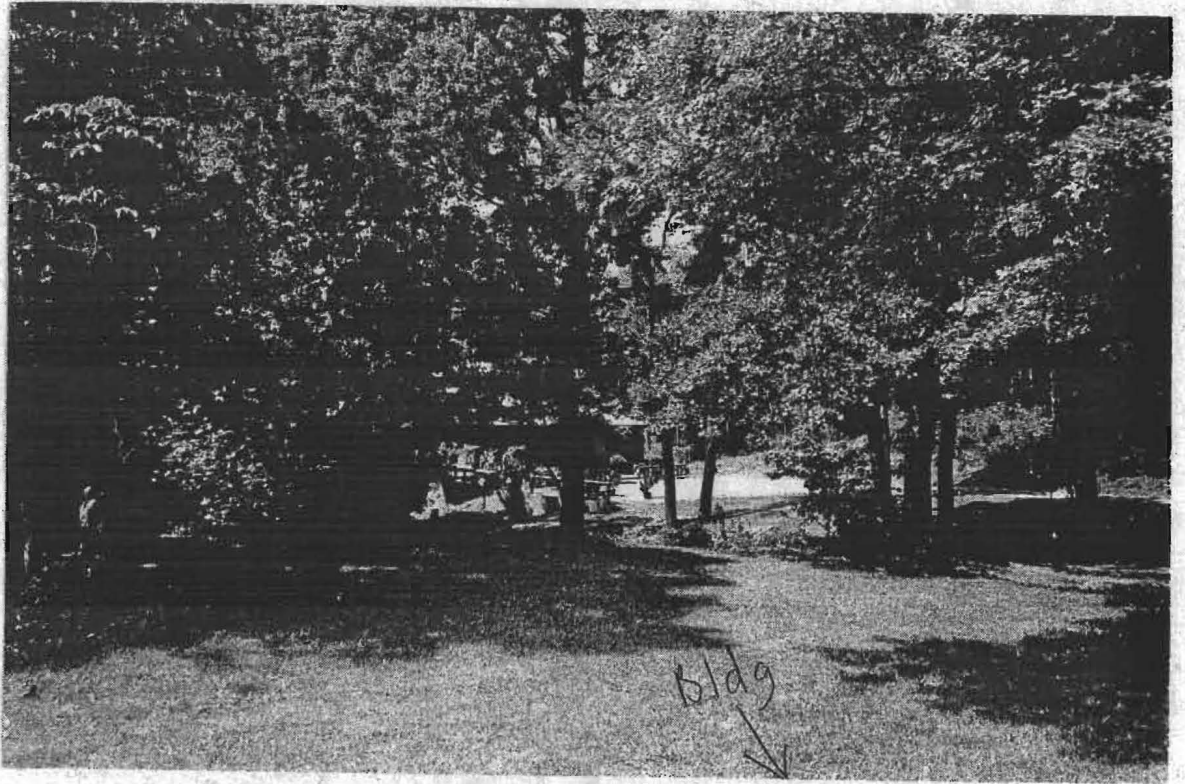


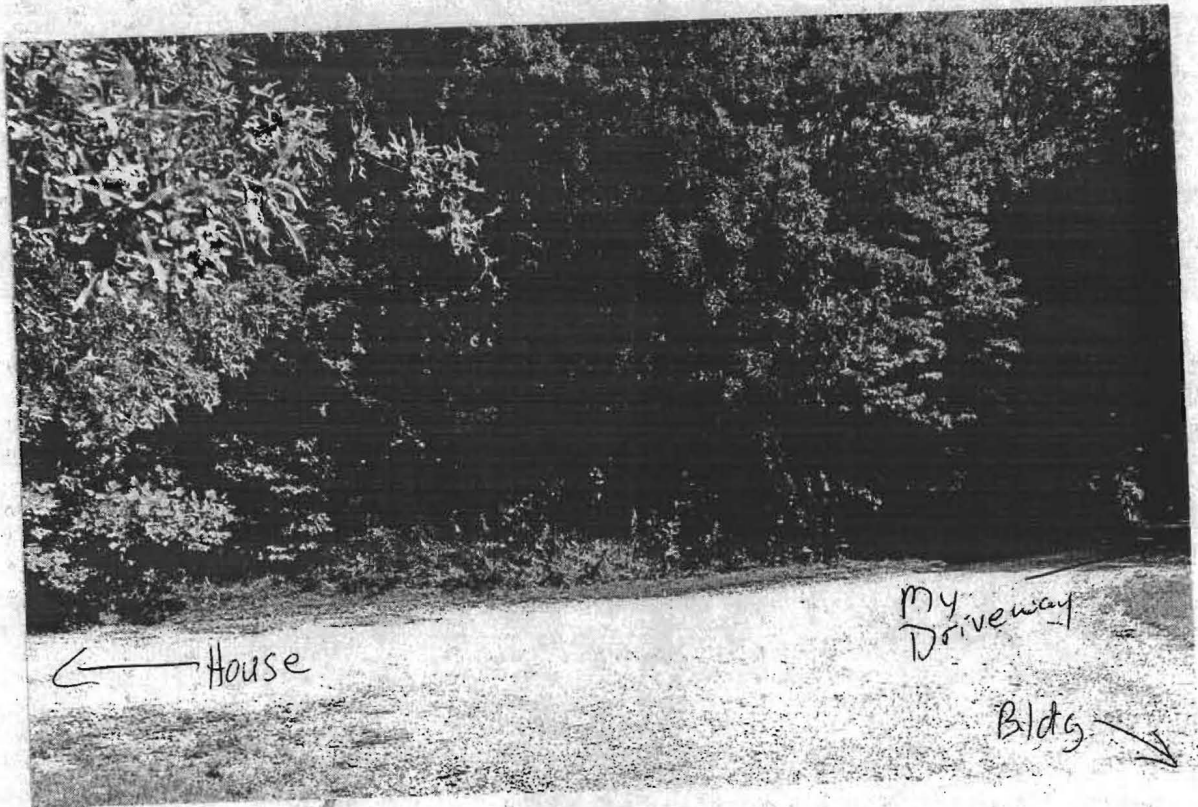
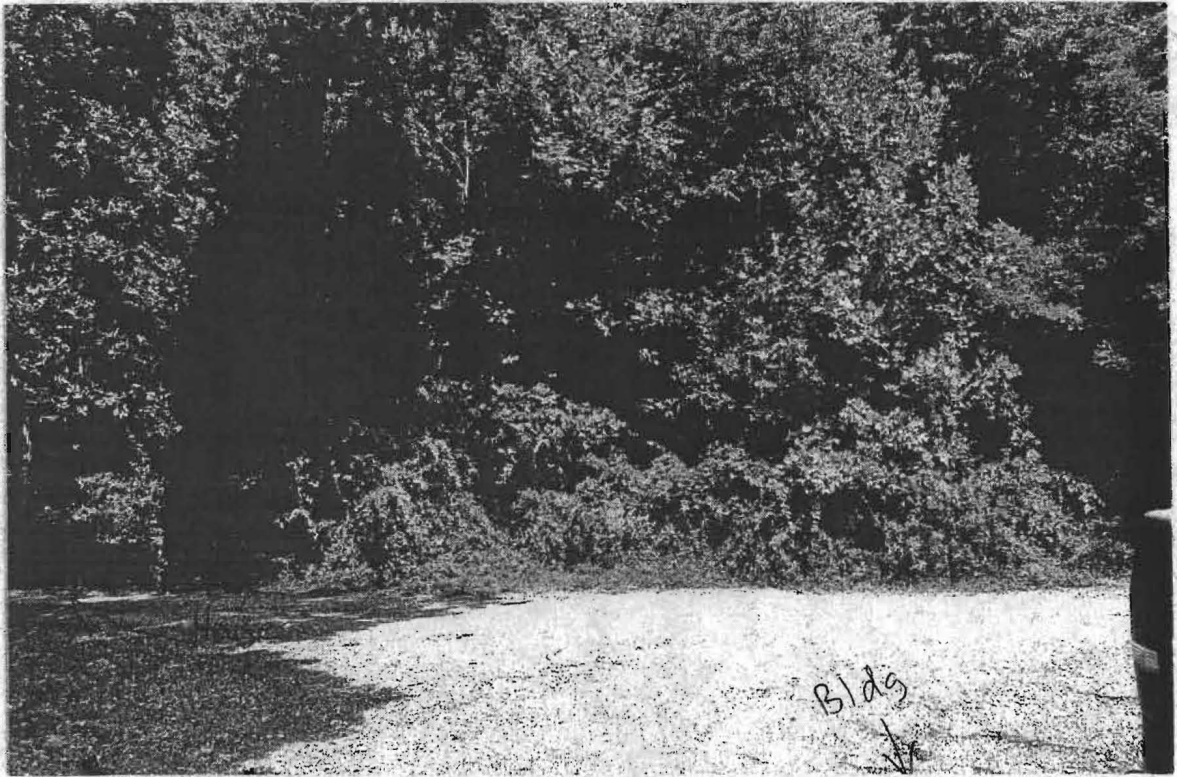
EXHIBIT  
B

