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Yellow; DED, DPZ

Pink Health

Gold: SHA

Rev. 11/4//04



Howard County Department Of Planning And Zoning

3430 Courthouse Drive + Ellicott City, Maryland 21043 + 410-313-2350

Marsha S. McLaughlin, Director

www.co.ho.md.us FAX 410-313-3467 TDD 410-313-2323

August 24, 2006

Carole P. & Michelle C. Coleman 13104 Williamfield Dr. Ellicott City, MD. 21042

RE: F-06-145 (Coleman Property)

To Whom it May Concern:

The Subdivision Review Committee has determined the Final Subdivision Plans for F-06-145 (Coleman Property), consisting of two residential lots on 4.62 ± acres of land located on Williamfield Drive in the Third Election District of Howard County, Maryland, to be technically complete, subject to the attached comments from the Division of Land Development, the Development Engineering Division, and the Health Department. Revisions associated with the Health Department must be resolved directly with that Division within two weeks of the date of this letter (on or before September 7, 2006). If, in responding to those comments, design changes are made which could affect another SRC agency, you are advised to consult with the appropriate agency prior to submission of the originals to DPZ for signature approval and following the 3 step process indicated below. Do not submit originals to DPZ until Health has issued approval comments and the items listed below have been complied with. The comments issued from the Division of Land Development and the Development Engineering Division must be addressed with the original drawing (a direct submission to those agencies is not required).

STEP 1: SUBMISSION OF FOREST CONSERVATION PLAN

Submission of the original Forest Conservation Plan to the Division of Land Development for signature approval within 60 days from the date of this letter (on or before October 23, 2006). These plans must be accompanied by a \$5.00 per sheet distribution fee.

The original Forest Conservation Plan must be submitted and received signature approval prior to the completion of the developer=s agreement and the posting of required surety, and the acceptance of the final plat originals for recordation. You will be notified by letter when the FCP has been signed and authorized to proceed to Step 2.

STEP 2: COMPLETION OF DEVELOPER'S AGREEMENTS AND PAYMENT OF FEES

It will be necessary for the developer to post surety and execute a Deed of Forest Conservation Easement and a "Forest Conservation Agreement" for the proposed forest conservation areas within 120 days of the date of this letter (on or before December 22, 2006). Contact the Real Estate Services Division of the Department of Public Works (410-313-2330) regarding this requirement. Real Estate Services requires a minimum of 3 weeks to execute the Developer's Agreement and prepare the deed. This should be anticipated by the developer in scheduling submittal of the plat originals.

Payment to the Department of Public Works, Real Estate Services Division, of the balance of the Department of Public Works, Engineering Review Fee. The fee is based on the final construction cost estimate approved by DPW. It <u>must</u> be paid within 120 days of the date of this letter (on or before on or before December 22, 2006).

The above conditions must be complied with <u>prior to submission of final plat originals</u> and within 120 days of the date of this letter (on or before December 22, 2006). The Department of Public Works will provide a written receipt indicating the above conditions have been met. The receipt from Real Estate Services Division must accompany the submission of the record plat originals.

STEP 3: SUBMISSION OF FINAL PLAT ORIGINAL

You are advised that the plat originals will not be accepted by this Division for signature approvals and recordation until written documentation is provided from the Health Department that all required wells have been drilled.

Once all of the requirements in Step 1 have been completed, the original plat and "Plat of Easement" or "Plat of Forest Conservation Easement", if applicable, may be submitted for signature with the following:

 Payment to Director of Finance of Howard County of the following fees, concurrent with the submission of the <u>original plats</u> for signature approval. Bring this letter and fees to the Department of Planning and Zoning to obtain the required receipts.

| Storm Drainage Construction, Section 16.133 Account #Cr-814-003-7153 | Fee | \$ 150.00 |
|--|-----|------------|
| Open Space Land Acquisition, Section 16.121 | | |
| Account #Cr-813-003-7148 | Fee | \$1,500.00 |
| Distribution copies of recorded plat: | | |
| Original Plat (per sheet) | Fee | \$ 22.44 |
| Payment to the <i>Director of Finance</i> for additional originals added to plat set | | |
| Fee per sheet | Fee | \$300.00 |

As part of the grading permit application, you will be required to post \$1,200.00 for Lot 2 surety to ensure the completion of your landscaping obligation for this project. This Department will perform an inspection to verify installation of the required plant materials. The inspection fee required for this project is \$100.00.

