

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

**CIVIL ENGINEERING CONSULTANTS
and LAND SURVEYORS**

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.

December 28, 2005

Mrs. Cindy Hamilton, Chief
Division of Land Development
Department of Planning and Zoning
3450 Court House Drive
Ellicott City, Maryland 21043

RE: **Asbury Property**
Jennings Chapel Road
Tax Map No. 13, Parcel 292

Dear Mrs. Hamilton:

On behalf of our client, we are hereby requesting a waiver from the requirements of the Howard County Land Development and Subdivision Regulations, Section 16.120 (c)(2)(i) as it relates to providing minimum lot frontages on approved public streets. As justification, we offer the following:

In 1990, our client placed approximately 23 acres of property into the Howard County Agricultural Land Preservation Program, and is now seeking to establish one building lot for each of their 2 children in addition to their dwelling, as entitled by the Agricultural Land Preservation Program.

The exhibit attached to this waiver application identifies Lots 1 & 2 that will ultimately be created through the Howard County subdivision process. Both lots are in compliance with Section 16.120 (c)(2)(vi) of the above referenced regulations since public frontage is not required for Agricultural Preservation subdivisions provided that subdivided lot is subjected to an access easement containing an individual driveway. The proposed driveways extend from the fee simple boundary of Lots 1 and 2 to an existing 40 foot wide use-in-common access right of way within the Asbury fee simple boundary and continues along an existing driveway with an overlapping right of way for access to Jennings Chapel Road.

The access road that is being used by the other properties which also do not front the public road (Jennings Chapel Road) is a paved private driveway approximately 1,800 feet long, beginning at Jennings Chapel Road. The first 10100 feet of the driveway from Jennings Chapel Road is 14 feet wide. The remaining portion of the driveway extending southwesterly to the southeast boundary of the Asbury 23 acre parcel has been recently widened to 14 feet also. The existing driveway paving was laid approximately 8 years ago with a 6" minimum thickness, and to this day the driveway remains in good condition. Prior to being paved, the driveway was a stone and gravel road that led to the "Hopkins Farm". It is our understanding that "Hopkins Farm" and associated access dates back to the 1800's. The driveway splits to the northwest via a private easement across and within the boundary of the Asbury tract and will provide driveway access to proposed Lots 1 and 2.

For your use and review, we have prepared an exhibit, which indicates the subject tax parcel 292 together with the adjacent properties, that access along some portion of the existing driveway leading to Jennings Chapel Road.

Sheet 1 of 2

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

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and LAND SURVEYORS**

A tabulation of the existing users as well as the ultimate users based on the subdivision potential of agricultural reservation parcels for the private driveway have been included for informational purposes.

Presently, there are 8 users including tax parcel 292 on the existing use-in common driveway. A separate waiver to the Howard County Design Manual has been submitted to allow more than 6 users on a private use in common driveway.

No vehicle parking is needed along the existing driveway and considering the rural/agricultural character of the neighborhood and the paving widths, this access currently functions as a very slow speed environment. No public services are currently provided to this street, and our client has informed us that historically there have been no problems with regards to the maintenance, snow plowing, and garbage collection for the users of this driveway.

The waiver being requested is not to allow our client to create Lots 1 and 2 since this creation is permitted within the Subdivision Regulations for lots within the Agricultural Program, but rather to request a waiver to allow the entire parcel 292 to be subdivided without having direct public road frontage. It is our opinion that the granting of a waiver for a subdivision within tax parcel 292 without the parcel having direct frontage onto a public road will not be detrimental to the community using the existing driveway, since the existing neighboring parcels that derive access along this private driveway also do not front a public road and gain access via the private right of way that will be reflective of the access for the proposed subdivision of tax parcel 292.

We would appreciate your review of this information and your consideration of this request. If you have any questions or require additional information, please contact me at your earliest convenience. Your cooperation and assistance is sincerely appreciated.

*Very truly yours,
FISHER, COLLINS & CARTER, INC.*



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

w.o. 30735

c.c. Mr. Ron Asbury (w/print)

Mr. David Carney (w/print)

Howard County Department of Planning and Zoning
Division of Land Development

WAIVER PETITION APPLICATION

Date Submitted/Accepted 1/3/06 DPZ File Number WP-06-060

I. Site Description

Subdivision Name/Property Identification: ASBURY PROPERTY LOTS 1, 2 AND 3 (F-06-103)

Location of property: #2722 JENNINGS CHAPEL ROAD
(Street Address and/or Road Name)

RESIDENTIAL
(Existing Use)

RESIDENTIAL
(Proposed Use)

13
(Tax Map No.)

20
(Grid/Block No.)

292
(Parcel No.)

FOURTH
(Election District)

RC-DED
(Zoning District)

22.764 Ac. ±
(Total Site Area)

Provide a brief site history including reference to all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, waiver petitions, etc.)

PRIOR F-06-103 IN PROCESS. EARLIER RECORD PLAT AND WAIVERS YEARS AGO WERE WITHDRAWN FROM PROCESSING.

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 (c)(2)(i)</u>	<u>TO ALLOW SUBDIVISION OF AGRICULTURAL DEEDED PROPERTY TO PROCEED WITHOUT FRONTAGE ON A PUBLIC ROAD</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.
- 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.
- N/A 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.
- 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.
- 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).
- N/A 12. Photographs, perspective sketches or cross-sections as necessary to adequately portray the waiver request.
- N/A 13. The exhibit plans should be highlighted to accurately illustrate the requested waiver(s) to allow proper evaluation (i.e. proposed grading, tree clearing or other disturbances within environmentally sensitive areas or buffers).
- 14. Submit 2 sets of photographs for all existing on-site structures.
- 15. Identify the location of any existing wells and/or private septic systems.

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

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

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 *

Ronald S. Asbury 12/30/05
(Signature of Property Owner) (Date)
(Fee Simple Owner Only)

[Signature] 12/30/05
(Signature of Petition Preparer) * (Date)

RONALD ASBURY
(Name of Property Owner)

FISHER, COLLINS & CARTER, INC.
TERRILL A. FISHER
(Name of Petition Preparer, Surveyor/Engineering or Agent/Developer)

2722 JENNINGS CHAPEL ROAD
(Address)

10272 BALTIMORE NAT'L PIKE
(Address)

WOODBINE, MARYLAND 21797-7822
(City, State, Zip Code)

ELLCOTT CITY, MD. 21042
(City, State, Zip Code)

E-Mail _____

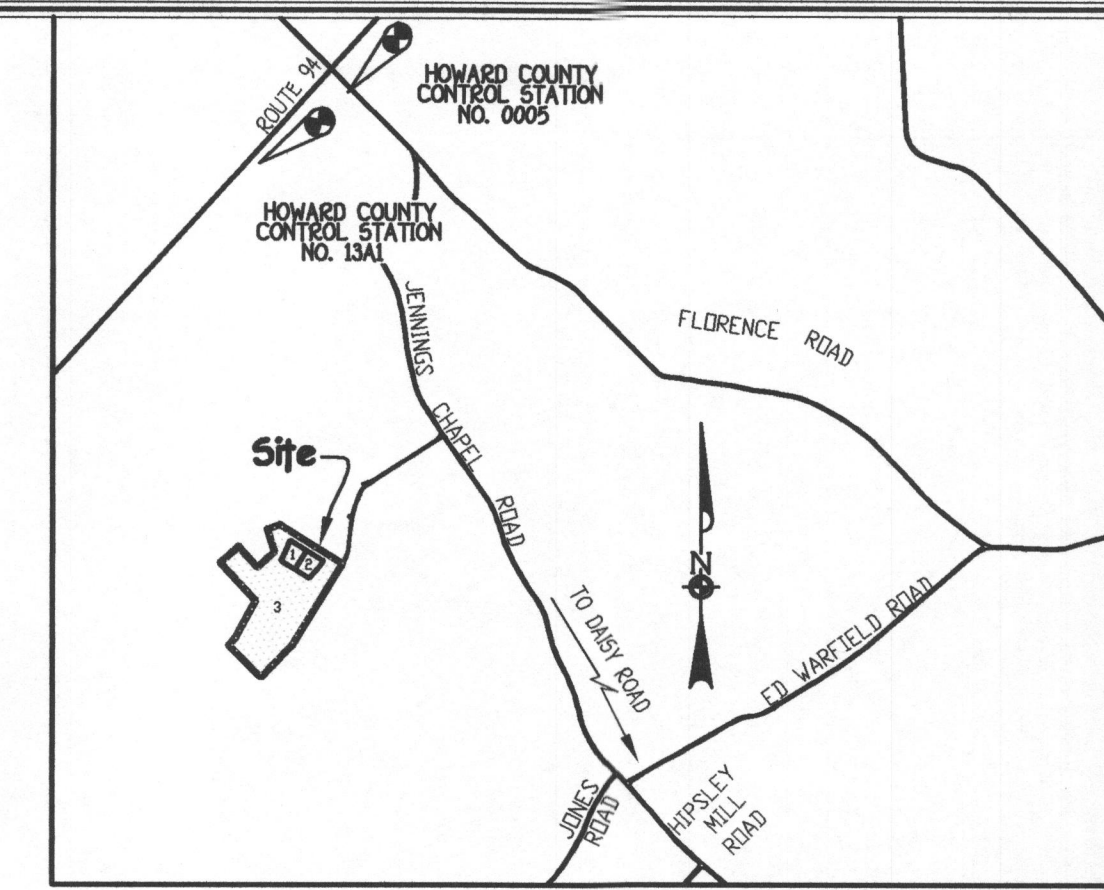
E-Mail tfisher_fcc-eng.com

(410) 299-7704 _____
(Telephone) (Fax)