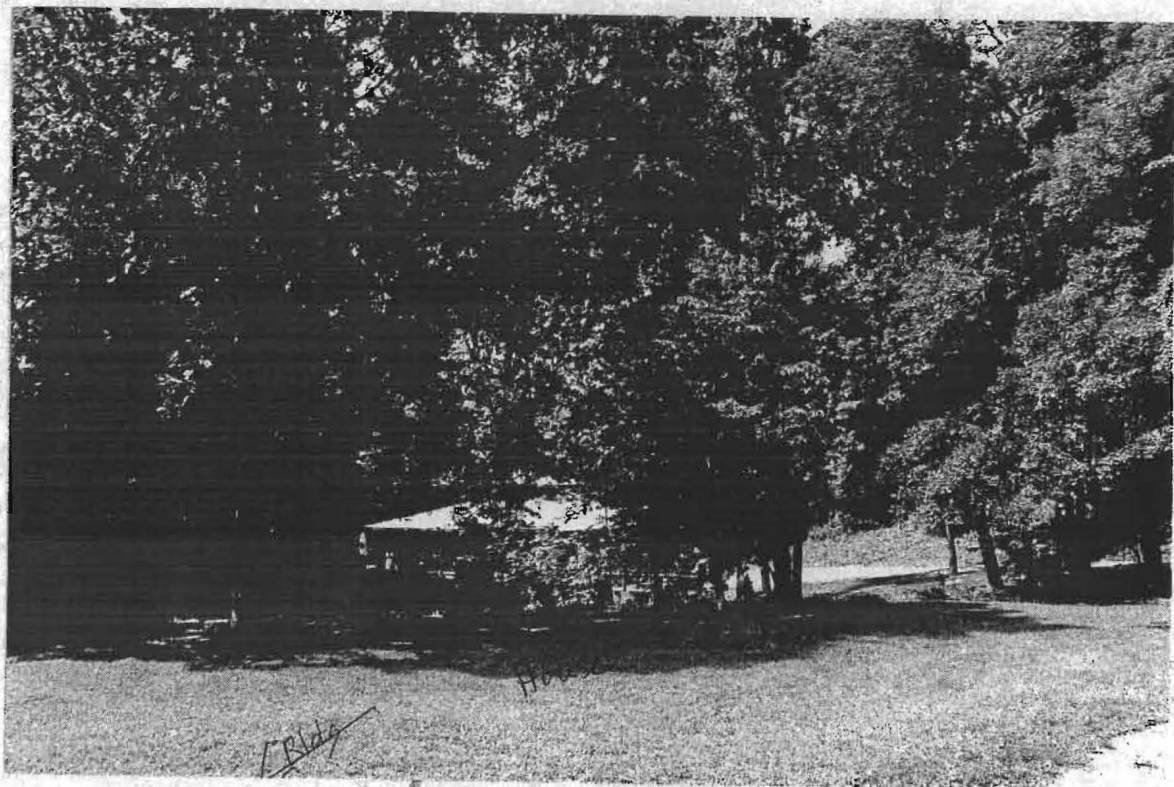
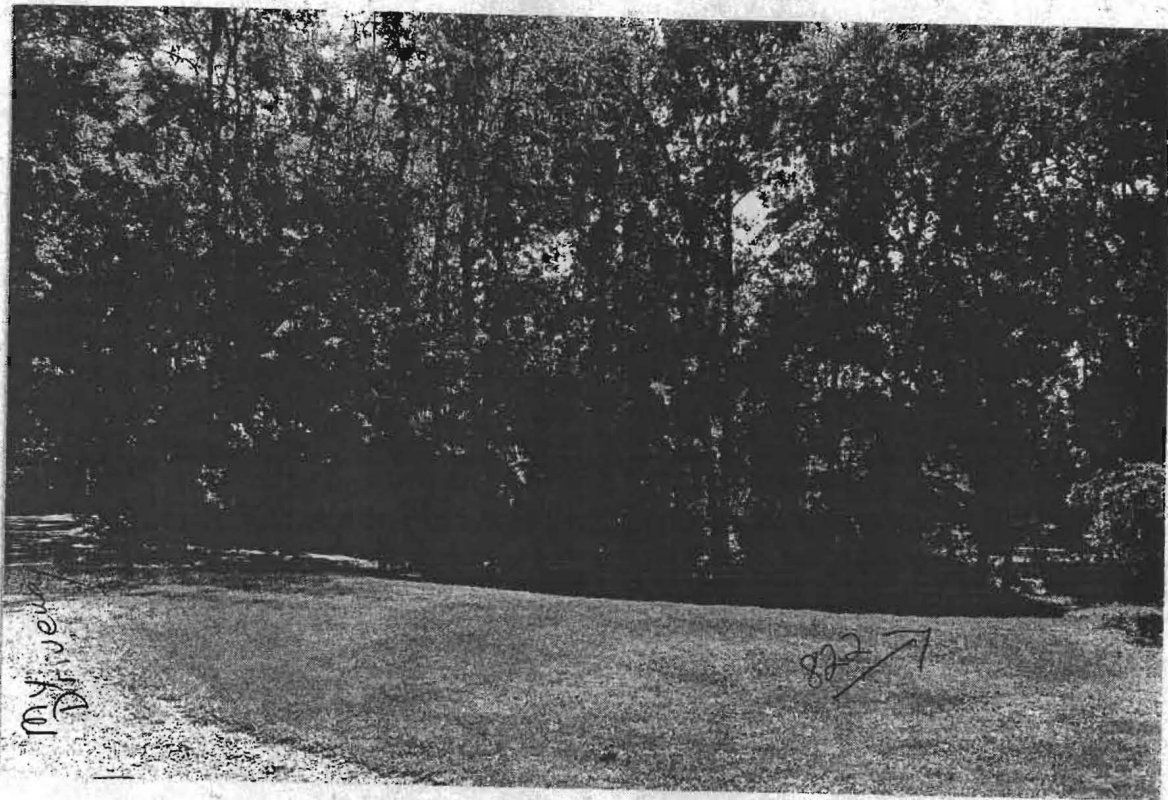