In no event may the fee be less than \$100. This fee must be paid to account number 011-005-4217 at the time the plat originals are submitted for signatures and recordation (check payable to the Director of Finance).

You will be required to execute a Forest Conservation Agreement which will include \$12,806.60 of surety to ensure the completion of your Forest Conservation obligation for this project. This Department will perform an inspection to verify compliance with the approved Forest Conservation Plan. The inspection fee required for this project is \$250.00.

In no event may the fee be less than \$250. This fee must be paid to account number 011-005-4227 at the time the plat originals are submitted for signatures and recordation (check payable to the Director of Finance).

- A check made payable to the Clerk of the Court of the cost for recording plats.
 Recording fee for plat (per sheet)

 Fee \$5.00
- 3. A properly prepared and completed maintenance agreement for the shared driveway must be submitted with the correct recording fee (\$40.00 for a document with up to 9 sheets, or \$95.00 for a document with 10 or more sheets) with the submission of the plat original. Checks should be made payable to the Clerk of the Court. This document shall be recorded by our staff concurrent with the recording of the plat original.

PLEASE BE ADVISED THAT ALL FEES PAYABLE TO THE CLERK OF THE COURT MUST BE INCLUDED ON A SINGLE CHECK. MULTIPLE CHECKS AND/OR CASH CANNOT BE ACCEPTED.

- 4.a. Submission of two accurate [1" = 600"] scale reductions of the subdivision plat indicating lots/parcels with lot numbers/parcel letters and rights-of-way with approved street names.
 - Submission of parcel and right-of-way boundaries in a digital format meeting the following County standards:

Digital Plat Submissions

- AutoCAD is the required format for submissions.
- Use NAD 83 feet as coordinate system.
- Please provide at least two North-East coordinate reference points.
- Do not rotate drawing. North should be straight up.
- All nodes should snap together. No overshoots or undershoots. No circles at property corners.
- All lines must be entered using coordinate geometry, not digitized.
- Please do not send elements other than those outlined below. (No north arrow, notes, vicinity map, etc.)
- Set up layers as described in the following table:

| AutoCAD Format | | | | | | | | | |
|----------------|--------------|---------------------------------|--------|-----------|------------|--|--|--|--|
| No. | Layer's Name | Description | Color | Line Type | Text Style | | | | |
| 1 | Lot Line | Lot Lines | Red | Solid | No text | | | | |
| 2 | Parcelrow | Parcel Outline and Right Of Way | Yellow | Solid | No text | | | | |

Note: Font = Simplex, Height = 16.0, Width Factor = 1

This information is to be transferred on a virus-free 3.5" diskette or CD. Diskette or CD should be labeled with name of subdivision, tax map, block and parcel, file number when assigned, and name and telephone number of engineering firm.

If you have any questions or would like a sample digital file, please contact Michael White of the Department of Planning and Zoning at (410) 313-4373 or email

mwhite@co.ho.md.us

- Submission of a Forest Conservation Data Summary Sheet. 5.
- Submission of a receipt from the Department of Public Works, Real Estate Services 6. Division, verifying the payment of all fees/sureties as identified in Step 2 of this letter.

Submission of the final plat for signature and recordation is required within 180 days of the date of this letter (on or before February 20, 2007).

When recorded, the signed original plat will be retained on file in the Office of Central Services.

If you have any questions, please contact Tanya Krista-Maenhardt at (410) 313-2350.

