

7/26/95
7/18/95
10:00

APPLICATION

PERCOLATION TESTING

A 50736

P _____

HOWARD COUNTY HEALTH DEPARTMENT
BUREAU OF ENVIRONMENTAL HEALTH
3525-H ELLICOTT MILLS DRIVE/ELLICOTT CITY, MARYLAND 21043
TELEPHONE: 313-2640

DISTRICT _____

DATE 6-13-95

TO: THE COUNTY HEALTH OFFICER
ELLICOTT CITY, MARYLAND

*PERCOLATION O.K.
SUBDIVISION HISTORY C600060,
TEST EXISTING PARCEL
BUT HOLD TO SUBDIVISION
STANDARD, I.R.
10,000 SQ FT X 16A
30 MIN RATE / 60 SAND MOUND
etc (CW)*

I HEREBY APPLY FOR THE NECESSARY TEST PRIOR TO APPLICATION FOR PERMIT TO CONSTRUCT (OR RECONSTRUCT) A SEWAGE DISPOSAL SYSTEM.

PROPERTY OWNER DEBORAH FOCHIOS, PERS. REP. "ESTATE OF MULLINIX"

ADDRESS 15829 A.E. MULLINIX RD. PHONE 1-410-312-3471

AGENT OR PROSPECTIVE BUYER SHANABERGER & LANE

ADDRESS 8726 TOWN & COUNTRY BLVD PHONE 461-9563

PROPERTY LOCATION:

#2395 Daisy Rd.

SUBDIVISION NONE LOT NO. _____

ROAD AND DESCRIPTION INTERSECTION OF DAISY ROAD & E MULLINIX RD. ±

TAX MAP 14 PARCEL # P/O P.4

SIZE OF LOT 3.25 AC. ± TYPE BLDG. SFD
(SINGLE FAMILY DWELLING OR COMMERCIAL)

THE SYSTEM INSTALLED UNDER THIS APPLICATION IS ACCEPTABLE ONLY UNTIL PUBLIC FACILITIES BECOME AVAILABLE. I FULLY UNDERSTAND THE FEE CONNECTED WITH THE FILING OF THIS PERC TEST APPLICATION IS NON-REFUNDABLE UNDER ANY CIRCUMSTANCES. I ALSO AGREE TO COMPLY WITH ALL M.O.S.H.A. REQUIREMENTS IN TESTING THIS LOT. Julie A. Sumner (AGENT)
(SIGNATURE OF APPLICANT)