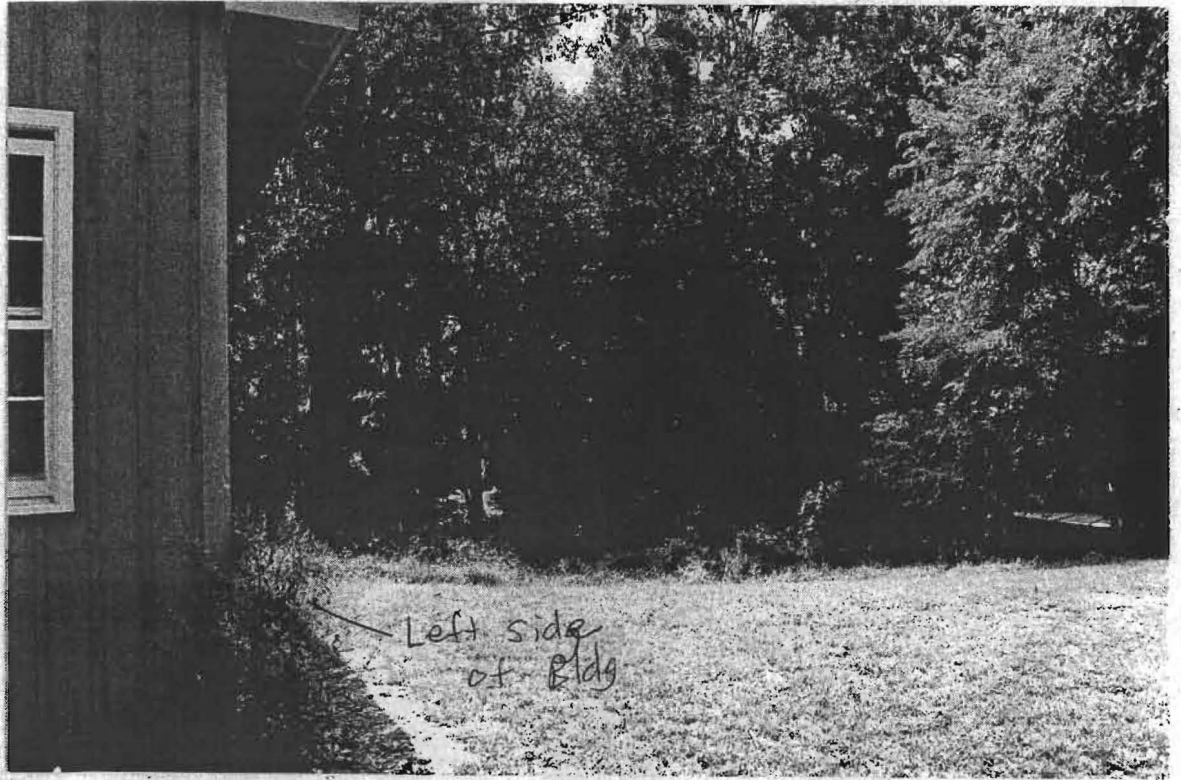


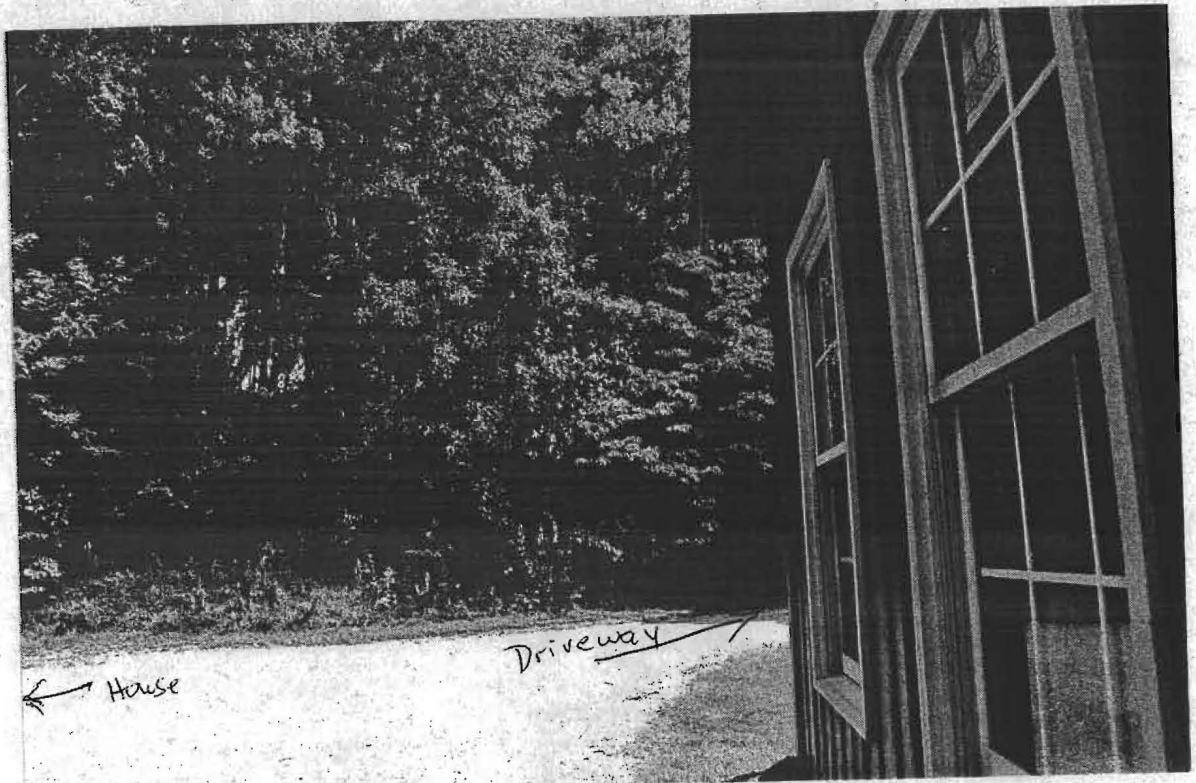


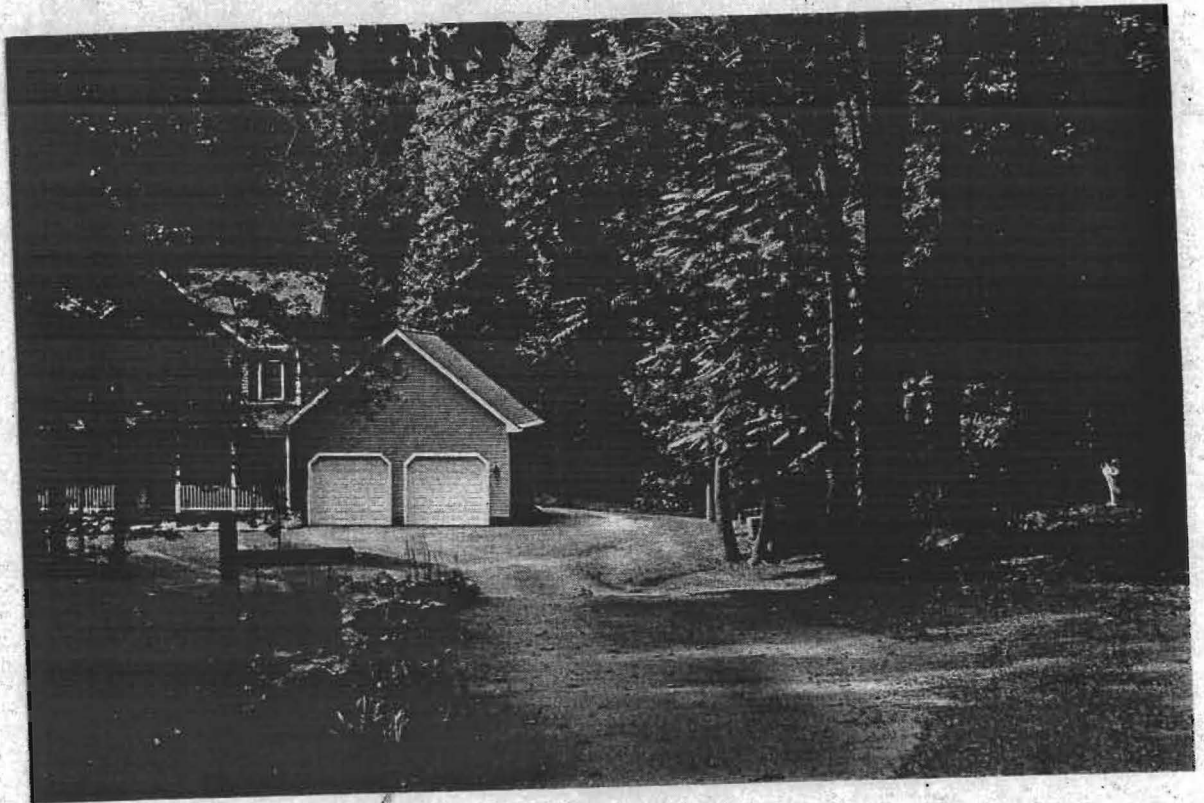
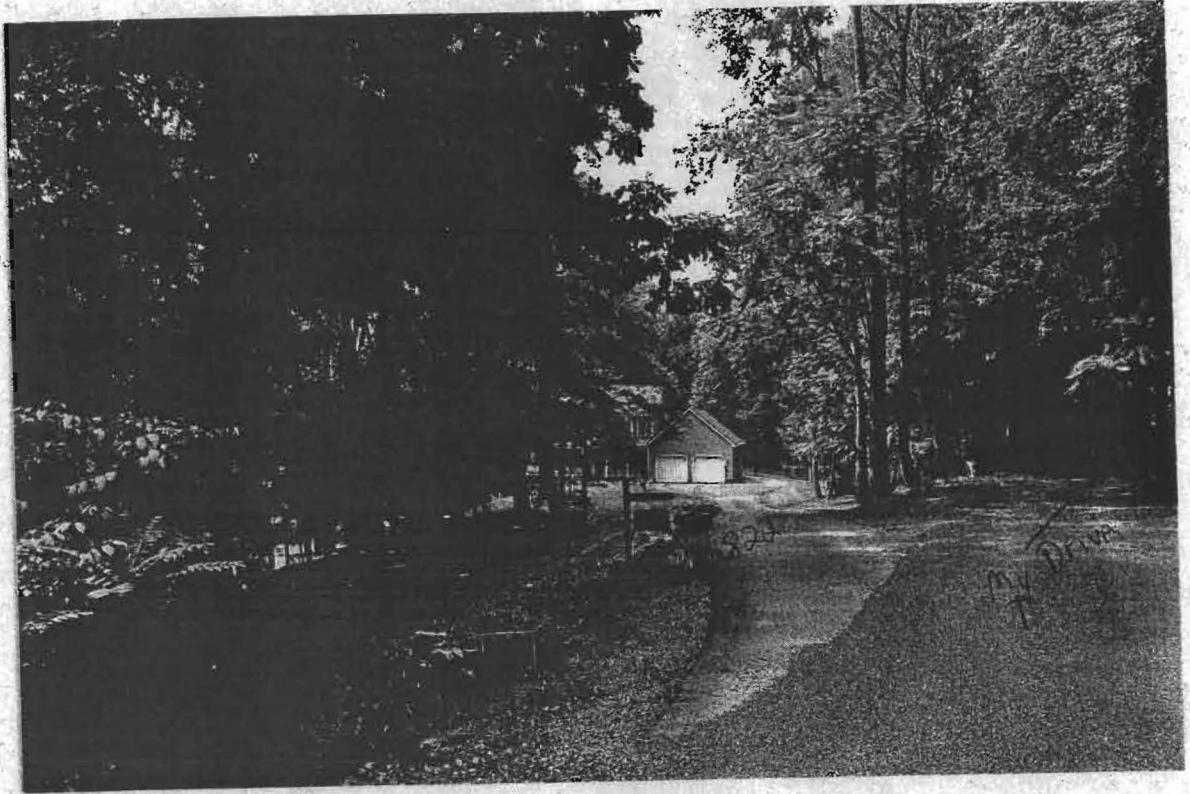


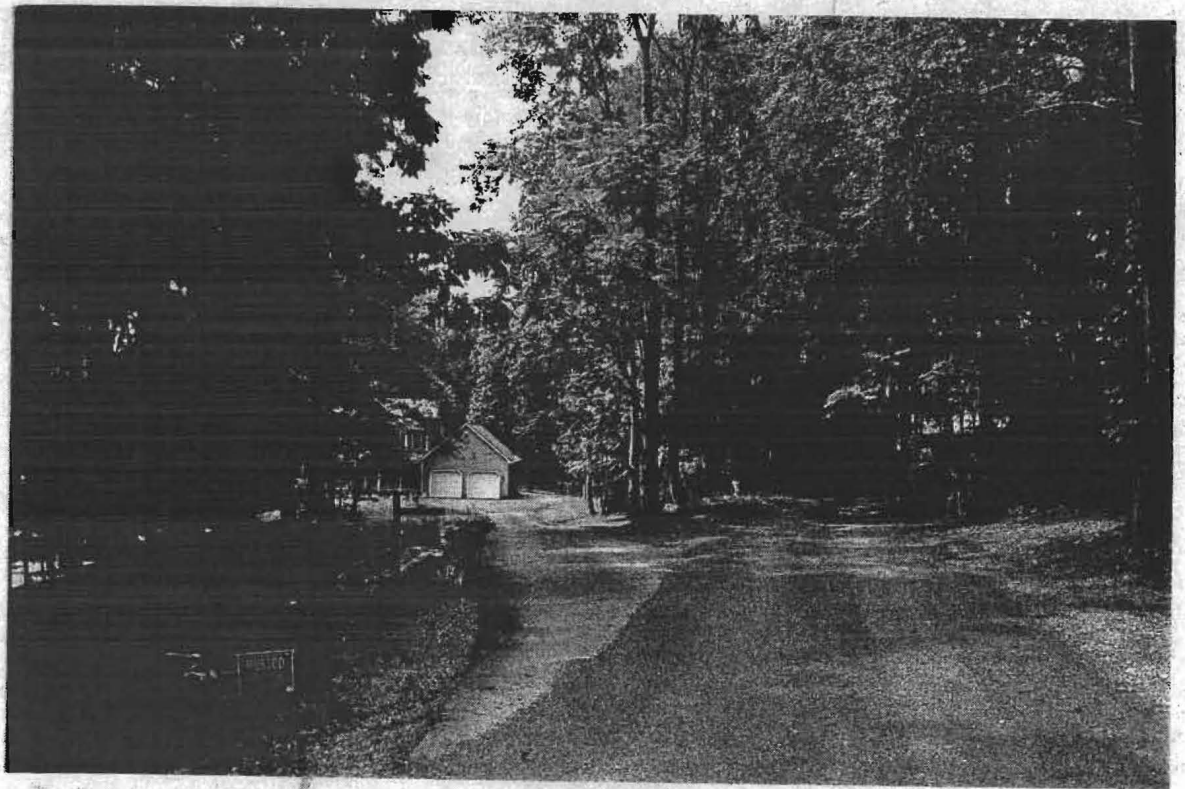
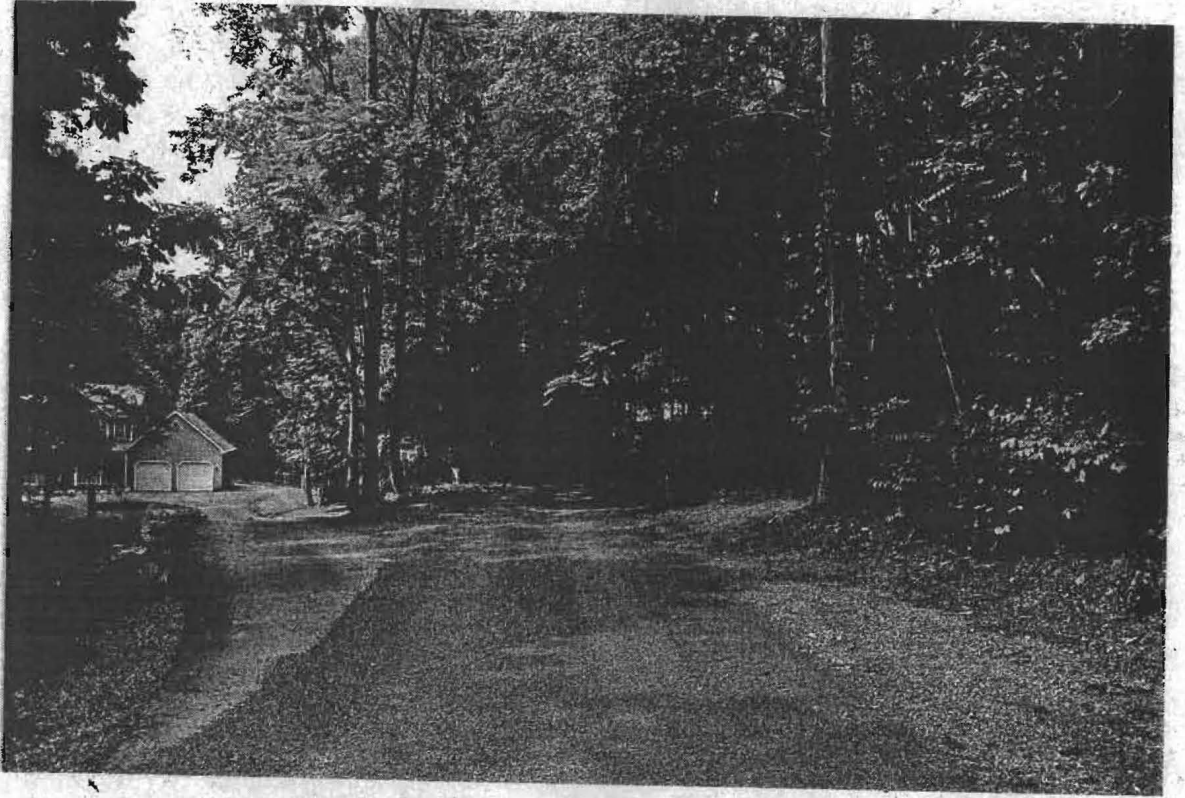