Sincerely,

Cindy Hamflton, Chief

Division of Land Development

Cendy Hanutes

CH/tmaenhardt/Finals 2006/Coleman Property F-06-145 8-22-06 TC with comments

Enclosures: DLD, DED, Health

CC:

Research DED , HEALTH

Real Estate Services, DPW Landscaping Coordinator

Forest Conservation Coordinator

FSH

S. Hieatzman

Department of Planning and Zoning-DLD July 27, 2006

RE: F-06-145—Coleman Property-creation of 1 new lot

Planner: TKM

 At the meeting of 6/29/06, this Division rendered decisions regarding required driveway setbacks and perimeter landscaping. Add the following two notes to the plat and the FCP:

"The Department of Planning and Zoning determined that the existing driveway did not have to be shifted to accommodate a 10' setback or perimeter landscaping because retention of existing trees constituted a more desirable alternative and existing conditions met the intent of the Regulations."

"All driveway widening (needed to ensure compliance with Design Manual Standards) must be done on the west side of the existing driveway."

- Correct the spelling of "waiver" in Note #30 of the plat.
- Correct the spelling of "waiver" in Note #15 of the Supplemental Grading, Landscaping and Soils Plan.
- Please place the "Forest Conservation Easement Table" on the <u>FCP</u> (as well as the plat).
- The FCP will need to be signed by a qualified professional, forester or landscape architect.
- Add F-06-145 beneath the Title Block on the FCP.
- On the FCP, label the 4 proposed landscape trees and refer the "user" to the Supplemental, Grading, Landscaping and Soils Plan for additional details.

TMaenhardt/Coleman Property-F-06-145 7-27-06

DEPARTMENT OF PLANNING AND ZONING DEVELOPMENT ENGINEERING DIVISION

August 9, 2006

| | | August 9, 2000 |
|-----------------------|---|---|
| TO: | Cindy Hamilton, Chief Division of Land Developmen | t |
| FROM: | Charles F. Dammers, Chief Development Engineering Div | rision |
| | Project Engineer: | Yuru Qin |
| RE: | DP&Z File #: | F-06-145 (PLAT) |
| | | Coleman Property |
| Approved | subject to the following comments: | |
| Please propervious sl | ovide a bypass swale along the northwisheet flow length to <150°. | vest edge of the driveway to direct the runoff and reduce the |
| From: | Joe Happel III, Land Acquisition | on Specialist |
| _ | te Services Division | |

Based on review of the referenced subdivision plat dated July 10, 2006, the following comments are provided:

PUBLIC EASEMENT'S AND/OR FEE ACQUISITIONS:

Forest Conservation (On-site)

GENERAL COMMENTS:

The latest copy of the subdivision plat should be provided to the Real Estate Services Division at time of preparation of developer agreement and easement acquisition to allow this office to complete a thorough review of the easements.

A checklist for the Preservation Parcel(s) can be obtained from the Real Estate Services Division. The developer's review and completion of the checklist will allow this office to complete our documents in a more timely fashion.

It is suggested that the developer contact this office at (410) 313-2330, to obtain further details regarding the title report requirements, developer agreement(s) and sureties, etc. The Real Estate Services Division will be more than happy to schedule a meeting to go over the entire process in advance of the preparation of the agreements.

From: Mark A. Kreis, Chief Collections Division

Trash and recyclable collection will be at Williamfield Drive

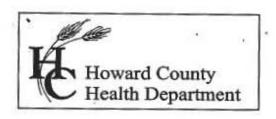
The following are standard Howard County comments:

Financial Guarantee:

The proposed subdivision is subject to the requirements of Section 16.133(c) of the 2002 Subdivision and Land Development Regulations and Resolution No. 83-1993, and is located in the Little Patuxent River watershed. The developer shall contribute \$75.00 per lot (\$325.00 per acres for commercial development) prior to or concurrent with submitting the plat for recordation. His payment will be credited to Account Number 814-003-7153.

$$\frac{2}{\text{# of Lots}} \quad X \quad \frac{\$75.00}{\text{Fee}} = \frac{\$150.00}{\text{Total Fee Due}}$$