APPROVED BY _____ FOR _____ DATE _____

DISAPPROVED BY _____ FOR _____ DATE _____

HOLD PENDING FURTHER TESTS _____

REASONS FOR REJECTION OR HOLDING _____

PERCOLATION TEST PLAT/PRELIMINARY PLAT - TITLE OR I.D. # _____ DATE _____

SITE DEVELOPMENT PLAN/FINAL PLAT - TITLE OR I.D. # _____ DATE _____

THIS IS NOT A PERMIT

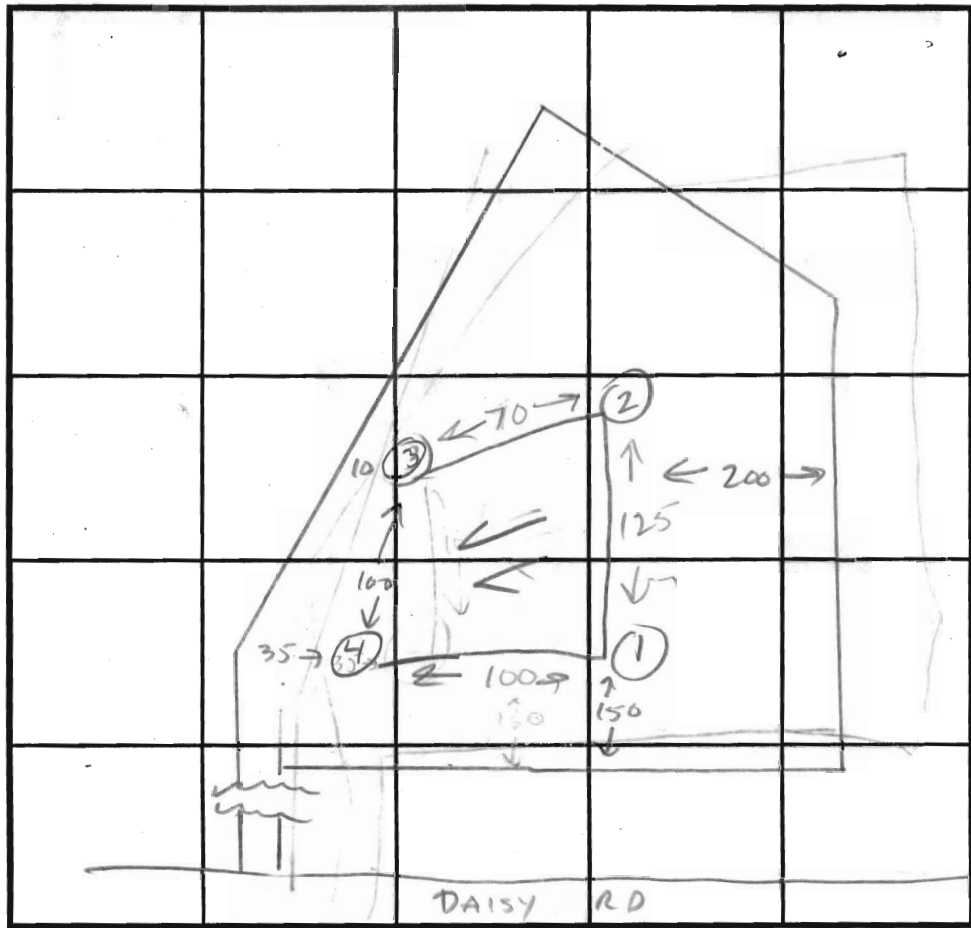
A 50736

COUNTY #

SOIL PROFILE

0'
2 1/2'
CLAY
POWDERY
MICA SILT
LOAM
SCATTERED
25%
SCHIST

13



SOIL PROFILE

0'

INDICATE NORTH - NAME ADJOINING ROADWAY AS BASE LINE.

DATE	TEST NO.	DEPTH	PRE-WET		TEST - 1" DROP		TIME
			START	STOP	START	STOP	
7/26/95	1	3 7 12	10:46	VIS OK 10:49	10:49	10:53	4 MIN ✓
	2	3 7 12		VIS OK POWDERY LOAM		2 1/2' - 13'	✓
	3	3 8 12	10:59	11:02 VIS OK	11:02	11:06	4 MIN ✓
	4	3 7 12	10:52	10:56	10:56	11:01	5 MIN ✓
				VIS OK			

REMARKS: RECENTLY DEEDED PARCEL, SUBJECT TO SUBDIVISION STANDARDS

TYPE OF SOIL: POWDERY MICA SILT LOAM

TESTED BY: CWILLIAMS ALSO PRESENT KOTTERMAN JR, FOCHIOS

TRENCH DESIGN DATA: AVERAGE PERCOLATION TIME 5 MIN TRENCH WIDTH 2

INLET DEPTH 3 MAXIMUM BOTTOM DEPTH 8 SQ. FT/BEDROOM 180

DAISY ROAD

MULLINIX

DAD



REPAIR PERC LOCATIONS DUE 1/25/96,
RECOMMENDED SQA ESTABLISHMENT
BASED ON PERC LOCATIONS

NOTES CONT.

5. LEGEND:

EXISTING CONTOURS



HOWARD COUNTY HEALTH DEPARTMENT

Joyce M. Boyd, M.D., County Health Officer

July 27, 1995

Ms. Deborah Fochios
15829 A. E. Mullinix Road
Woodbine, Maryland 21797

RE: Percolation Test Application
Application No. A50736
Proposed Use: Recorded Lot
Property ID: Deeded Parcel
Mullinix Estate - Daisy Road
Tax Map: 14 P/O Parcel: 4

Dear Mr. Fochios:

Percolation testing conducted July 26, 1995 on the above referenced property indicated satisfactory soil conditions. Copies of the percolation test results are enclosed.

Further review is contingent upon submission by a registered engineer of a percolation certification plat showing actual locations and elevations of all excavated test holes and a suitable house and well site. The plat should also include the location of all existing wells and septic systems on the property as well as the location of any other relevant features such as streams, swales, or existing structures. A note must be included certifying that all wells and septic systems within 100 feet of property boundaries have been shown.

This plat should be submitted within sixty (60) days to allow field verification if necessary.

If you have any questions relative to this matter, please contact me at the below address or by calling 313-2640.

Very truly yours,

Craig Williams

Craig Williams, Program Director
Water and Sewerage Program

CW: jr
Enclosures
cc: Julie Imler
c/o Shanaberger and Lane
File

PGC PLAT
APPROVED
8/24/95
CW

HOWARD COUNTY HEALTH DEPARTMENT

JOYCE M. BOYD, M.D., M.P.H.
COUNTY HEALTH OFFICER



Bureau of Environmental Health
3525 Ellicott Mills Drive
Ellicott City, Maryland 21043

Director - 461-9956
Water & Sewerage, Permits - 461-9933
Community Environmental Health - 461-9944
Technical Services - 461-9955

June 2, 1989

Mr. Robert M. Warfield
15949 Union Chapel Road
Woodbine, Maryland 21797

RE: Percolation Testing
Warfield Property
Tax Map 14, Parcel &

Dear Mr. Warfield:

Percolation testing conducted May 24, 1989 on the above referenced property indicated satisfactory soil conditions.