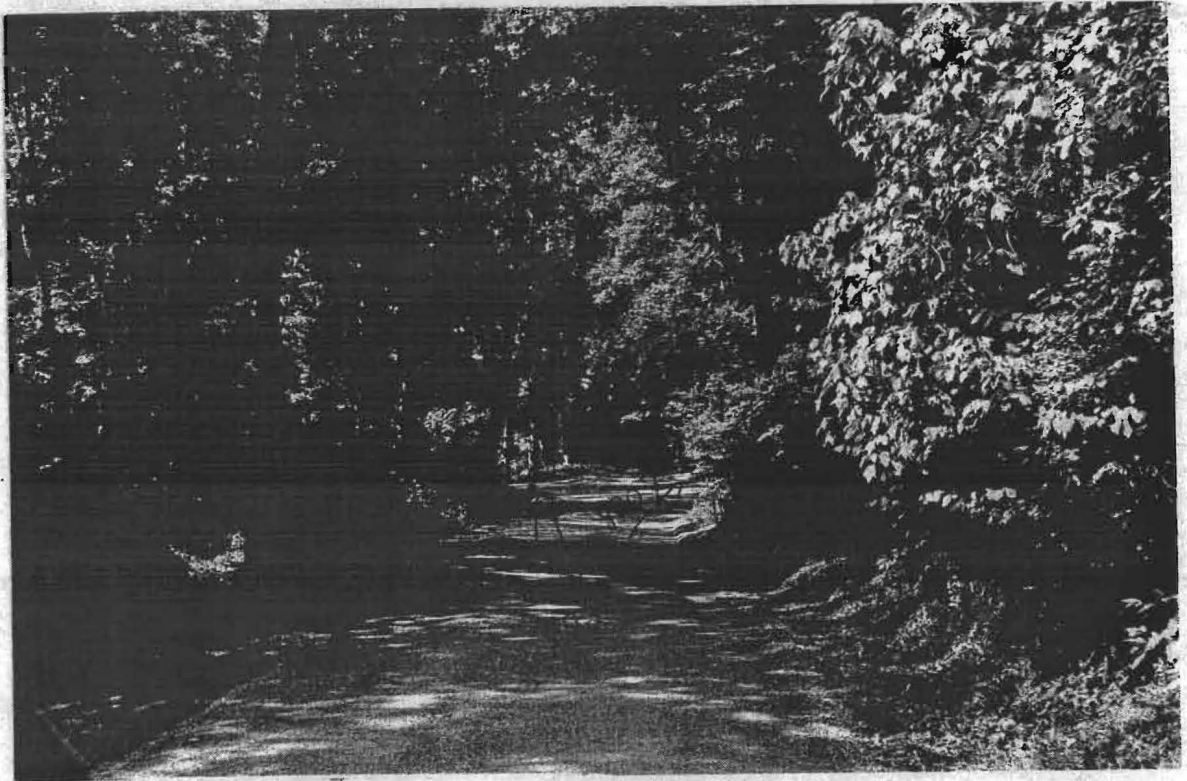


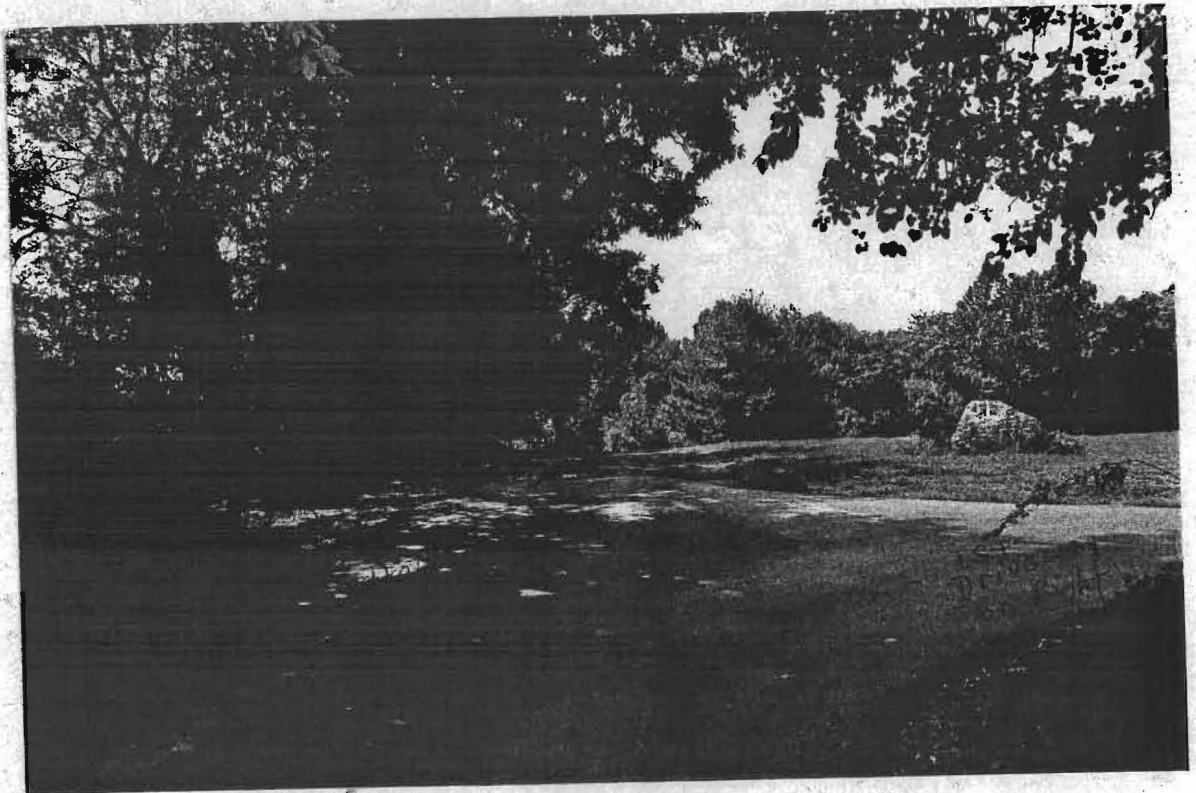


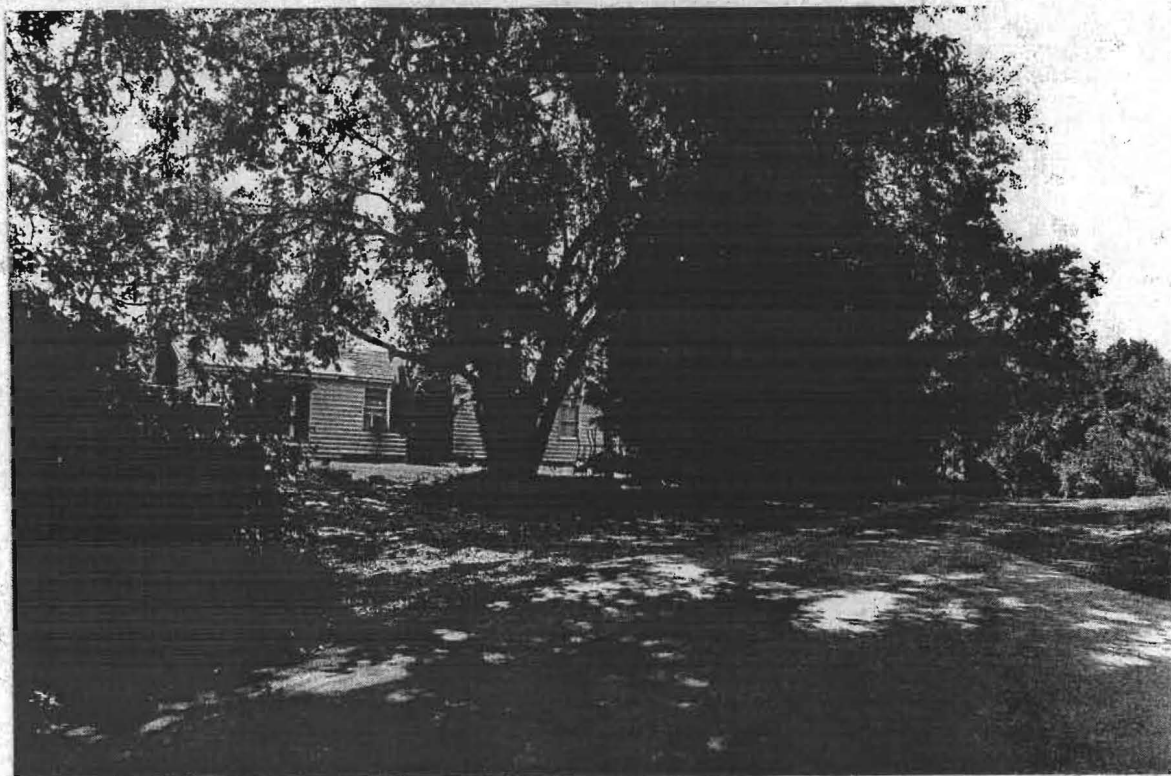