CFD/ F:\COMMENTS\PLAT\RP0637.doc



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

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

MEMORANDUM

TO:

Cindy Hamilton, Chief

Division of Land Development

FROM:

Sara Fegel, R.S. &

Well and Septic Program

Development Coordination Section

RE:

File Number: F-06-145

Title: Coleman Property Williamfield Drive

DATE:

Jul7 26, 2006

The following comments apply to the plan prepared by FSH Associates. The revisions/ corrections mentioned below must be corrected prior to plan approval or signature. Applicant is advised to revise and resubmit prior to signature.

- All wells need to be drilled prior to final plat signature and well completion reports need to be on file with the Health Department.
- Health officer signature block needs to be corrected on plat to add "private" before sewerage system
- · Final plat needs to reflect percolation certification plan, including general notes



Howard County Department Of Planning And Zoning

3430 Courthouse Drive, Ellicott City, Maryland 21043 + 410-313-2350

Marsha S. McLaughlin, Director

www.co.ho.md.us FAX 410-313-3467 TDD 410-313-2323

September 22, 2006

Carole P. & Michelle C. Coleman 13104 Williamfield Dr. Ellicott City, MD. 21042

RE:

F-06-145 (Coleman Property)

To Whom it May Concern:

By letter dated August 24, 2006, the Subdivision Review Committee had determined the above referenced plan to be **technically complete**. Enclosed for your use/response are additional comments generated by the Health Department in response to your direct plan submission. You may submit the original drawings to the Department of Planning and Zoning once the comments have been complied with. If you have any questions regarding a specific comment, please contact the review agency prior to submitting the original final subdivision plan.

In accordance with our letter of August 24, 2006, the Final Subdivision Plat originals must be submitted within 180 days from the date of this letter (on or before February 20, 2007).

Compliance with all conditions and/or corrections is required before the original plan will be accepted for signature approval.

If you have any questions, please contact me at (410) 313-2350.

Sincerely, Tanga Krista - Maenhart

Tanya Krista-Maenhardt, AICP Division of Land Development

CH/tm/Finals 2006/Coleman Property F-06-145 9-22-06

Enclosures:

HEALTH

CC:

Research HEALTH

Real Estate Services, DPW

FSH

S. Hieatzman



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

Marsha S. McLaughlin, Director

www.co.ho.md.us FAX 410-313-3467 TDD 410-313-2323

December 5, 2006

Carole P. & Michelle C. Coleman 13104 Williamfield Drive Ellicott City, MD 21042

RE:

Coleman Property Lots 1 & 2

A resubdivision Lot 1 of Kingston, Section 3

F-06-145

Dear Ms.'s Coleman:

Please be advised that the above referenced final subdivision plat was recorded on December 5, 2006, among the Land Records of Howard County as Plat Nos. 18686 through 18687.

As part of the grading permit application, you will be required to post \$1,200.00 (for Lot 2) surety to ensure the completion of your landscaping obligation for this project. A copy of the approved landscape plan must accompany your grading permit application. This Department will perform an inspection to verify installation of the required plant materials. This inspection will occur on or about June 3, 2008. Should your landscaping be installed prior to that date, you may contact this office, in writing, to request an earlier inspection date, and to forward the required 1 year plant warranty.

You have executed a Forest Conservation Agreement which included \$12,807.00 of surety (for on-site retention) to ensure the completion of your Forest Conservation obligation for this project. This Department will perform an inspection to verify compliance with the approved Forest Conservation Plan. This inspection will occur on or about November 13, 2007. If this office determines that the required plant materials have been installed and the appropriate measures have been undertaken to ensure protection of planted areas and retained forests, this office will establish the start of the 2 year post-construction survival period. If your initial Forest Conservation obligations, as summarized in your Forest Conservation Agreement, are completed prior to that date, you may contact this office, in writing, to request an earlier inspection date.