(410) 461-2835 (410) 750-3784
(Telephone) (Fax)

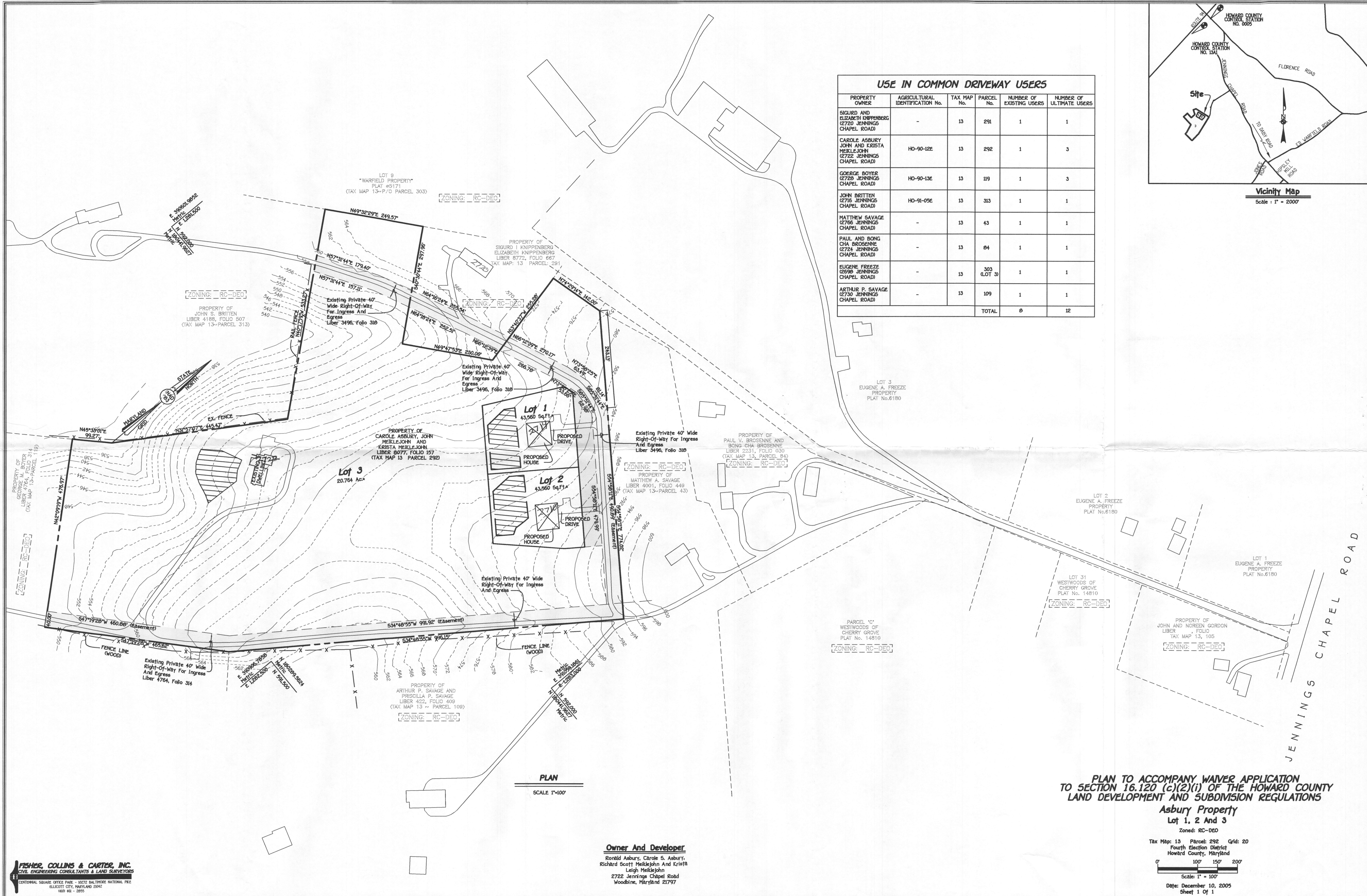
Contact Person: RON ASBURY

Contact Person: TERRY FISHER



Vicinity Map
Scale: 1" = 2000'

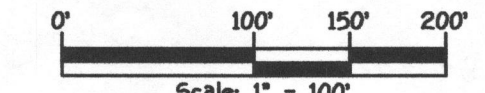
USE IN COMMON DRIVEWAY USERS					
PROPERTY OWNER	AGRICULTURAL IDENTIFICATION No.	TAX MAP No.	PARCEL No.	NUMBER OF EXISTING USERS	NUMBER OF ULTIMATE USERS
SIGURD AND ELIZABETH KNIPPENBERG (2720 JENNINGS CHAPEL ROAD)	-	13	291	1	1
CAROLE ASBURY JOHN AND KRISTA MERLEJOHN (2722 JENNINGS CHAPEL ROAD)	HO-90-12E	13	292	1	3
GOERGE BOYER (2729 JENNINGS CHAPEL ROAD)	HO-90-13E	13	119	1	3
JOHN BRITTEN (2726 JENNINGS CHAPEL ROAD)	HO-91-05E	13	313	1	1
MATTHEW SAVAGE (2756 JENNINGS CHAPEL ROAD)	-	13	43	1	1
PAUL AND BONG CHA BROSENNIE (2724 JENNINGS CHAPEL ROAD)	-	13	84	1	1
EUGENE FREEZE (2698 JENNINGS CHAPEL ROAD)	-	13	303 (LOT 3)	1	1
ARTHUR P. SAVAGE (2730 JENNINGS CHAPEL ROAD)	-	13	109	1	1
TOTAL				8	12



PLAN TO ACCOMPANY WAIVER APPLICATION TO SECTION 16.120 (c)(2)(i) OF THE HOWARD COUNTY LAND DEVELOPMENT AND SUBDIVISION REGULATIONS

Asbury Property
Lot 1, 2 And 3
Zoned: RC-DEO

Tax Map: 13 Parcel: 292 Grid: 20
Fourth Election District
Howard County, Maryland