Approval is contingent upon submission by a registered engineer of a plat showing certified test hole locations and a suitable house and well site. The plat should also show the elevation of each test hole.

This should be submitted within sixty (60) days to allow field verification if necessary.

If you have any questions regarding this matter, please feel free to contact me at the above address or by calling 461-9933.

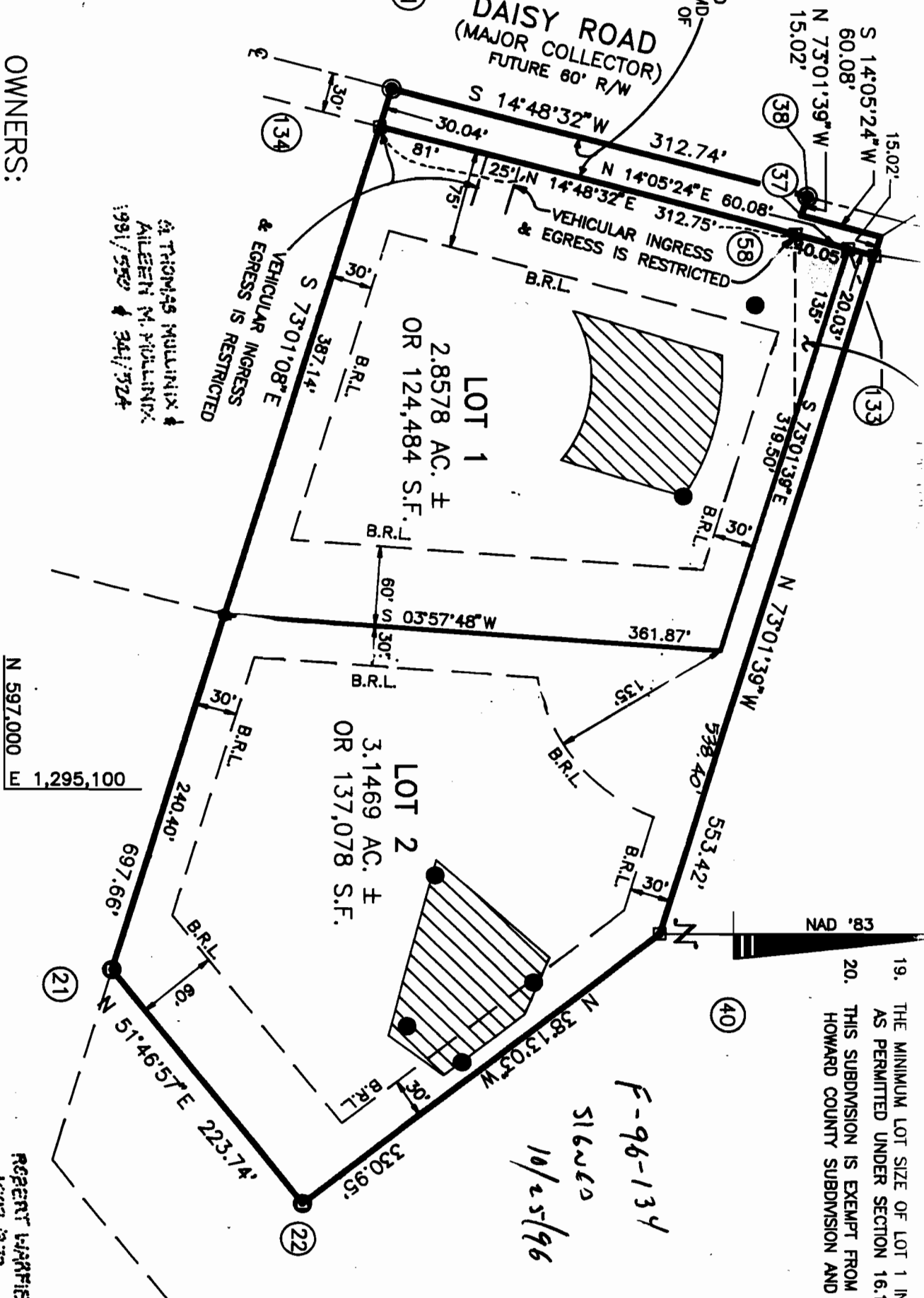
Very truly yours,

Craig Williams, Director
Water and Sewerage Program

CW:JR

cc: Tax Assessment Office

19. THE MINIMUM LOT SIZE OF LOT 1 INCLUDES THE AREA AS PERMITTED UNDER SECTION 16.120.(b)(2).
 20. THIS SUBDIVISION IS EXEMPT FROM FOREST CONSERVATION AND LAND DEVELOPMENT REQUIREMENTS UNDER SECTION 16.120.(b)(2).



