



Howard County
Health Department

Bureau of Environmental Health
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Peter L. Beilenson, M.D., M.P.H., Health Officer

February 18, 2011

Mr. David Simard
Pegasus Home Corp.
5607 Berwyn Road
Berwyn Heights, MD 20740

RE: 5616 Tricross Drive
Columbia, MD 21045

Dear Mr. Simard:

The Health Department received your letter dated December 31, 2010 requesting a waiver to allow the release of a building permit for a home in the Metropolitan District (existing public sewer service area) to remain connected to the existing on-site sewage disposal system. The *Code of Maryland Regulations 26.04.02.02D* requires the Health Department to certify the existing on-site sewage disposal system as capable of handling the existing sewage flows prior to the issuance of a building permit. After reviewing the evaluation by Home Land Septic Consulting, LLC and Health Department field notes regarding the sewage disposal system it has been determined that it is not adequate to serve the existing single family dwelling. This determination is based on the fact that the Home Land Consulting, LLC report indicated that the report may not be accurate if the house has been unoccupied and little or no use of the septic system could have allowed problems to temporarily clear themselves. The water meter was removed on January 22, 2010. Health Department notes indicate that there is a concrete septic tank connected to a distribution box that out falls without piping to an approximately twenty-five foot long leaching field. The system design is not approvable under current system design standards. Based on current design criteria a three bedroom home with highly permeable soil would require a sixty-three foot long drain field with three feet of gravel below a perforated pipe. Therefore, the property must be connected to the public sewer system. The building permit has been released allowing you to resolve the Notice of Violation issued by the Department of Inspections, Licenses and Permits and resume working on the home. However, a notice to hold the final inspection until the connection to public has been completed has been placed on the building permit.

Respectfully,

Michael J. Davis, RS/REHS
Assistant Director
Bureau of Environmental Health

- Notice placed on
BP to hold final
inspection until connection to
public water. We will send
notice to owner 2/23

From: David Simard

PEGASUS HOME CORP

Date: Wed. Dec. 31th 2010

Request for Re-consideration and Partial Waiver

Re: 5616 Tricross Dr., Columbia, Md 21045

Please be advised that the letter dated Dec 7th 2010 was referencing a building permit that had mistakenly specified a new structure was being built on the premisis. The permit was recently modified to show just internal repairs to be done at this property. So, the scope of work has changed significantly with this modification.

The original footprint of the home is presently unchanged since 1920. The present codes were initiated in howard county in the late '40s early 1950's. This property was a "grandfathered" property at time of implentation of current codes. See attached pictures of aerial photos taken from sky in 1943 ,1977,1999,2009 from howard county website.

The current pending permit application does Not:

- A) Change to living square feet of property.
- B) Change the exterior footprint of original home
- C) Change the use of home (presently residential)

The only purpose of the permit is to ensure needed repairs are completed. Denial of this waiver would cuase the owner to hookup to public sewer which is not economically feasible at this time. The current owner has agreed to fill the well as identified in the letter dated Dec. 7th, 2010 and can budget for that, however: the cost to hookup the sewer is not within budget. Its estimated with hookup fees of 5,000 plus plumbing excavation fees in excess of ten thousand dollars, the total cost would be in the minimum range of fifteen thousand dollars.

The seller hired local septic company to inspect tank/field and determined it was viable. See attachment. Note current tank is approx fifteen feet behind shed to left of home.

The county has requested owner to pull permit, and current owner is the the final process of doing so, (all departments have signed off with exception of health dept).

Since the existing concrete septic system is viable, the property has history grandfathered existing codes, no expansion of use is requested , no expansion of the structure is requested, and the hookup is hardship, the owner hereby requests a waiver of the sewer hookup request portion of the current repair permit on the interior of existing home. It is believed without the waiver granted, that the safe occupancy of home will in question, and a serious detriment to the value of property will follow suit. The property, without being able to be occupied will be relatively worthless to owner. The current owner believes that passing of the legislation was only passed with the promise that situation like these would be equitably resolved to not cause hardship...otherwise the current residents of Howard county would not have allowed them to be passed in the first place.. With this in mind , it is humbly requested that your office recognize this partial request as urgent and grant it accordingly(Current owner will comply with filling existing well to right of home as requested by your department. So only a partial waiver is requested as to the septic system abandonment.). Yours thankfully,