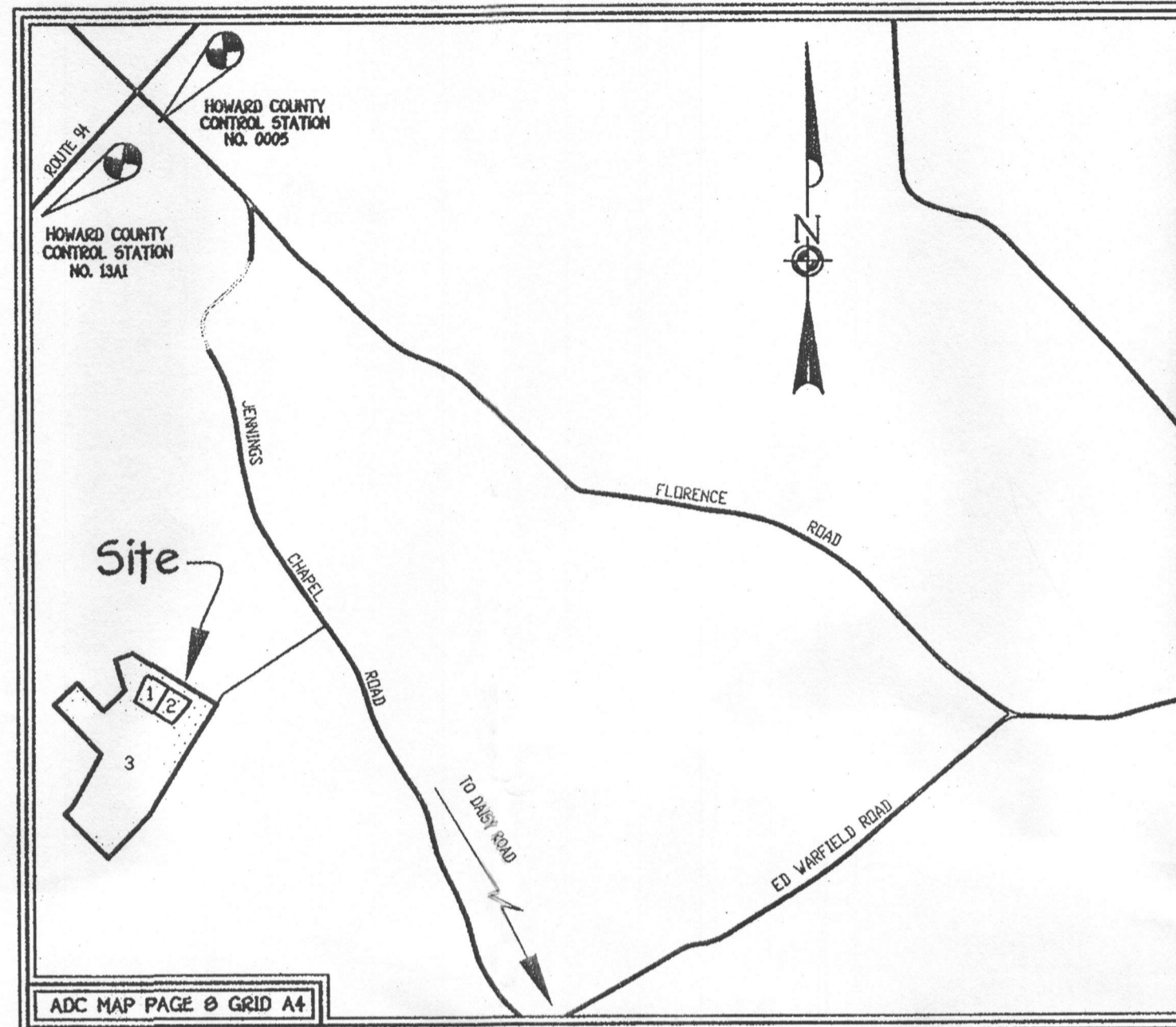


Date: December 10, 2005
Sheet 1 Of 1

Owner And Developer

Ronald Asbury, Carole S. Asbury,
Richard Scott Merlejohn And Krista
Leigh Merlejohn
2722 Jennings Chapel Road
Woodbine, Maryland 21797

U.S. Equivalent Coordinate Table		Metric Coordinate Table		
POINT	NORTH (feet)	EAST (feet)	NORTH (meters)	EAST (meters)
850	591470.6147	1201750.7920	180280.603928	390678.422785
860	592324.8019	1201712.5732	180540.985109	390666.773690
861	592406.0283	1201902.4653	180590.346476	390724.652908
905	592250.4804	1202981.9722	180518.307478	391053.687272
935	592260.2964	1202096.0248	180521.299410	390783.649971
936	592408.7587	1202271.6947	180566.550816	390837.194244
937	591540.1317	1201821.6575	180301.792755	390700.022631
3023	592289.5129	1202780.8065	180530.204596	390992.371855
3025	592513.0079	1202461.9818	180598.326037	390895.193892
3026	592505.9585	1202437.4402	180596.177368	390887.713598
3027	592316.3374	1202342.9608	180538.380728	390858.916217
3029	592117.1446	1202627.1173	180477.666640	390945.527295
3040	592248.2899	1202751.8954	180517.633718	390983.559710
3041	592478.3525	1202423.6733	180587.763033	390883.517435
5008	591117.0236	1202070.9071	180172.829149	390775.994085
5009	591432.6438	1202413.2362	180269.031007	390880.336204
5012	591918.1090	1202057.4039	180417.000470	390771.878292
5020	592656.7999	1202211.3345	180642.153914	390818.796434
5022	592694.7785	1202348.1632	180653.729805	390860.501899



VICINITY MAP
SCALE: 1" = 1200'

The Requirements §3-100, The Real Property Article, Annotated Code Of Maryland, 1988 Replacement Volume, (As Supplemented As Far As They Relate To The Making Of This Plat And The Setting Of Markers Have Been Complied With

Terrill A. Fisher 5/21/08
Terral A. Fisher, L.S. #10692
(Registered Land Surveyor)

Carole S. Asbury 5/21/08
Carole S. Asbury
(Owner)

Ronald S. Asbury 5/21/08
Ronald S. Asbury
(Owner)

FISHER, COLLINS & CARTER, INC.
CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS
CENTENNIAL SQUARE OFFICE PARK - 10272 BALTIMORE NATIONAL PIKE
ELICOTT CITY, MARYLAND 21042
(410) 461-2295

Area Tabulation

Total Number Of Buildable Lots To Be Recorded	3
Total Number Of Open Space Lots To Be Recorded	0
Total Number Of Non-Buildable Bulk Parcels To Be Recorded	0
Total Number Of Parcels/Lots To Be Recorded	3
Total Area Of Buildable Lots To Be Recorded	22.764 Ac.
Total Area Of Open Space Lots To Be Recorded	0.000 Ac.
Total Area Of Non-Buildable Bulk Parcels To Be Recorded	0.000 Ac.
Total Area Of Parcels/Lots To Be Recorded	22.764 Ac.
Total Area Of Roadway To Be Recorded	0.000 Ac.
Total Area To Be Recorded	22.764 Ac.

Legend

	Private Access Easement For The Benefit Of Lots 1 & 2, Asbury Property.
	Existing 24' Wide Private Right Of Way Described In Liber 2231, Folio 030
	Existing 40' Wide Private Right Of Way Described In Liber 4764, Folio 314
	Existing 24' Wide Private Right Of Way Described In Liber 4001, Folio 446
	Existing 24' Wide Private Right Of Way Described In Liber 1088, Folio 357
	Existing 40' Wide Private Right Of Way Described In Liber 3496, Folio 318

Reservation Of Public Utility Easements

Developer Reserves unto itself, its Successors And Assigns, All Easements Shown On This Plan For Water, Sewer, Storm Drainage, Other Public Utilities, Located In, On, Over, And Through Lots 1, 2 & 3. Any Conveyances Of The Aforesaid Lots Shall Be Subject To The Easements Herein Reserved, Whether Or Not Expressly Stated In The Deeds Conveying Said Lot(s). Developer Shall Execute And Deliver Deeds For The Easements Herein Reserved To Howard County. Upon Completion Of The Public Utilities And Their Acceptance By Howard County, The County Shall Accept The Easements And Record The Deeds Of Easement In The Land Records Of Howard County.

Owner And Developer

Carole S. Asbury, And Ronald S. Asbury
2722 Jennings Chapel Road
Woodbine, Maryland 21797-7022
410-489-7277

OWNER'S CERTIFICATE

Carole S. Asbury, And Ronald S. Asbury Owners Of The Property Shown And Described Hereon, 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: (1) The Right To Lay, Construct And Maintain Sewers, Drains, Water Pipes And Other Municipal Utilities And Services In And Under All Roads And Street Rights-Of-Way And The Specific Easement Areas Shown Hereon; (2) The Right To Require Dedication For Public Use The Beds Of The Streets And/Or Roads And Floodplains 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 Streets And/Or Roads And Floodplains, Storm Drainage Facilities And Open Space Where Applicable; (3) The Right To Require Dedication Of Waterways And Drainage Easements For The Specific Purpose Of Their Construction, Repair And Maintenance; And (4) That No Building Or Similar Structure Of Any Kind Shall Be Erected On Or Over The Said Easements And Rights-Of-Way. Witness My Hand This 21st Day Of May, 2008.

Carole S. Asbury
Carole S. Asbury
Witness
Ronald S. Asbury
Ronald S. Asbury
Witness

SURVEYOR'S CERTIFICATE

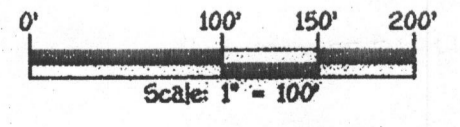
I Herby Certify That The Final Plat Shown Hereon Is Correct: That It Is A Subdivision Of All Of The Lands Conveyed By Carole S. Asbury To Carole S. Asbury And Ronald S. Asbury By Deed Dated December 19, 2003 And Recorded Among The Land Records Of Howard County, Maryland In Liber No. 8077 At Folio 157, And That All Monuments Are In Place Or Will Be In Place Prior To Acceptance Of The Streets In The Subdivision By Howard County, Maryland As Shown, In Accordance With The Annotated Code Of Maryland, As Amended, And Monumentation Is In Accordance With The Howard County Subdivision Regulations.

Terrill A. Fisher
Terral A. Fisher, Professional Land Surveyor No. 10692
5/21/08
Date

RECORDED AS PLAT No. 20028 ON 5/21/08
AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND.