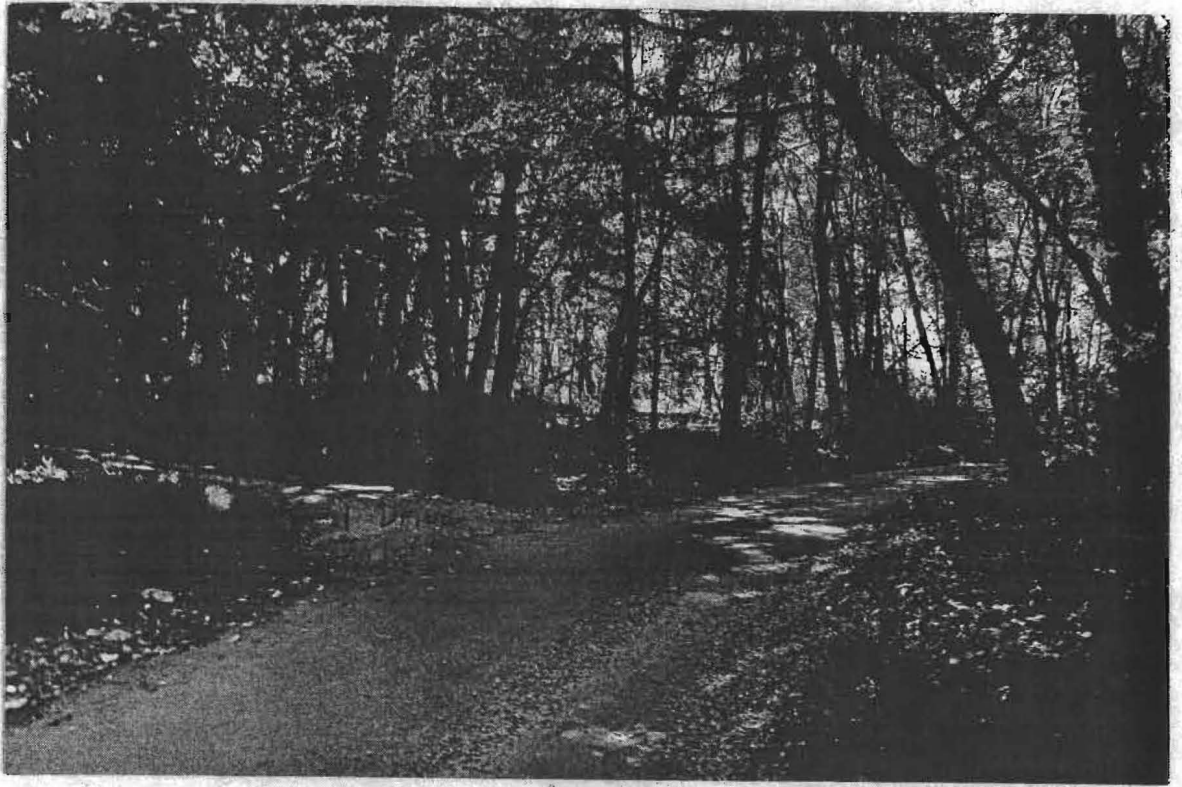


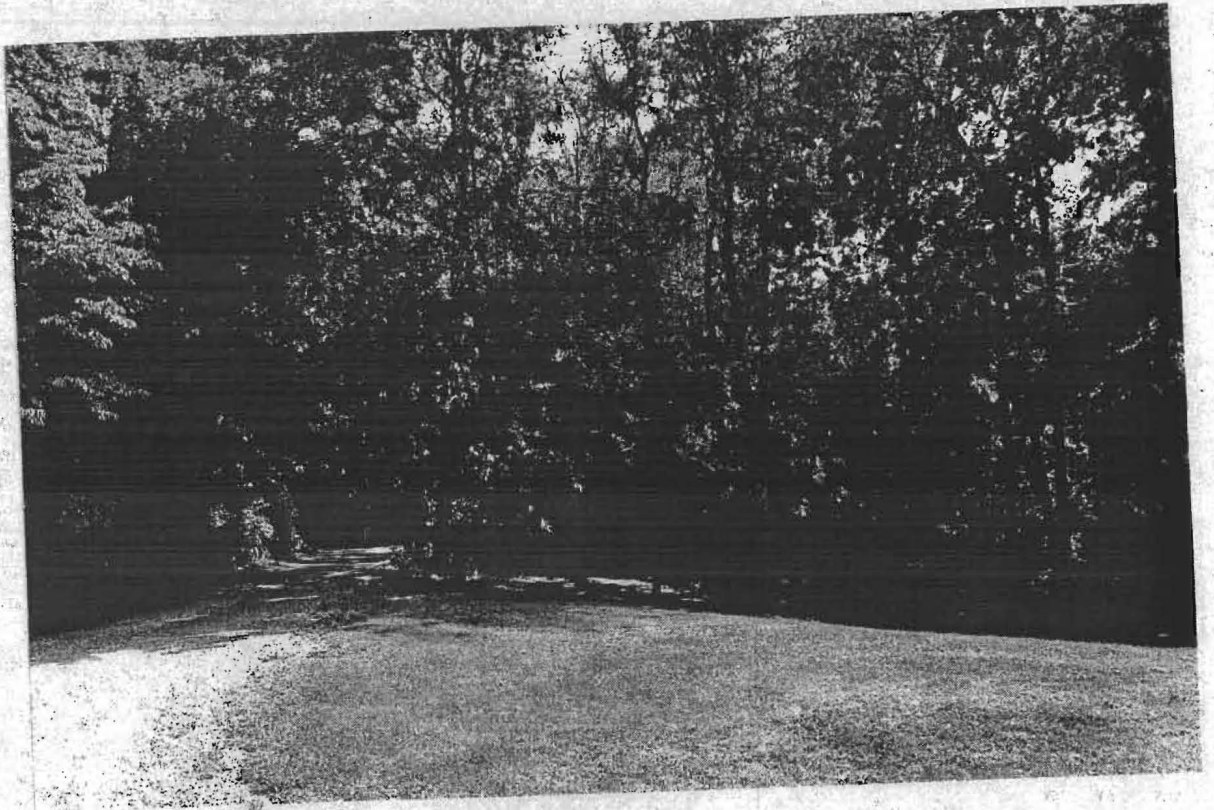


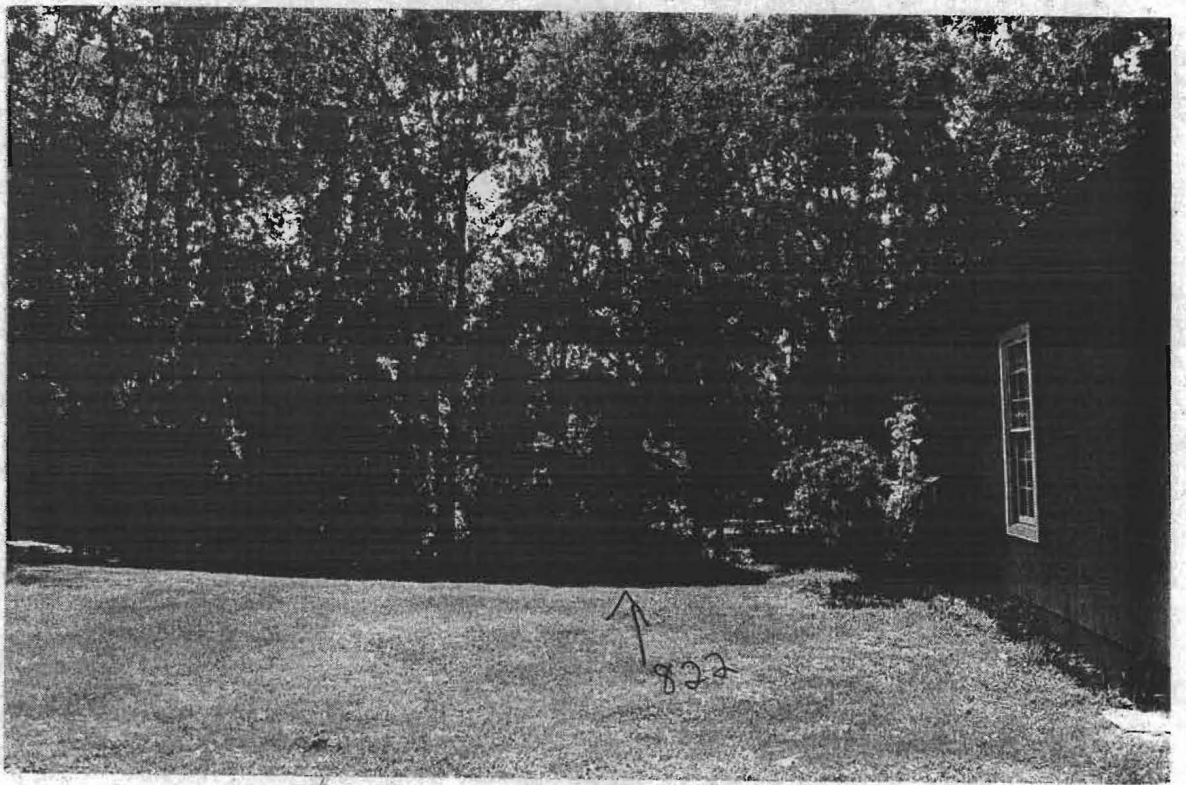
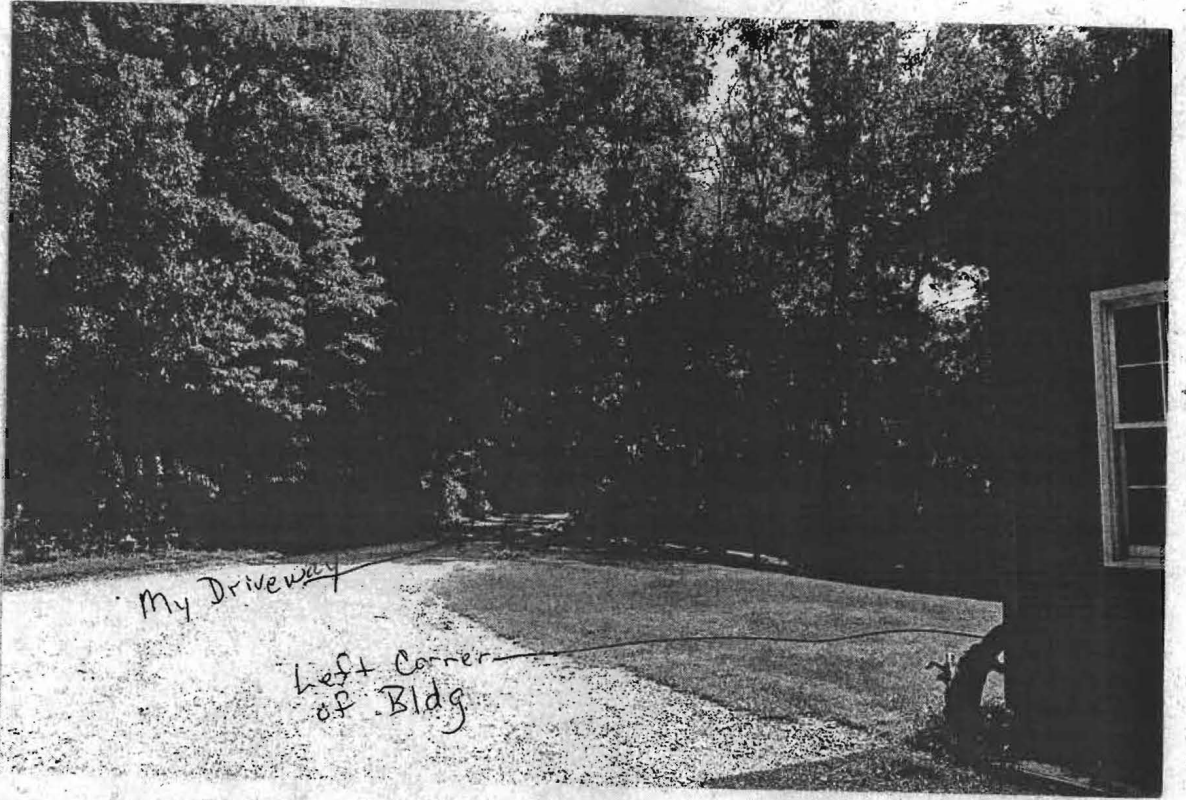