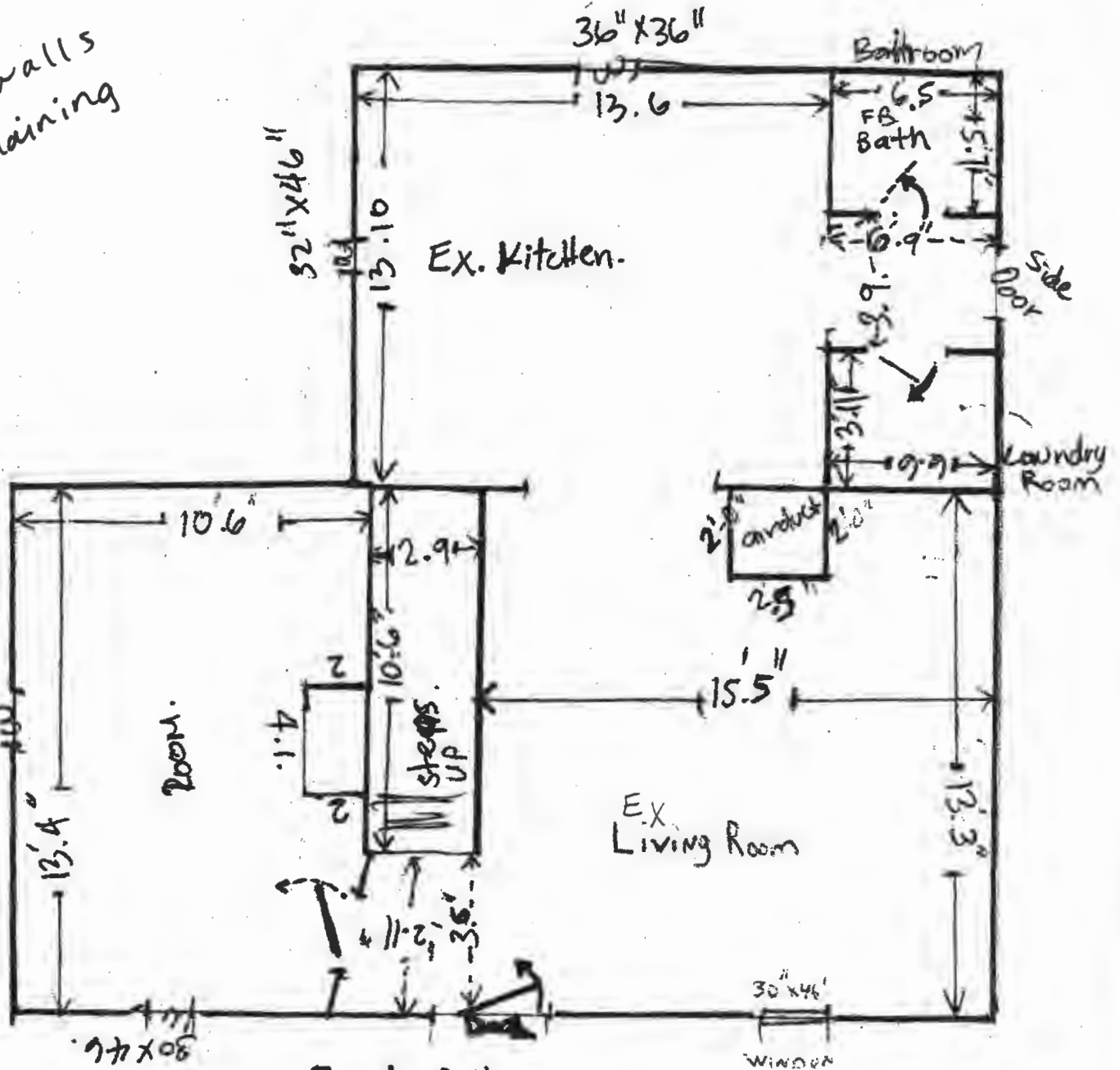


David Simard
301 343-4236 cell

TRICROSS

REAR YARD

all walls remaining



Front of Home
FLOOR PLAN

TRICROSS FIRST FLOOR

Street

Street

REAR OF HOME

[illegible]

ZND FLOOR PLAN
FRONT OF HOME 3BR

Street

SITE PLAN

OWN AS:

FOLIO 173
PARCEL 469
NTY, MD

SEE SHEET 2 OF 2 FOR
LIBER 07200 FOLIO 499
LEGAL DESCRIPTION