AGRICULTURAL PRESERVATION SUBDIVISION PLAT FOR ASBURY PROPERTY
Lots 1, 2 and 3

Zoned RC-DEO
Tax Map: 13 Parcel: 292 Grid: 20
Fourth Election District
Howard County, Maryland



Date: May 19, 2008
Sheet 1 of 3

Existing Private 40' Wide Right-Of-Way For Ingress And Egress Book 3496, Page 318

LINE	Bearing & Distance
AE-1	N57°31'44"E 164.96
AE-2	N64°16'24"E 255.54
AE-3	N66°12'39"E 270.17
AE-4	N73°58'25"E 63.49
AE-5	S65°51'44"E 81.14
AE-6	S54°58'11"E 490.89
AE-7	S34°48'55"W 40.00
AE-8	N54°58'11"W 479.99
AE-9	N85°51'44"W 62.98
AE-10	S73°58'25"W 53.66
AE-11	S66°12'39"W 266.78
AE-12	S64°16'24"W 252.51
AE-13	S57°31'44"W 157.11
AE-14	N40°17'19"W 40.38

Private Use-In-Common Driveway Access For The Use And Benefit Of Lot 1

LINE	Bearing & Distance
AE-15	N54°58'11"W 188.94
AE-16	N35°01'49"E 7.95
AE-17	N73°58'25"E 4.14
AE-18	S65°51'44"E 62.98
AE-19	S54°58'11"E 132.29
AE-20	S35°01'49"W 43.51

The Requirements §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 Have Been Complied With

Terrell A. Fisher 5/21/08
Terrell A. Fisher, L.S. #10692 (Registered Land Surveyor) Date

Carole S. Asbury 5/21/08
Carole S. Asbury (Owner) Date

Ronald S. Asbury 5/21/08
Ronald S. Asbury (Owner) Date

Private Use-In-Common Driveway Access For The Use And Benefit Of Lot 2

LINE	Bearing & Distance
AE-20	S35°01'49"W 43.51
AE-21	S54°58'11"E 200.42
AE-22	N35°01'49"E 43.51
AE-23	N54°58'11"W 200.42

- Legend**
- Private Access Easement For The Benefit Of Lots 1 & 2, Asbury Property.
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Total Area Of Roadway To Be Recorded	0.000 Ac.
Total Area To Be Recorded	22.764 Ac.

APPROVED: For Private Water And Private Sewerage Systems Howard County Health Department.

Barion for Pstca Bilewom 6/19/2008
Howard County Health Officer SS Date 17/019

APPROVED: Howard County Department Of Planning And Zoning.

Mark D. Ugle 6/25/08
Chief, Development Engineering Division Date

Carole S. Asbury 6/26/08
Date

Ronald S. Asbury 6/26/08
Date

OWNER'S CERTIFICATE

Carole S. Asbury, And Ronald S. Asbury, Owners Of The Property Shown And Described Hereon, 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: (1) The Right To Lay, Construct And Maintain Sewers, Drains, Water Pipes And Other Municipal Utilities And Services In And Under All Roads And Street Rights-Of-Way And The Specific Easement Areas Shown Hereon; (2) The Right To Require Dedication For Public Use The Beds Of The Streets And/Or Roads And Floodplains 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 Streets And/Or Roads And Floodplains, Storm Drainage Facilities And Open Space Where Applicable; (3) The Right To Require Dedication Of Waterways And Drainage Easements For The Specific Purpose Of Their Construction, Repair And Maintenance; And (4) That No Building Or Similar Structure Of Any Kind Shall Be Erected On Or Over The Said Easements And Rights-Of-Way. Witness My Hand This 21st Day Of May, 2008.

Carole S. Asbury
Carole S. Asbury
Witness

Ronald S. Asbury
Ronald S. Asbury
Witness

SURVEYOR'S CERTIFICATE

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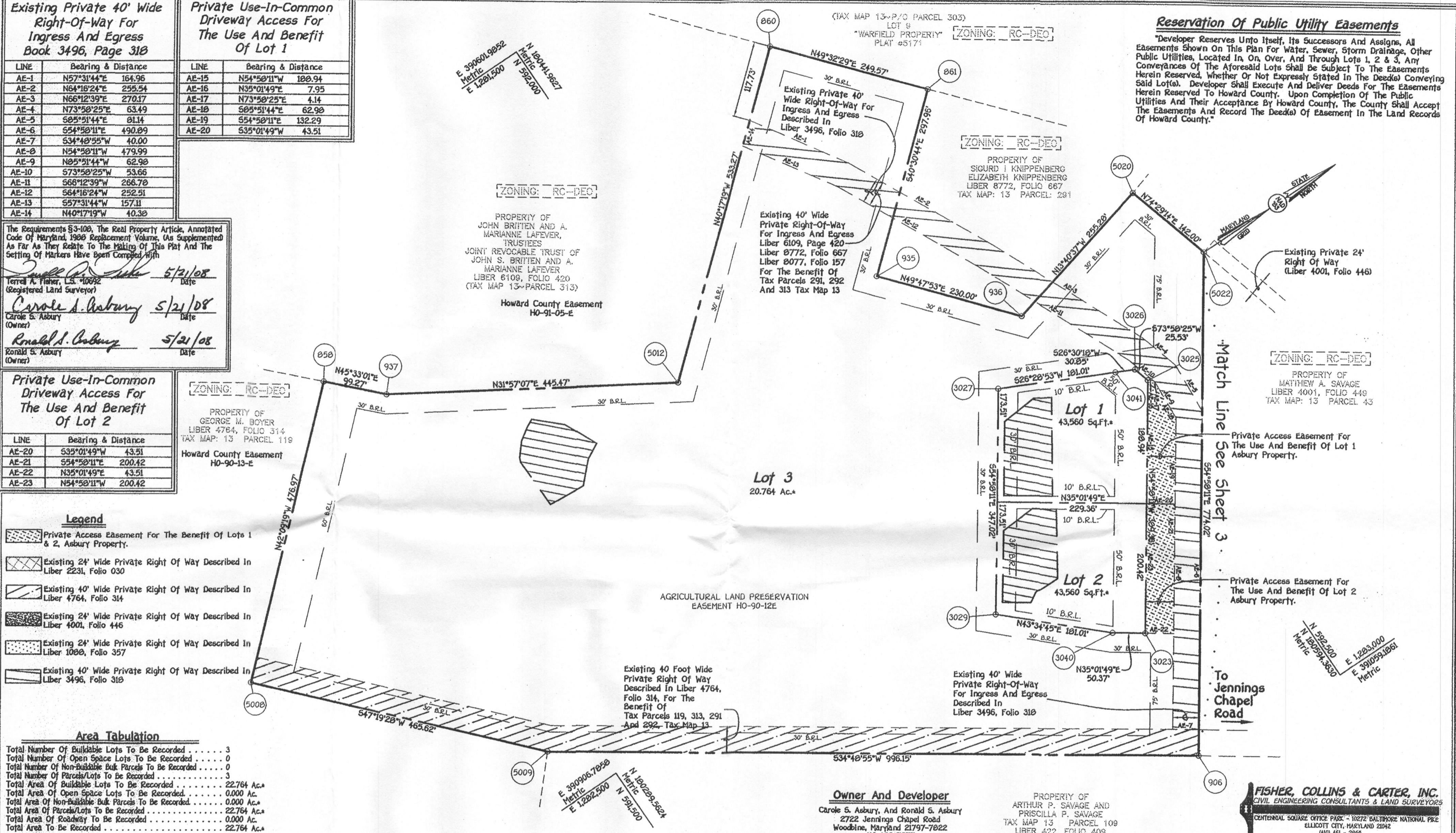
Terrell A. Fisher
Terrell A. Fisher, Professional Land Surveyor No. 10692
Date 5/21/08

RECORDED AS PLAT No. 20029 ON 7-11-08
AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND.

AGRICULTURAL PRESERVATION SUBDIVISION PLAT FOR ASBURY PROPERTY
Lots 1, 2 And 3

Zoned: RC-DEO
Tax Map: 13 Parcel: 292 Grid: 20
Fourth Election District
Howard County, Maryland