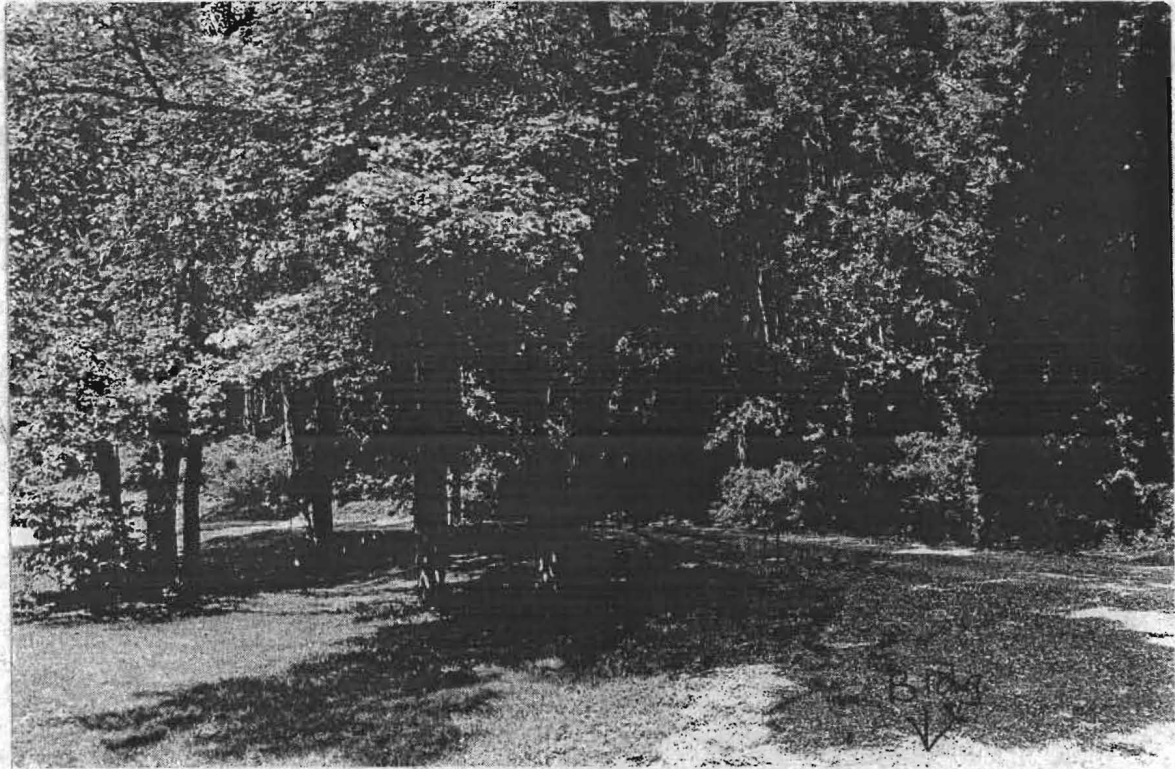


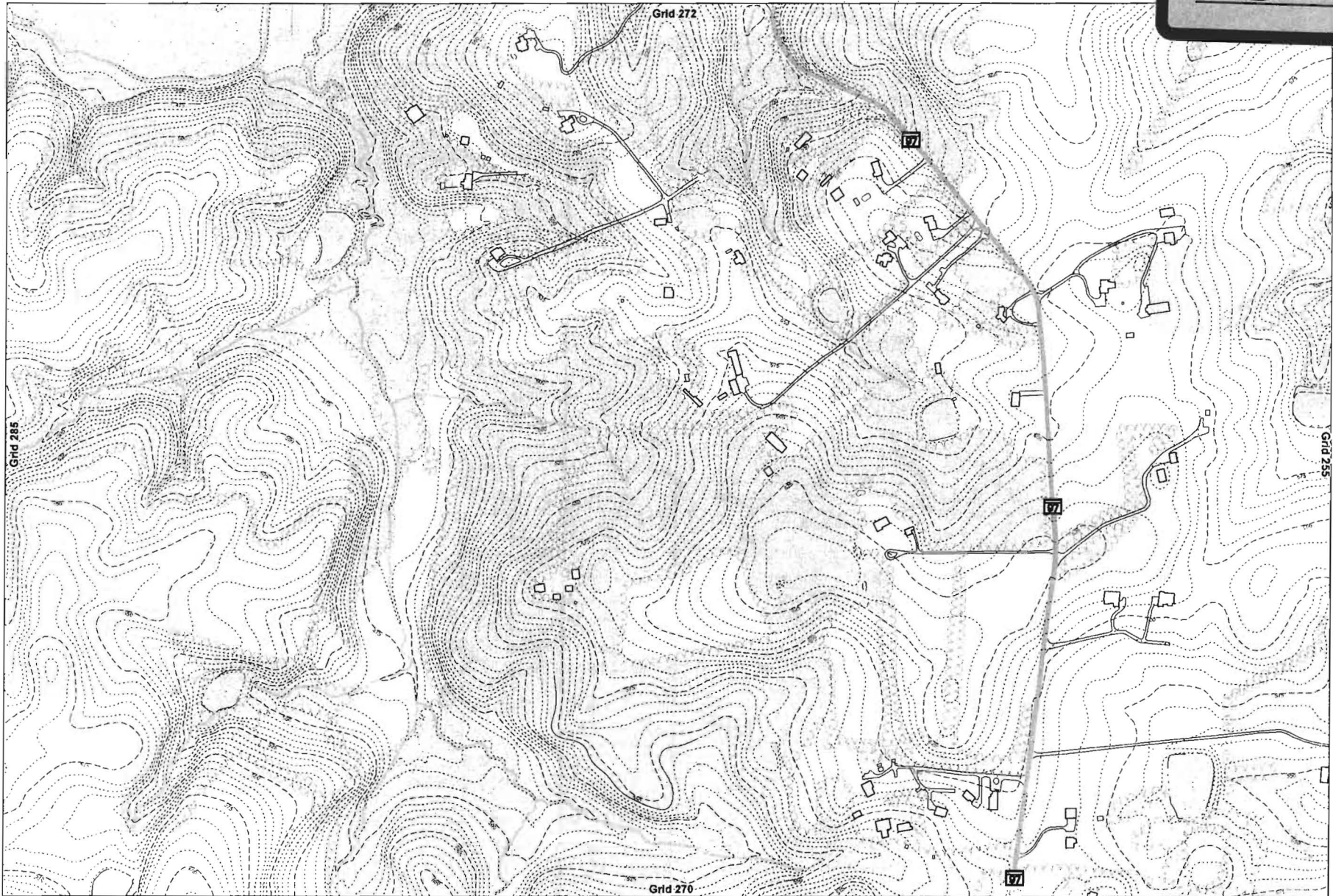








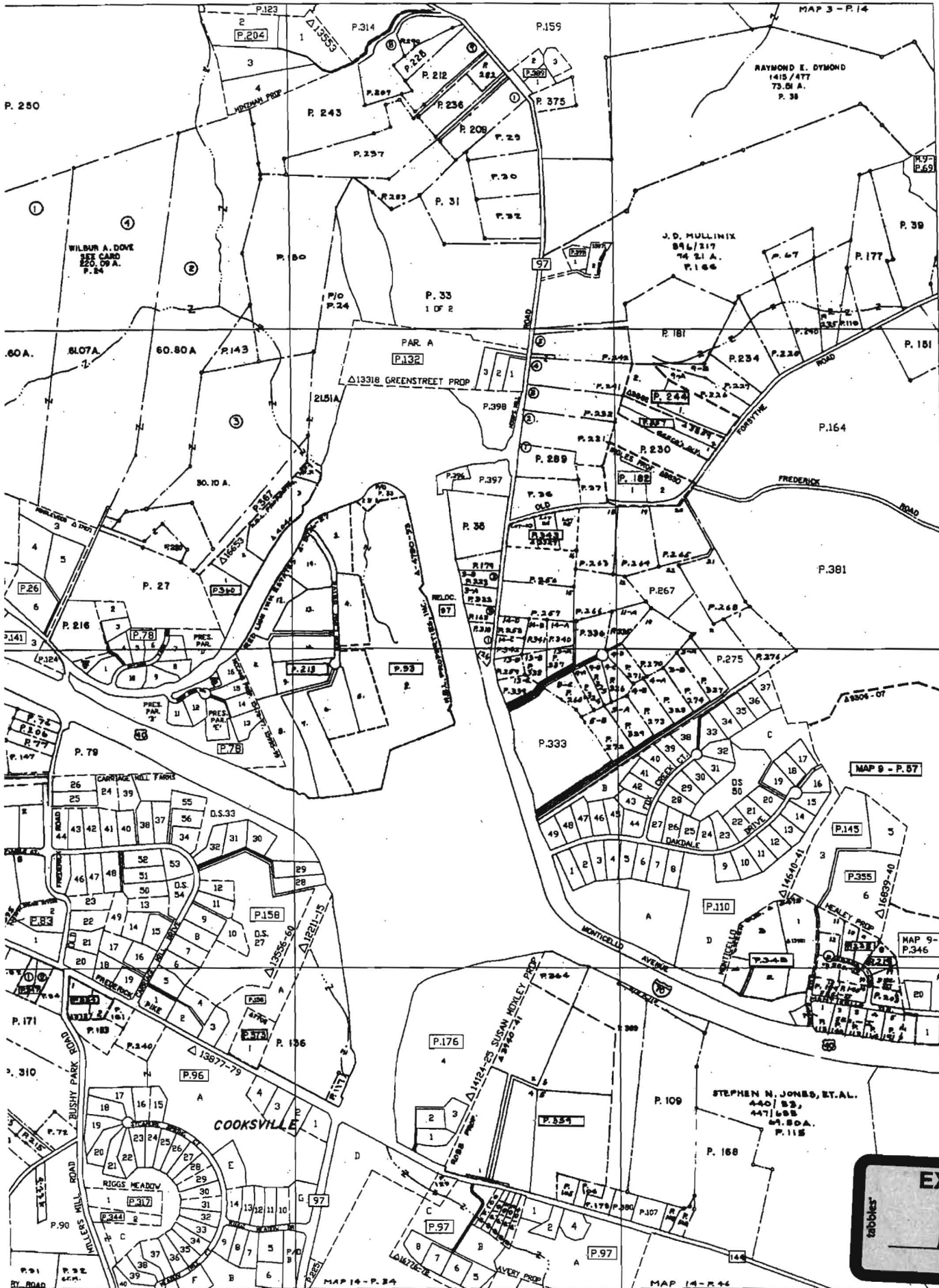




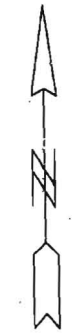
DISCLAIMER: Howard County, Maryland assumes no responsibility for the accuracy of this map or the information contained herein or derived there from. The user assumes all risks and liabilities whatsoever resulting from or arising out of the use of this map. There are no oral agreements or warranties relating to the use of this map.