Prints of this final plat may be ordered at the Department of Planning and Zoning Public Service Desk between the hours of 8:00 a.m. and 5:00 p.m., Monday thru Friday. The cost for paper prints is \$0.95 per plat sheet. Please bring this letter with you when ordering prints.

Sincerely.

Kent Sheubrooks

Division of Land Development

KS/MPB/W

CC:

Research DED Real Estate Services, DPW Environmental Health

Department of Taxation and Assessments Landscaping Coordinator

Forest Conservation Coordinator

FSH Associates Steven Hibatzman

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HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

Division of Land Development

| DATE: | 5-5-06 | | 1.5 | DPZ File No. LUP-C6-116 |
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Howard County Department of Planning and Zoning Division of Land Development

WAIVER PETITION APPLICATION

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

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

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IV. Pre-Submission Meeting Requirements

→→→a. HDC Meeting Requirement - A pre-submission advisory meeting with the Historic District Commission is required for new development located within a Historic District or if the site is listed in the Historic Sites Inventory in accordance with Section 16.605 of the Howard County Code. Verify this requirement by checking the Historic Sites Inventory list and maps available at the DPZ public service desk. The property owner/developer must contact the DPZ, Division of Public Service and Zoning Administration for the HDC scheduling process and procedures. The property owner/developer must submit a copy of the minutes from the HDC Advisory Meeting to DPZ along with the initial subdivision or site development plan application.

MAA Meeting Requirement - For all proposed subdivisions or developments located within the BWI Airport Noise Zone or the Airport Zoning District (4 mile radius from the center of the airport), the review and approval by the Maryland Aviation Administration is required prior to signature approval of final plan road and SWM construction drawings, and/or site development plans, or waiver approval of SDP. Please contact the MAA at P.O. Box 8766, BWI Airport, Maryland, 21240-0766, or (410) 859-7100. A copy of the MAA approval letter must accompany the submission of the final road/SWM construction plan original drawings, and/or site development plan original, or waiver petition application.

VA 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

DLD/WP

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 * | |
|--|---|
| (Signature of Property Owner) (Date) (Fee Simple Owner Only) | (Signature of Petition Preparer) * (Date) |
| Michelle C. Coleman (Name of Property Owner) | (Name of Petition Preparer, Surveyor/Engineering or Agent/Developer |
| 13104 Williamfield Drive | 8318 Forrast St. Address) |
| Ellicott City, Maryland 21042 (City, State, Zip Code) | City, State, Zip Code) |
| E-Mail Michelle, Coleman @ hp. com | E-Mail |
| 410-988-8155 — (Telephone) (Fax) | (Yelephone) (Fax) |
| Contact Person: Michelle Coleman | Contact Person: Pach Fisch |

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rev Sept2005

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

NA

areas or buffers).

Legend:

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.

X Information Not Provided, Justification Attached

Information Provided

Not Applicable

| Vicinity map scale 1" = 2,000' indicating and identifying the total boundary of the property, exact site location, vicinity roads and north arrow. |
|---|
| Bearings and distances of property boundary lines for the entire tract and size of tract area. North arrow and scale of plan. |
| Location, extent, boundary lines and area of any proposed lots. |
| 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 position of a biotogic attractures are proposed by a positive area. |
| to the petition; i.e. historic structures, cemeteries or environmentally sensitive areas. Delineation of building setback lines. |
| Delineation of all existing public road and/or proposed street systems. |
| Identification and location of all easements. |
| 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. |
| Road profile to evaluate sight distance, if the application includes a request for direct access to a major collector or more restrictive roadway classification. |
| 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). |
| Photographs, perspective sketches or cross-sections as necessary to adequately portray the waiver request. |
| 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 |
| |

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.