Scale: 1" = 100'
Date: May 19, 2008
Sheet 2 of 3



Reservation Of Public Utility Easements

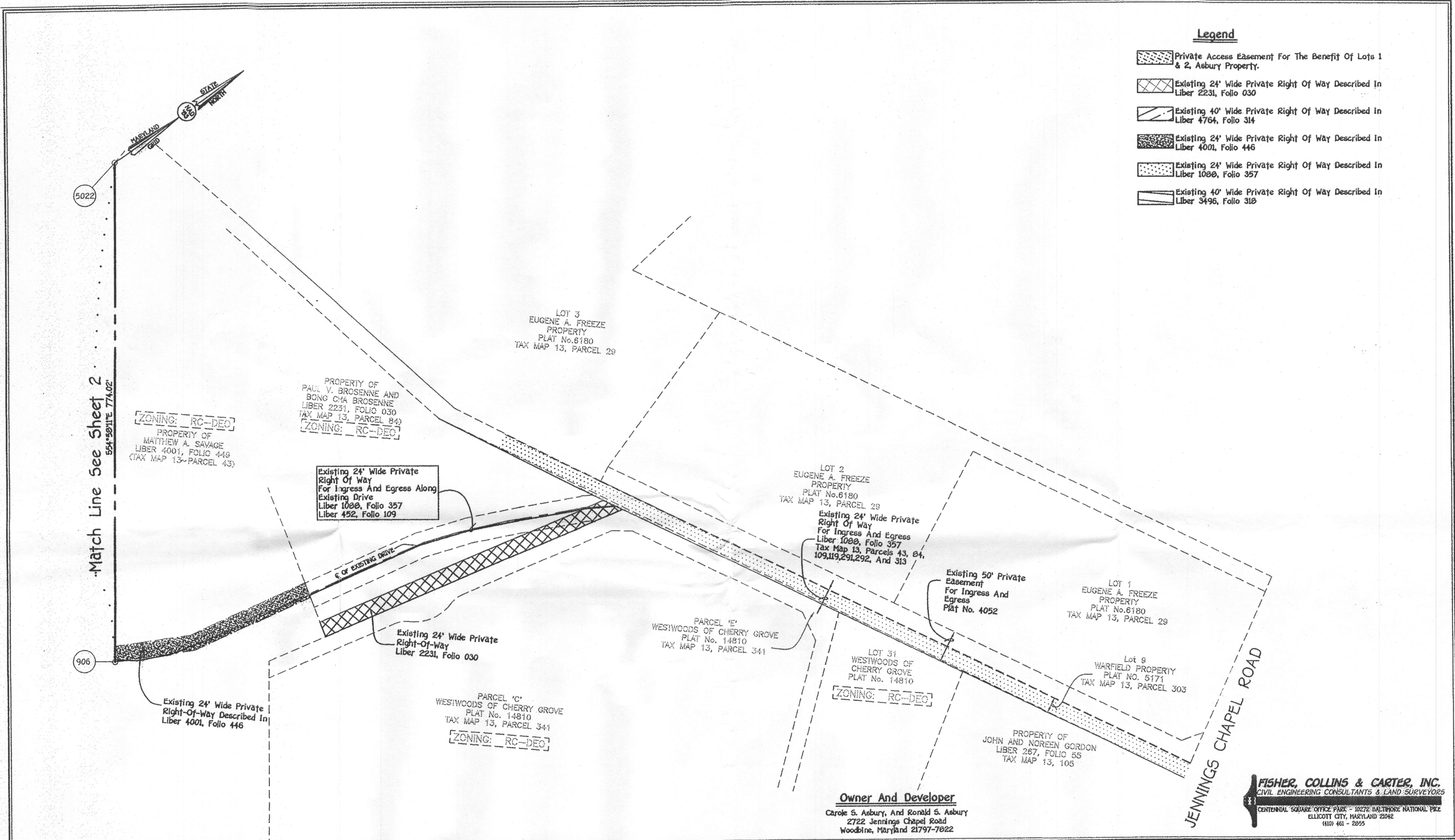
"Developer Reserves Unto Itself, Its Successors And Assigns, All Easements Shown On This Plan For Water, Sewer, Storm Drainage, Other Public Utilities, Located In, On, Over, And Through Lots 1, 2 & 3, Any Conveyances Of The Aforeaid Lots Shall Be Subject To The Easements Herein Reserved, Whether Or Not Expressly Stated In The Deeds Conveying Said Lots). Developer Shall Execute And Deliver Deeds For The Easements Herein Reserved To Howard County. Upon Completion Of The Public Utilities And Their Acceptance By Howard County, The County Shall Accept The Easements And Record The Deeds) Of Easement In The Land Records Of Howard County."

K:\Drawings\3130735 Asbury-Jennings Chapel Road\30735 Asbury Record Plat.Lots 1, 2 and residue.Sht. 2.dwg, 5/19/2008 10:53:49 AM

F-06-193

Legend

- Private Access Easement For The Benefit Of Lots 1 & 2, Asbury Property.
- Existing 24' Wide Private Right Of Way Described In Liber 2231, Folio 030
- Existing 40' Wide Private Right Of Way Described In Liber 4764, Folio 314
- Existing 24' Wide Private Right Of Way Described In Liber 4001, Folio 446
- Existing 24' Wide Private Right Of Way Described In Liber 1000, Folio 357
- Existing 40' Wide Private Right Of Way Described In Liber 3496, Folio 310



FISHER, COLLINS & CARTER, INC.
CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS
CENTENNIAL SQUARE OFFICE PARK - 10272 BALTHORE NATIONAL PIKE
ELLCOTT CITY, MARYLAND 21042
(410) 461 - 2955

APPROVED: For Private Water And Private Sewerage Systems
Howard County Health Department.

Walter B. Bileman 6/19/2008
Howard County Health Officer SS Date 7/09

APPROVED: Howard County Department Of Planning And Zoning.

Mark A. Wynn 6/25/08
Chief, Development Engineering Division YR Date

Mark A. Wynn 6/26/08
Director Date

OWNER'S CERTIFICATE

Carole S. Asbury, And Ronald S. Asbury, Owners Of The Property Shown And Described Hereon, Herby 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; (1) The Right To Lay, Construct And Maintain Sewers, Drains, Water Pipes And Other Municipal Utilities And Services In And Under All Roads And Street Rights-Of-Way And The Specific Easement Areas Shown Hereon; (2) The Right To Require Dedication For Public Use The Beds Of The Streets And/OR Roads And Floodplains And Open Space Where Applicable And For Good And Other Valuable Consideration, Herby Grant The Right And Option To Howard County To Acquire The Fee Simple Title To The Beds Of The Streets And/OR Roads And Floodplains, Storm Drainage Facilities And Open Space Where Applicable; (3) The Right To Require Dedication Of Waterways And Drainage Easements For The Specific Purpose Of Their Construction, Repair And Maintenance; And (4) That No Building Or Similar Structure Of Any Kind Shall Be Erected On Or Over The Said Easements And Rights-Of-Way. Witness My Hand This 21st Day Of May, 2008.

Carole S. Asbury
Carole S. Asbury

Ronald S. Asbury
Ronald S. Asbury

Terrell A. Fisher
Witness

SURVEYOR'S CERTIFICATE

I Herby Certify That The Final Plat Shown Hereon Is-Correct: That It Is A Subdivision Of All Of The Lands Conveyed By Carole S. Asbury To Carole S. Asbury And Ronald S. Asbury By Deed Dated December 19, 2003 And Recorded Among The Land Records Of Howard County, Maryland In Liber No. 0077 At Folio 157, And That All Monuments Are In Place Or Will Be In Place Prior To Acceptance Of The Streets In The Subdivision By Howard County, Maryland As Shown, In Accordance With The Annotated Code Of Maryland, As Amended, And Monumentation Is In Accordance With The Howard County Subdivision Regulations.

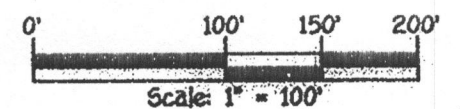


Terrell A. Fisher 5/21/08
Terrell A. Fisher, Professional Land Surveyor No. 10692 Date

RECORDED AS PLAT No. 20035 ON 4/11/08
AMONG THE LAND RECORDS OF HOWARD COUNTY, MARYLAND.

**AGRICULTURAL PRESERVATION
SUBDIVISION PLAT FOR
ASBURY PROPERTY**

Lots 1, 2 And 3
Zoned: RC-DEO
Tax Map: 13 Parcel: 292 Grid: 20
Fourth Election District
Howard County, Maryland



Scale: 1" = 100'
Date: May 19, 2008
Sheet 3 of 3

K:\Drawings\3\0735 Asbury-Jennings Chapel Plat Lots 1, 2 and residue Sht. 3.dwg, 5/19/2008 10:52:59 AM

SOILS LEGEND		
SOIL	NAME	CLASS
GIC2	Glenelg loam, 0 to 15 percent slopes, moderately eroded	B
GID3	Glenelg loam, 15 to 25 percent slopes, severely eroded	B
GnB2	Glenelg silt loam, 3 to 8 percent slopes, moderately eroded	C
GIB2	Glenelg loam, 3 to 8 percent slopes, moderately eroded	B
GIA	Glenelg loam, 0 to 3 percent slopes	B
MI2	Mt. Airy channery loam, 3 to 8 percent slopes, moderately eroded	A
MI2C	Mt. Airy channery loam, 8 to 15 percent slopes, moderately eroded	A
MI2D	Mt. Airy channery loam, 15 to 25 percent slopes, moderately eroded	A
GID2	Glenelg loam, 15 to 25 percent slopes, moderately eroded	B

NOTES:
 * Hydric soils and/or contains hydric inclusions
 ** May contain hydric inclusions
 † Generally only within 100-year floodplain areas