HiGIS





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**EXHIBIT**  
D

COMPILED BY:  
**MARYLAND DEPARTMENT OF PLANNING**  
 PROPERTY MAPPING SECTION

PROPERTY LINE  
 SUBDIVISION BOUNDARY  
 TOWN BOUNDARY  
 PRIVATE ROAD  
 EASEMENT LINE  
 CONTROLLING DIMENSION

PARCEL NUMBER(S) - F.A.N. (ARRANGED TO IDENTIFY OWNER(S), LIST BY PARCEL NUMBER.)  
 SCALE 1"=600' (RP 1:7200)

DATE BY LISA [LAST P. NO.] QUARTER-QUADRANGLE [DATE OF PHOTO] S.H.A. 6802



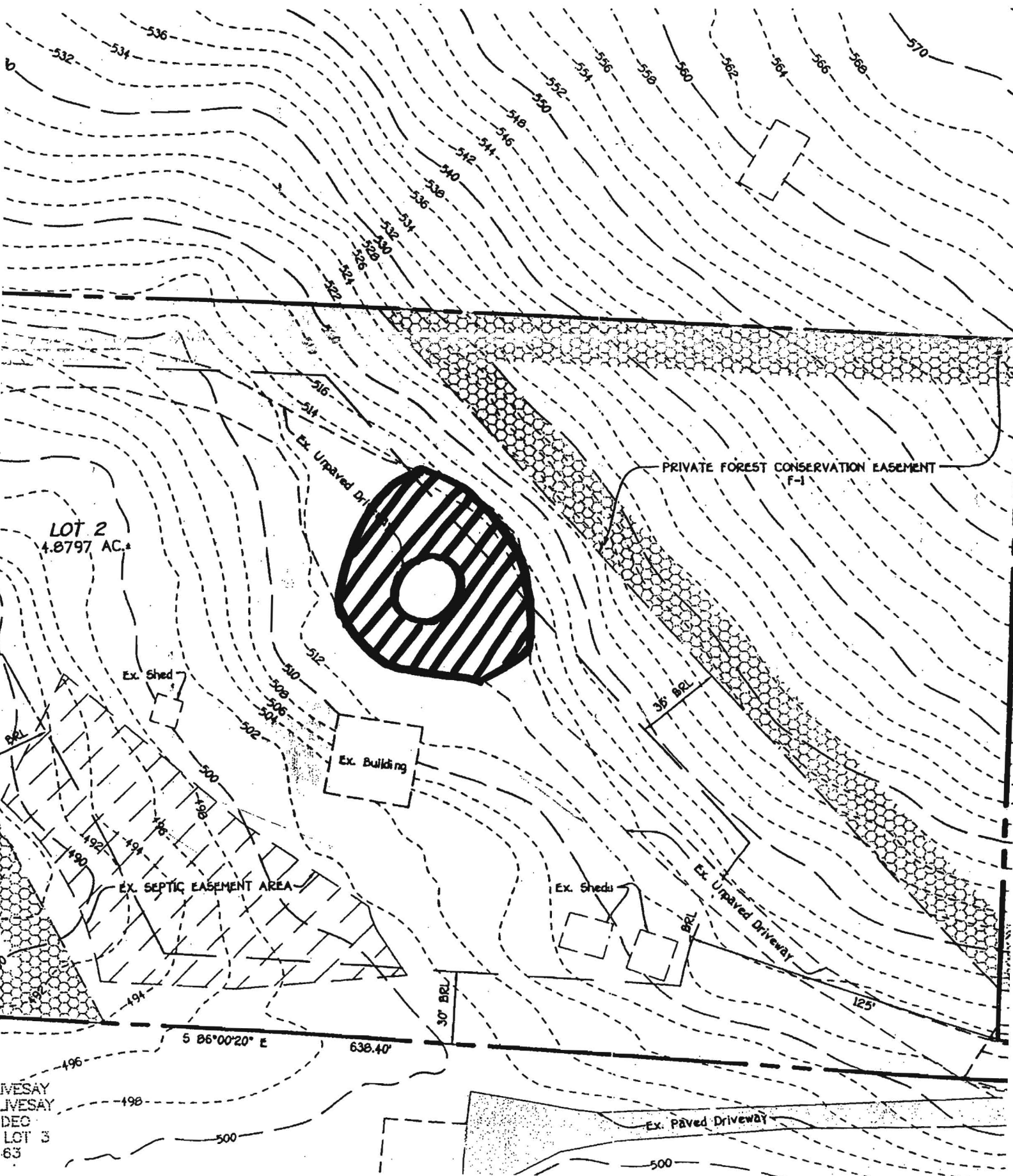
797

HOWARD COUNTY,  
MARYLAND

782-540  
MAP NO. 8

800

EXHIBIT  
A



IVESAY  
IVESAY  
DEC  
LOT 3  
83

07 OCT 10 AM 2 23

For DPZ office use only:

BA CASE NO. BA 07-031C

Date Submitted \_\_\_\_\_

CONDITIONAL USE PETITION  
TO THE HOWARD COUNTY BOARD OF APPEALS

1. **Name of Petitioner:** Deborah Smith

Trading as (if applicable): \_\_\_\_\_

Mailing Address: 820 Hoods Mill Road, Cooksville, Maryland 21723-9710

Phone Number(s): (410) 489-4043

Name of Principal Contact (if different): \_\_\_\_\_

2. **Counsel for Petitioner:** David A. Carney/Andrew H. Robinson

Mailing Address: 10715 Charter Drive, Suite 200, Columbia, MD 21044

Phone Number(s): (410) 740-4600

Secondary Contact with Counsel (if any): \_\_\_\_\_

3. **Conditional Use Site Description:**

Address/Street for Property: 820 Hoods Mill Road, Cooksville, Maryland 21723-9710

Tax Map: 08 Grid: 5 Parcel: 204 Lot: \_\_\_\_\_

Department of Assessments and Taxation Account No.: 04 - 318102

Total Land Area of Property: 4.87 ( X Acres) ( \_\_\_\_\_ Square Feet)

Election District: 4 Zoning of Property: RC-DEO

Subdivision Name and Plat No. (if applicable): Hinzman Property (Plat No. 13553)

Total Land Area of Use (if different than above): See Supplement ( \_\_\_\_\_ Acres)( \_\_\_\_\_ Square Feet)

4. **Conditional Use Request:**

Conditional Use Category: Home Based Contractor

Section 131.N.27

Specific Use Requested: Home Based Contractor

5. **Petitioner's Interest in Subject Property:**

OWNER (including joint ownership)

OWNER (describe and give name and address of owner):

Name of Owner: \_\_\_\_\_

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

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

**6. Conditional Use Plan Requirements:**

If the Petition is approved, the conditional use plan will be made a part of the Board of Appeals Decision and Order, subject to modifications and conditions required by the Board. The conditional use plan must be drawn to scale and must include the items listed below:

- (a) Courses and distances of outline boundary lines and the size of the property.
- (b) North arrow.
- (c) Zoning of subject property and adjoining properties.
- (d) Scale of plan.
- (e) Existing and proposed uses, structures, natural features and landscaping.
- (f) Location and surface material of existing and proposed parking spaces, driveways, and points of access; number of existing and proposed parking spaces.
- (g) Same as (e) and (f) above, of any adjoining properties.
- (h) Location of existing and/or proposed well and private septic easement area, if property is to be served by private water and septic facilities.
- (i) Election District in which the subject property is located.
- (j) Tax Map and parcel number(s) of the subject property.
- (k) Name of local community in which the subject property is located or name of nearby community.
- (l) Name and mailing address, telephone number (and e-mail address, if any) of the Petitioner.
- (m) Name and mailing address, telephone number (and e-mail address, if any) of Counsel.
- (n) Name and mailing address, telephone number of property owner.
- (o) Floor area and height of structures, setback distances from property lines, and other numerical values necessary for the examination of the Petition.
- (p) Location of subject property in relation, by approximate dimension, to the center line of nearest intersection of two public roads.
- (q) Ownership of abutting roads, right-of-way width, and existing pavement width.
- (r) Any other information as may be necessary for full and proper consideration of the Petition.

**7. Additional Information Requirements:**

- a. Information regarding noise, dust, fumes, odors, lighting, vibrations, hazards or other physical conditions resulting from the use.
- b. Supporting documentation, such as traffic studies, market studies, and noise studies as may be required by the Department of Planning and Zoning or by the Zoning Regulations.

- c. For expansions and enlargements, previous case number(s) and information regarding compliance with previous requirements and conditions.

8. **Summary of Request:**

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

- a. The present use of the subject property: Single Family Residence with Accessory Structures

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

- c. Any additional information which will be used in the evaluation of whether the conditional use complies with the specific criteria for the conditional use category within Section 131.N.27:

See Supplement

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

See Supplement

9. **Prior Petitions:**

Has any petition for the same, or substantially the same, conditional use as noted above for the subject property, been denied by the Board of Appeals within twenty-four (24) months of the date of this Petition?

( ) Yes (X ) No

If yes, and six (6) months have elapsed since the last hearing, an affidavit must be attached which states the new and different grounds on which this re-submittal is based.

10. **Additional Materials, Fees, Posting, and Advertising Requirements:**

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

One original plus 19 copies if the subject property adjoins a State road.  
One original plus 16 copies if the subject property adjoins a County road.

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

11. **Signatures:**

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

Deborah Smith                      10-1-07                      Deborah Smith  
Signature of Petitioner                      Date                      Print Name of Petitioner

\_\_\_\_\_  
Signature of Petitioner                      Date                      Print Name of Petitioner

David A. Carney                      Andrew H. Robinson  
Signature of Attorney, David A. Carney                      Signature of Attorney – Andrew H. Robinson

12. **General Standards for Conditional Uses:**

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

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

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

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

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

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

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

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

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

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

PETITIONER Deborah Smith

ADDRESS 820 Hoods Mill Road, Cooksville, Maryland 21723-9710

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

The person(s) signing below hereby declare(s) that no officer or employee of Howard County, whether elected or appointed, has received prior hereto or will receive subsequent hereto, any monetary or material consideration, any service or thing of value, directly or indirectly, upon more favorable terms than those granted to the public generally in connection with the submission, processing, issuance, grant or award of the attached Petition to the Board of Appeals for a conditional use as requested.