Howard County Department of Planning and Zoning Division of Land Development

INITIAL SUBMISSION WAIVER PETITION WORKSHEET

(For DPZ Use Only)

| Pro | jec | t Name | DPZ File No. | | | | |
|------|------|---|---|-----------------|-------------|------|-----------|
| DP | ZP | lan Reviewer | | Submission Date | | | |
| | | onsultant Representative | | Time | | | |
| ı. | Ap | pplication Requirements | | | Indicate | Yes, | No or N/A |
| | a. | Application is complete | *************************************** | | | • | |
| | b. | Required number of plans and | applications are provided | | | | |
| | | Plans | (14 sets on County Road | d or | | | |
| | | | 18 sets on State Road) | | | | |
| | C. | Supplemental Information is pr | rovided | | | | |
| | d. | Certification of pre-submission Historic District or listed in His | | | | | |
| | e. | | ures (for Historic Preserva | tion Review) | | | |
| | f. | MAA Approval Letter (if applica | | | | | |
| | g. | Written summary of Route 1 m | nanual compliance (if appli | cable) | | | |
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| 11. | E | e Computation | | ¥ | | | Fee |
| 11. | | mber of waivers requested | | | | | 1 500 |
| | Ra | se Fee for first two waiver section | one (\$450) | | | \$1 | 1511 |
| | Ea | e for each additional waiver sec | tion / additional waiver | v \$50 oach) | | | -N |
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| III. | Ce | rtification | | | | 1 | |
| | Ca | sh Receipt No | Account #011-0 | 05-4201 Amo | unt | \$ | 450 |
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| | _ | Waiver petition application is a | accepted for processing. | | | | |
| | | | | | | | |
| | _ | Scheduled SRC meeting date |).· | | | | |
| | | | | | | | |
| | - | Waiver petition application is a | rejected. | | | | |
| | | Personi | | | | | |
| | | Reason: | | | | | |
| | | | | | | | |
| | | Decibulation is asserted | Dete | Ctof | Linitiala | | |
| | - | Resubmission is accepted. | Date | Star | finitials _ | | |
| | C | omments/Notes | | | | | |
| | CC | orinients/Notes | | | | | - |
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May 1, 2006

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

Re: Coleman Property
Lots 1 and 2
Tax Map 22 Grid 4
Parcel 205
F-06-145

Dear Mrs. Hamilton:

On behalf of our client we are requesting a waiver from Section 16.120.(b).(4).(iii).(b) of the Subdivision and Land Development Regulations to allow environmental features, such as stream buffers, to exist within the limits of Lots 1 and 2, which are less than 10 acres in size. Our justification to this request is as follows:

The above referenced subdivision is a two (2) lot subdivision located in the RR-DEO zone. The lot sizes are mandated by BA Case No. 02-56V, approved on December 9, 2003.

As shown on the enclosed plat and supplemental plan, there is a partial stream buffer on site. This stream buffer is generated by an off site stream. Section 15.121 of the Subdivision Regulations and Section 105.D.1 of the Zoning Regulations indicate that creating an open space or clustering the lots is not an option. Since the lot sizes are set at 1.8 and 2.8 acres by the approved variance petition and since the option of clustering or creating open space is not available, it is an undue hardship to strictly comply with the regulation.

As stated in Section 16.120.b.(4).(iii).(c), for the R-20 infill subdivisions a 20,000 sq. ft. lot that has no option to reduce its size and create open space is permitted to contain environmental features such as steep slopes, floodplains, wetlands, wetland buffers, streams and their buffers on such a lot, as long as a 35 foot buffer is maintained between the environmental feature and the building restriction line.

Hamilton-Coleman Property May 1, 2006 Page Two

In our case, the proposed lots are also infill lots that consist of 1.81 and 2.81 acres. On average, these lots are almost five (5) times larger than a 20,000 sq. ft. lot. Therefore, Section 16.120.(b).(iii).(c) should be applicable for this property and the buffer be allowed on the lots.

Thank you for your consideration. Should you have any questions or comments please do not hesitate to contact this office.

Sincerely,

FSH Associates

Zacharia Y. Fisch, P.E.

ZYF:mlg CC: File 3332

S:\WORD Documents/FSH Associates/Job Letters/Coleman Property 3332/Hamilton-request2.doc