SCHEDULE A - PERIMETER LANDSCAPE EDGE					
PERIMETER	P-1	P-2	P-3	P-4	TOTALS
CATEGORY	ADJACENT TO PERIMETER PROPERTIES	ADJACENT TO PERIMETER PROPERTIES	ADJACENT TO PERIMETER PROPERTIES	ADJACENT TO PERIMETER PROPERTIES	
LANDSCAPE TYPE	A	A	A	A	
LINEAR FEET OF PERIMETER	389.36 L.F.	50.37 L.F. + 181.01 L.F. + 23.38 L.F.	347.02 L.F.	181.01 L.F. + 302.5 L.F. + 21.86 L.F.	
NUMBER OF PLANTS REQUIRED	6	4	6	4	
SHADE TREES	(389.36/60' = 6.48)	(23.38/60' = 3.89)	(347.02/60' = 5.78)	(21.86/60' = 3.53)	
CREDIT FOR EXISTING VEGETATION	NO	NO	NO	NO	
SHADE TREES	0	0	0	0	
SMALL/MEDIUM DECIDUOUS TREES (2:1 SUBSTITUTION)	0	0	0	0	
NUMBER OF PLANTS PROVIDED	6	4	6	4	20
SHADE TREES	0	0	0	0	
SMALL/MEDIUM DECIDUOUS TREES	0	0	0	0	0

At The Time Of Plant Installation All Shrubs And Trees Listed And Approved On The Landscape Plan Shall Comply With The Proper Height Requirement In Accordance With The Howard County Landscape Manual. In Addition, No Substitutions Or Relocations Of The Required Plantings May Be Made Without Prior Review And Approval From The Department Of Planning And Zoning. Any Deviation From The Approved Landscape Plan May Result In Denial Or Delay In The Release Of Landscape Surety Until Such Time As All Required Materials Are Planted And/or Revision Are Made To The Applicable Plans.

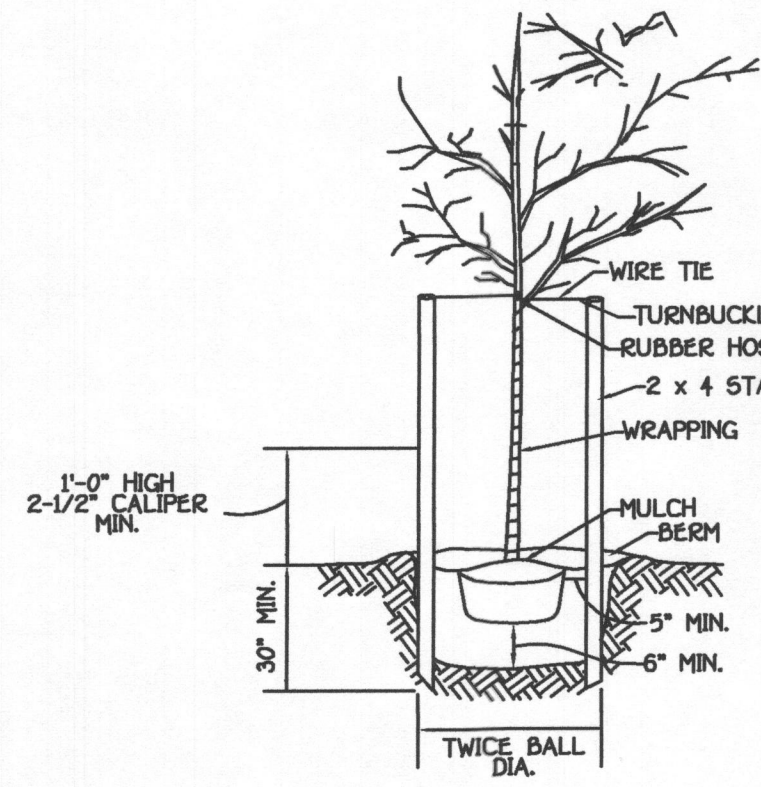
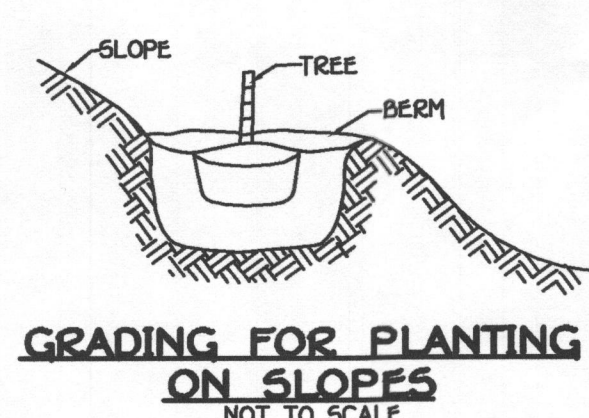
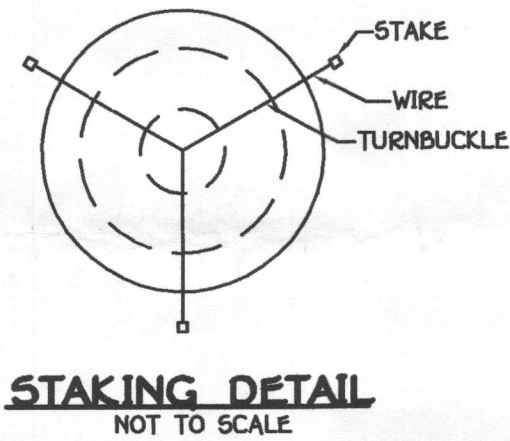
Developer's/Builder's Certificate

I/We certify that the landscaping shown on this plan will be done according to Section 16.02 of the Howard County Code and the Howard County Landscape Manual. I/We further certify that upon completion of Certification of Landscape Installation accompanied by an executed one year guarantee of plant materials will be submitted to the Department of Planning and Zoning.

Ronald Asbury _____ Date _____

Carole Asbury _____ Date _____

LANDSCAPING PLANT LIST			
QTY.	KEY	NAME	SIZE
20		ACER RUBRUM 'OCTOBER GLORY' (OCTOBER RED MAPLE)	2 1/2" - 3" CALIPER FULL CROWN, 8&B



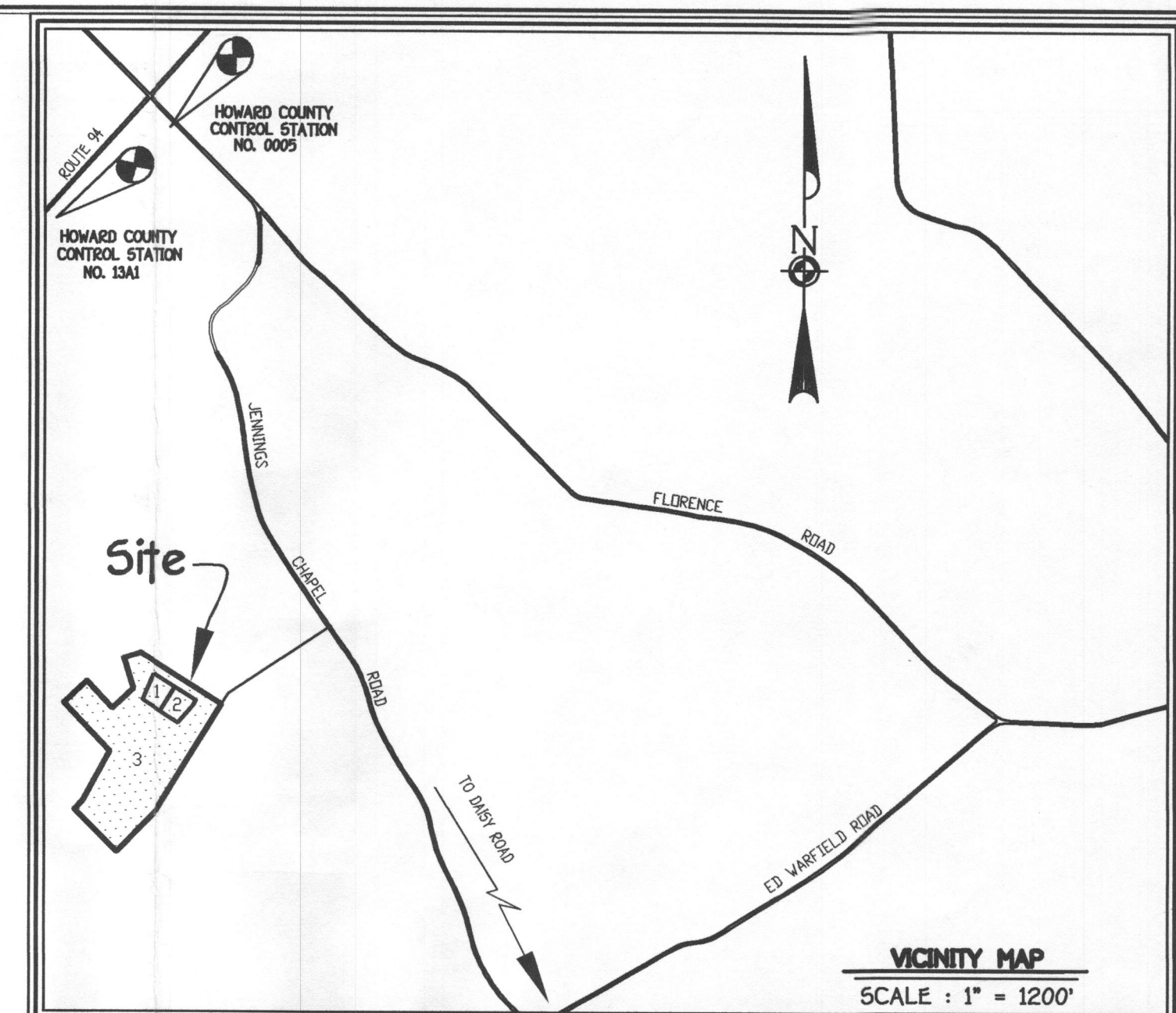
NOTE: REMOVE BURLAP FROM TOP 1/3 OF BALL