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

*Steve Cooper*  
Witness

*Deborah Smith* 10-1-07  
Signature Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature Date

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

For DPZ use only:

Hearing fee: \$ \_\_\_\_\_  
Poster fee: \$ \_\_\_\_\_  
TOTAL: \$ \_\_\_\_\_

Receipt No. \_\_\_\_\_  
Revised 8/04/04

(Make checks payable to "Director of Finance")

### **Section 131.F. Requirements for the Pre-Submission Community Meeting**

A pre-submission community meeting is required prior to the initial submittal of a petition for a conditional use according to the following procedures:

1. The petitioner shall provide at least 2 weeks' written notice regarding the date, time, and location of the pre-submission community meeting to:
  - (1) All adjoining property owners as identified in the records of the Maryland Department of Assessments and Taxation, by mail; and
  - (2) The Department of Planning and Zoning, which will place the meeting notice on the Department's web site.
2. The petitioner shall post the property with posters provided by and at locations specified by the Department of Planning and Zoning, and shall make a reasonable effort to maintain the posters for at least the 2 weeks immediately prior to the meeting.
3. A certification of notice and posting and a summary of the issues expressed by residents at the pre-submission community meeting shall be transmitted by the petitioner to the Department of Planning and Zoning when the initial petition is filed.
4. The purposes of the pre-submission community meeting are to allow the petitioner to provide information to the community regarding the proposed conditional use and to allow community residents to ask questions and discuss any issues they have concerning the proposal.
5. If the petitioner does not submit the petition to the Department of Planning and Zoning within 1 year of the pre-submission community meeting, the petitioner shall hold another pre-submission community meeting, subject to the same notification and posting requirements as the first pre-submission community meeting.

## Pre-submission Community Meeting Notice

(For Conditional Use and Zoning Board Cases Only)

Mr. George L. Beisser  
Department of Planning and Zoning  
3430 Court House Drive  
Ellicott City, Maryland 21043

Please publish the following information on the Department's Web Page regarding a scheduled Pre-submission Community Meeting for a proposed Conditional Use petition:

Deborah Smith

Name of Petitioner:

820 Hoods Mill Road, Cooksville, Maryland 21723-9710

Street Address of Conditional Use Property

Number and street name only - For no current address, state the street name and location ("Main St. - North side")

Tax Map 08, Grid 05, Parcel 204

Tax Map, Grid, Parcel(s), and Lot(s) numbers for the Conditional Use Property

Home Based Contractor

Type of Conditional Use(s) Proposed

September 27, 2007 (6:00 p.m.)

Date and Time of Community Meeting

Glenwood Library, 2350 State Route 97, Cooksville MD 21723

Address and Place of Community Meeting (Example: "123 Main St., Ellicott City 21043-Offices of XYZ, LLP")

David A. Carney/Andrew H. Robinson, Attorneys for Petitioner (410) 740-4600

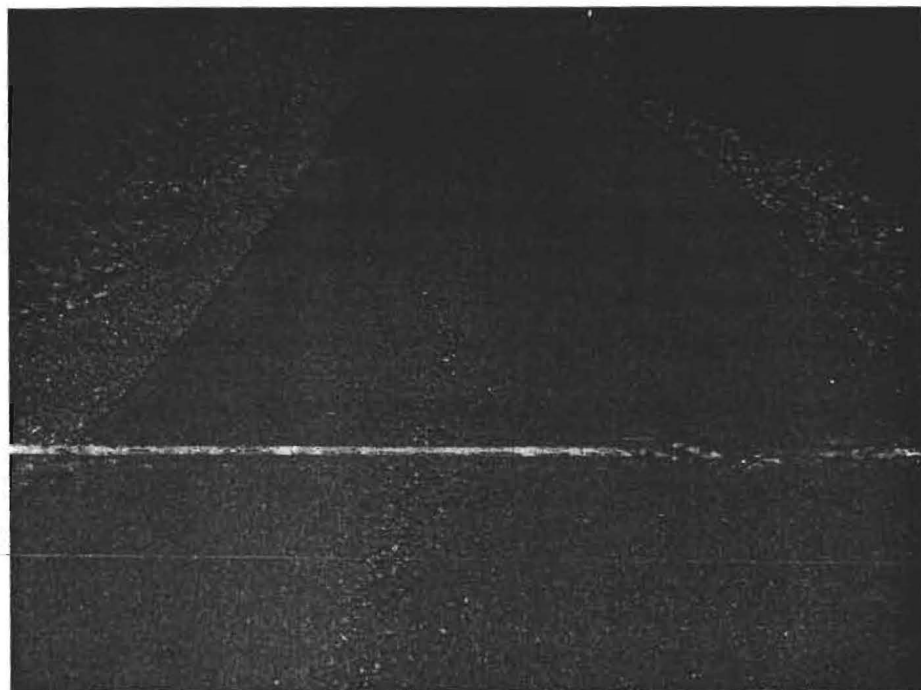
Name and Phone Number of Contact Person for Information or Directions to Meeting

Submitted by: David A. Carney and Andrew H. Robinson Date: \_\_\_\_\_, 2007

Phone number: (410) 740-4600 Email: dac@reese-carney.com; ahr@reese-carney.com

MAIL THIS FORM TO THE ADDRESS ABOVE OR FAX TO 410-313-3467

**EXHIBIT C**  
**Driveway Photographs**



**Paved Surface Treatment near Route 97  
(Labeled as "Ex. Paved Driveway" on Exhibit B)**



**Tar and Chip Surface Treatment for Remainder of the Use-In-Common Driveway  
(Labeled as "Ex. Unpaved Driveway" on Exhibit B, except where indicated)**

**EXHIBIT C**  
**Driveway Photographs**



**Beginning of Crushed/Stone Gravel Driveway Surface  
(As indicated on Exhibit B)**

NOTES:

1. THE TOPOGRAPHY SHOWN HEREON WAS FIELD-RUN BY SHANABERGER & LANE IN APRIL OF 1995 & JULY OF 2001.
2. B.R.L. DESIGNATES BUILDING RESTRICTION LINE
- ..... DESIGNATES LIMIT OF DISTURBANCE
- DESIGNATES APPROVED PERC TEST
3. THIS AREA DESIGNATES A PRIVATE SEWAGE EASEMENT AS REQUIRED BY THE MARYLAND STATE 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 THE AUTHORITY TO GRANT VARIANCES FOR ENCROACHMENTS INTO THE PRIVATE SEWAGE EASEMENT. RECORDATION OF A MODIFIED SEWAGE EASEMENT SHALL NOT BE NECESSARY. THERE IS A 10,000 S.F. MINIMUM RESTRICTION ON THE SEWAGE EASEMENT.
4. TOTAL AREA DISTURBED: 20,707

SEPTIC SYSTEM DATA

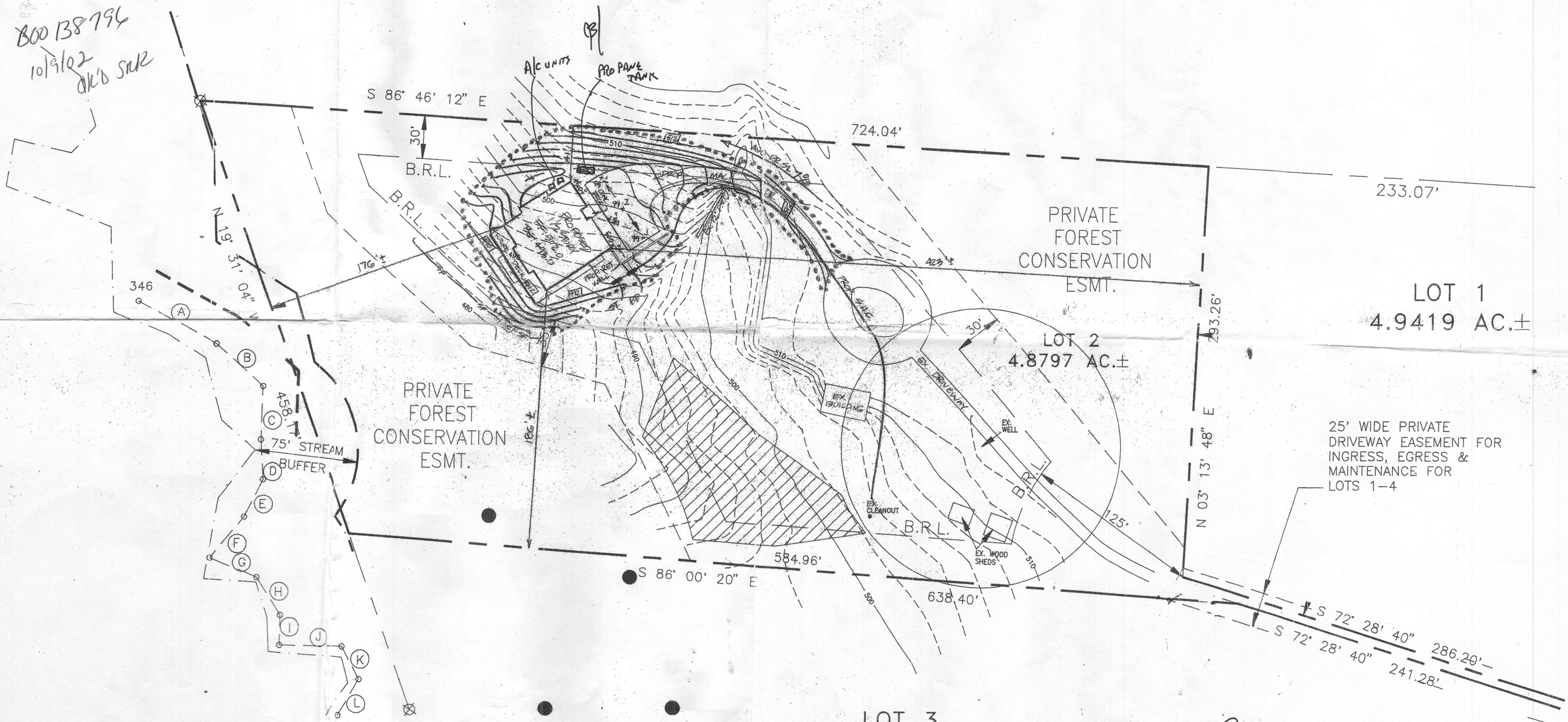
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SEPTIC TANK		PUMP PIT
EX. GRADE	492.2	494.2
FIN. GRADE	492.2	494.2
INV. IN	490.3	494.2
INV. OUT	490.2	489.9

DISTRIBUTION BOX (TO REMAIN)

EX. GRADE	503.2
FIN. GRADE	503.2
INV. IN	503.2
INV. OUT	500.2

TRENCHES

TRENCH LENGTH & ORIENTATION TO BE DETERMINED BY THE HEALTH DEPT. AT THE TIME OF SEPTIC SYSTEM LAYOUT INSPECTION.



800 138 796  
10/3/02  
AK'S SKR

SHANABERGER & LANE  
8726 TOWN & COUNTRY BLVD.  
SUITE 201  
ELICOTT CITY, MD, 21043  
PHONE: 410-461-9563  
FAX: 410-461-9693

OWNER  
JAMIE & BARBARA JENSEN  
820 HOODS MILL RD.  
COOKSVILLE, MD 21723

BUILDER:  
ALLAN HOMES UNLIMITED  
12060 OLD COLUMBIA RD  
COLUM BIA, MD 21046

SITE PLAN  
LOT 2  
WINZMAN PROPERTY  
LOTS 1-4  
PLAT #13553  
FOURTH ELECTION DISTRICT, HOWARD COUNTY, MD  
TAX MAP 8, PARCEL 204  
ZONED: RC-DEO  
SCALE: 1"=50'  
DATE: 12/28/01