TREE PLANTING

- Legend**
- Private Use-In-Common Driveway Access Easement For The Benefit Of Lots 1 & 2, Asbury Property.
 - Existing 24' Wide Right Of Way Described In Liber 2231, Folio 030
 - Existing 40' Wide Right Of Way Described In Liber 4764, Folio 314
 - Existing 24' Wide Right Of Way Described In Liber 4001, Folio 446
 - Existing 24' Wide Right Of Way Described In Liber 1086, Folio 357
 - Existing 40' Wide Right Of Way Described In Liber 3496, Folio 316

Owner And Developer

Carole S. Asbury, And Ronald S. Asbury
 2722 Jennings Chapel Road
 Woodbine, Maryland 21797-7822



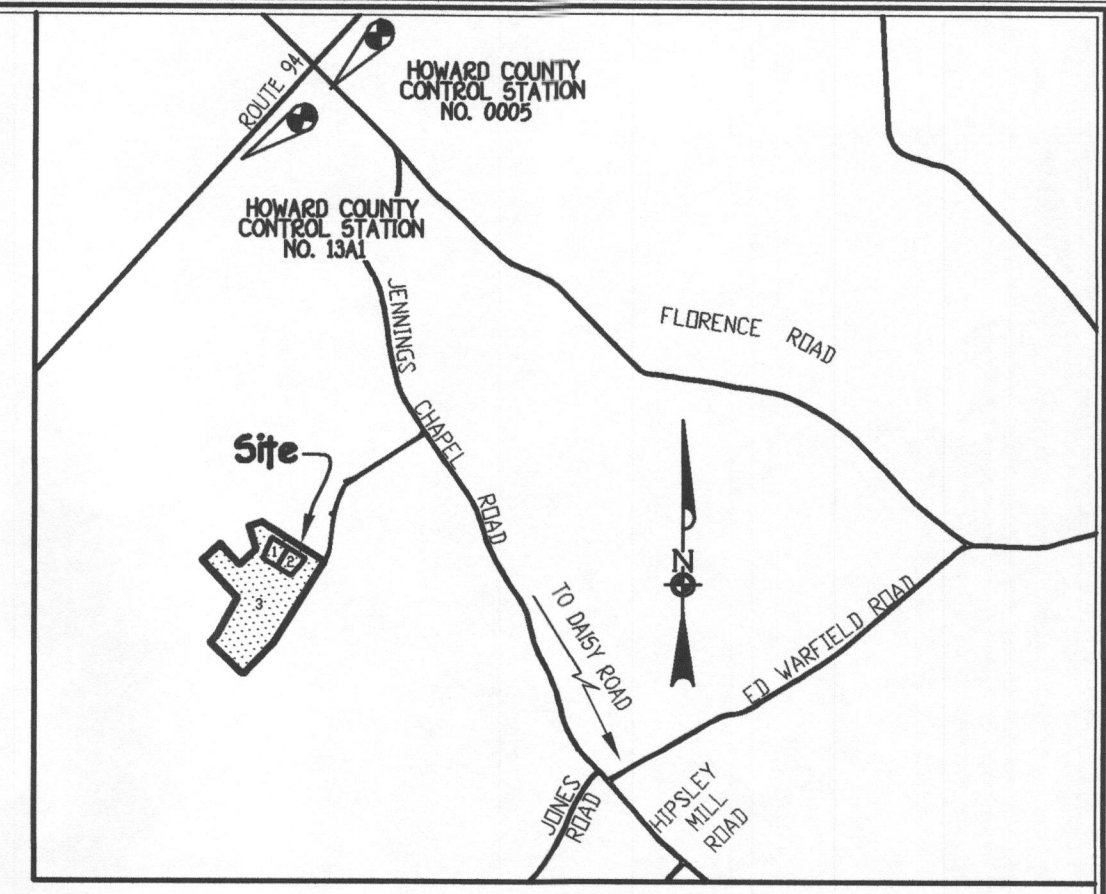
GENERAL NOTES:

- This Area Designates A Private Sewerage Easement Of 10,000 Square Feet As Required By The Maryland State Department Of The Environment For Individual Sewerage Disposal. Improvements Of Any Nature In This Area Are Restricted Until Public Sewerage Is Available. These Easements Shall Become Null And Void Upon Connection To A Public Sewerage System. The County Health Officer Shall Have The Authority To Grant Variances For Encroachments Into The Private Sewerage Easement. Restoration Of A Modified Easement Shall Not Be Necessary.
- The Lots Shown Hereon Comply With The Minimum Ownership Width And Lot Area As Required By The Maryland State Department Of The Environment.
- Subject Property Zoned RC-DEO Per 2/02/04 Comprehensive Zoning Plan.
- Coordinates Based On NAD 83, Maryland Coordinate System As Projected By Howard County Geographic Control Station No. 0005 And No. 13A1. Sta. 0005 N 590,454.309 E 1,228,720.091 Sta. 13A1 N 597,660.635 E 1,228,302.003
- This Plan Is Based On Field Run Monumented Boundary Survey Performed On Or About September, 2005 By Fisher, Collins And Carter, Inc.
- D.R.L. Denotes Building Restriction Lines.
- Denotes Iron Pin Set Capped T.C.C. 100'.
- Denotes Iron Pipe Or Iron Bar Found.
- Denotes Angular Change In Bearing Or Right-Of-Way.
- Denotes Concrete Monument Set With Aluminum Plate T.C.C. 100'.
- Denotes Concrete Monument Or Stone Found.
- Refuse Collection, Snow Removal And Road Maintenance Are Provided At The Junction Of The Private Driveway And Access Easement And Jennings Chapel Road.
- Driveway(s) For Lots 1 And 2 Shall Be Provided Prior To Issuance Of A Residential Occupancy Permit For Any New Dwelling To Insure Safe Access For Fire And Emergency Vehicles Per The Following Minimum Requirements:
 - Width - 12 Feet 04 Feet Serving More Than One Residence.
 - Surface - Six (6) Inches Of Compacted Crusher Run Base With Top And Chip Coating, 1/2" Minimum.
 - Geometry - Maximum 15% Grade, Maximum 10% Grade Change And 45-Foot Turning Radius.
 - Structures (Culverts/Bridges) - Capable Of Supporting 25 Gross Tons (25-Loadings).
 - Drainage Elements - Capable Of Safely Passing 100 Year Flood With No More Than 1 Foot Depth Over Surface.
 - Structure Clearances - Minimum 12 Feet.
 - Maintenance - Sufficient To Ensure All Weather Use.
- All Lot Areas Are More Or Less As Shown.
- Distances Shown Are Based On Surface Measurement And Not Reduced To NAD 83 Grid Measurement.
- Property Subject To Agricultural Easement Recorded By Deed Dated July 31, 1990 Between Carole S. E. Asbury And Howard County, Maryland And Recorded In Liber 2200, Folio 291. These 60 Two One-Acre Lots Are Being Subdivided From The Parent Parcel And Released From The Agricultural Preservation Easement (H40-90-122) Consistent With The Requirements Of Section 15.09(a)(2) Of The Pre-1993 Agricultural Land Preservation Act Of Howard County.
- Landscaping For Lots 1, 2 And 3 On File With This Plan Is Provided In Accordance With A Certified Landscape Plan In Accordance With Section 16.02 Of The Howard County Code And The Landscape Manual. Landscape Surety Provided In The Amount Of \$4000.00 For 20 Shade Trees At \$300/EA. Will Be Posted With Building / Grading Permit Application. Surety For Lot 1 Is 10 Shade Trees At \$300/EA. \$3000.00. Lot 2 Is 10 Shade Trees At \$300/EA = \$3000.00. Lot 3 Is Exempt From Perimeter Landscaping Obligation Since Building Lot 3 Contains An Existing Dwelling To Remain.
- This Subdivision Is Exempt From The Requirements Of The Forest Conservation Program Per Section 16.02(b)(2)(iv) Of The Subdivision And Land Development Regulations Because The Property Is In The Agricultural Preservation Program.
- No Cemeteries Exist Within The Boundaries Of Lots 1, 2 And 3 Based On A Visual Site Visit And Based On An Examination Of The Howard County Cemetery Inventory Map.
- Wetland Delineation Was Prepared By Eco-Science Professionals, Inc. No Non-tidal Wetlands Are Present Within Lots 1, 2 And 3. No Steep Slopes, Forest, Floodplain, Streams And The Associated Buffers Are Located On Lots 1, 2 And 3.
- This Plan Is In Compliance With The Amended Fifth Edition Of The Subdivision And Land Development Regulations Per Council Bill 45-2003 And The 2004 Howard County Zoning Regulations. Development Or Construction On These Lots Must Comply With Setback And Buffer Regulations In Effect At The Time Of Building / Grading Permit.
- Previous Department Of Planning And Zoning File Numbers: WP-02-127 (Ezired) And F-02-165 (Vidale).
- There Is An Existing Dwelling/Structure(s) Located On Lot 3 To Remain. No New Buildings, Extensions Or Additions To The Existing Dwelling(s) Are To Be Constructed At A Distance Less Than The Zoning Regulations Require.
- Quantity And Quality Stormwater Management Requirements Are Met By Applying The Rooftop Disconnection And Non-Roof Disconnection Credits In Accordance With Chapter 5 Of The 2000 Maryland Stormwater Design Manual.
- Lots 1 And 2 Are Created In Accordance With The Provision Of Section 104.2.6 Of The Zoning Regulations.
- Plan Subject To A Waiver Of The Requirements Of Design Manual, Volume III, Table 2.17 To Allow For The Reduction Of Sight Distance By Development Engineering Division On December 21, 2005.
- A Use-In-Common Access And Maintenance Agreement Will Be Recorded Simultaneously With The Recording Of The Subdivision Plan For The Benefit Of The Parcels 44, 109, 195, 292, 303, Lot 3 And 313, Tax Map 13.
- Wells On Lots 1, 2 And 3 Have Been Drilled.
- All Wells And Septic Within 100' Of The Property Boundary Have Been Shown.

revised
 OCT 26 2005
 Land Dev

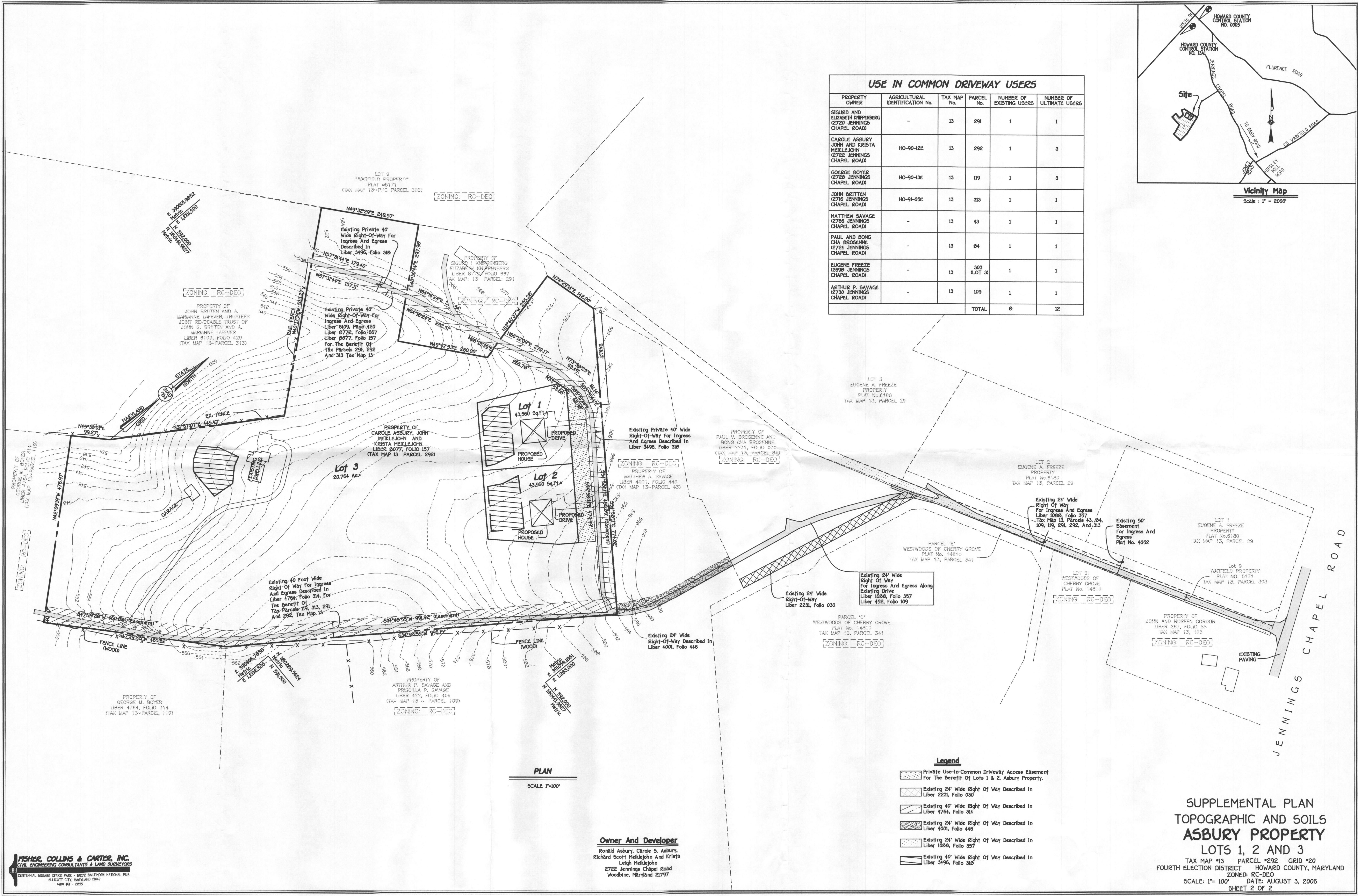
SUPPLEMENTAL PLAN
TOPOGRAPHIC AND SOILS
ASBURY PROPERTY
LOTS 1, 2 AND 3
 TAX MAP #13 PARCEL #292 GRID #20
 FOURTH ELECTION DISTRICT HOWARD COUNTY, MARYLAND
 ZONED: RC-DEO
 SCALE: 1" = 100' DATE: OCTOBER 23, 2006
 SHEET 1 OF 2

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Vicinity Map
Scale: 1" = 2000'

USE IN COMMON DRIVEWAY USERS					
PROPERTY OWNER	AGRICULTURAL IDENTIFICATION No.	TAX MAP No.	PARCEL No.	NUMBER OF EXISTING USERS	NUMBER OF ULTIMATE USERS
SIGURD AND ELIZABETH KNIPPENBERG (2720 JENNINGS CHAPEL ROAD)	-	13	291	1	1
CAROLE ASBURY JOHN AND KRISTA MEIKLEJOHN (2722 JENNINGS CHAPEL ROAD)	HO-90-12E	13	292	1	3
GEORGE BOYER (2728 JENNINGS CHAPEL ROAD)	HO-90-13E	13	119	1	3
JOHN BRITTEN (2716 JENNINGS CHAPEL ROAD)	HO-91-05E	13	313	1	1
MATTHEW SAVAGE (2766 JENNINGS CHAPEL ROAD)	-	13	43	1	1
PAUL AND BONG CHA BROSENNE (2724 JENNINGS CHAPEL ROAD)	-	13	84	1	1
EUGENE FREEZE (2690 JENNINGS CHAPEL ROAD)	-	13	303 (LOT 3)	1	1
ARTHUR P. SAVAGE (2730 JENNINGS CHAPEL ROAD)	-	13	109	1	1
TOTAL				8	12



PLAN
SCALE 1"=100'

Owner And Developer
 Ronald Asbury, Carole S. Asbury,
 Richard Scott Meiklejohn And Krista
 Leigh Meiklejohn
 2722 Jennings Chapel Road
 Woodbine, Maryland 21797

- Legend**
- Private Use-in-Common Driveway Access Easement For The Benefit Of Lots 1 & 2, Asbury Property.
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 - Existing 24' Wide Right Of Way Described In Liber 1008, Folio 357
 - Existing 40' Wide Right Of Way Described In Liber 3496, Folio 316

**SUPPLEMENTAL PLAN
 TOPOGRAPHIC AND SOILS
 ASBURY PROPERTY
 LOTS 1, 2 AND 3**
 TAX MAP *13 PARCEL *292 GRID *20
 FOURTH ELECTION DISTRICT HOWARD COUNTY, MARYLAND
 ZONED: RC-DEO
 SCALE: 1"= 100' DATE: AUGUST 3, 2006
 SHEET 2 OF 2

K:\Drawings\330735 Asbury-Jennings Chapel Road\30735 Asbury Support Plan.Lots 1,2 and residue Sht 2.dwg, 10/25/2006 3:15:58 PM, 1:10

FISHER, COLLINS & CARTER, INC.
 CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS
 CENTRAL SQUARE OFFICE PARK - 10277 BALTIMORE NATIONAL PIKE
 ELLICOTT CITY, MARYLAND 21114
 (410) 461-2855