OWNERS:
 DEBORAH FOCHIOS AND PAMELA MULLINX KELLOUGH
 15829 A.E. MULLINX ROAD
 WOODBINE, MD 21797

AT THOMAS MULLINX &
 ALBERT M. MULLINX
 1981/550 & 341/324

OWNER'S CERTIFICATE

PAMELA J. MULLINX KELLOUGH, OWNERS OF THE
 HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND IN CONSIDERATION
 DIVISION PLAT BY THE DEPARTMENT OF PLANNING AND ZONING, ESTABLISH THE
 AND GRANTS UNTO HOWARD COUNTY, MARYLAND

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON
 IS CORRECT; THAT IT IS A SUBDIVISION OF ALL OF THE LAND

ROBERT WARRFIELD
 1092/373

SHANABERGER & LANE

Surveying • Land Planning • Construction Stakeout

June 28, 1995

Howard County Health Department
Bureau of Environmental Health
3525-H Ellicott Mills Drive
Ellicott City, Md. 21043-4544

attention: Mr. Craig Williams, Director
Water and Sewer Program

re: Perc Test Application, Mullinix Property
Daisy Road

Dear Mr. Williams:

The purpose of the recent perc test application for this property is to test the 3.25-acre parcel shown in the dark border on our plat. This parcel was created in 1988 when it was deeded by Marlin Filling out of a larger 30.57-acre parcel. While there is some question in my mind as to the legality of this method of creating this parcel, it has no bearing on the perc testing. The 3.25-acre parcel was created out of a larger 30.57-acre piece to the north and northeast of the 3.25-acre parcel, and was never a part of the same parcel as the 3-acre parcel with the existing house, well and septic system. The remainder of the 30.57-acre parcel is improved and is owned by others.

If you have any questions about this matter, please do not hesitate to call.

Sincerely yours,

G. Scott Shanaberger
Professional Land
Surveyor # 10849

DISCUSSED WITH JUNE →

TEST DATE TUESDAY

JULY 18,

ORIGINAL APPLICATION, NOT LOCATED

DUPLICATES TO BE SUBMITTED,

(CW)

lstr118.doc

SHANABERGER & LANE

Surveying Land Planning Construction Stakeout

8726 Town & Country Blvd.
Suite 104
Ellicott City, Md. 21043
phone: (410) 461-9563
fax: (410) 461-9693

FACSIMILE TRANSMITTAL

DATE: 6/28/95

TO: BUREAU OF ENVIRON. HEALTH

FROM: SCOTT SHANABERGER

ATTENTION: CRAIG WILLIAMS

PROJECT: MULLINIX PROP.

FAX NO. 313-2648

PROJECT NO. 95-17

NO. OF PAGES (including this page) 2

NOTES:

MULLINIX/FOCCHIOS PROPERTY

A 50736

SUBDIVISION:

DAISY RD.

LOT NUMBER:

TAX MAP 14
P/O PARCEL 4

DRY WELL OR DRY WELL AND TRENCH

_____ sq. ft./bedroom

	<u>Septic Tank</u>	<u>Minimum Total Square Feet</u>
3 bedroom	1000 gallon	_____
4 bedroom	1250 gallon	_____
5 bedroom	1500 gallon	_____

Inlet _____ feet below original grade.

Bottom maximum depth _____ feet below original grade.

Effective area begins at _____ feet below original grade.

NOTE: If trench is used to make up absorbent area, run the trench on level ground and leave a 5-foot earth buffer between dry well and trench. No trench is to exceed 100 feet in length. Trench inlet to be same as dry well, with _____ feet of stone below distribution pipe.

TRENCHES

180 sq. ft./bedroom

Trench to be 2 wide.

Inlet 3 feet below original grade.

Bottom maximum depth 8 feet below original grade.

Effective area begins at 3 feet below original grade.

5 feet of stone below distribution pipe.

- NOTE:
- (1) No trench to exceed 100 feet in length.
 - (2) If more than one trench used, a distribution box is required.
 - (3) Trenches to be installed on level ground.
 - (4) Call for inspection of trench before gravel is installed.
 - (5) Provide 6" - 8" diameter cleanout and cap to grade or above on septic tank and drywell.
 - (6) If a garbage disposal is used, increase septic tank capacity by 50% and increase absorbent sidewall area by 22%.

LOCATION: PLACE THE DISTRIBUTION BOX FT

FROM THE FRONT (312') LOT LINE AND FT FROM

THE RIGHT (280') LOT LINE. RUN TRENCHES

ALONG CONTOUR IN BOTH DIRECTIONS.

8/24/95 *C. Miller*

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

Division of Land Development and Research

DATE: 3-22-96

P&Z File No. F 96-134

Department of Planning and Zoning

- Transportation Planning
- Comprehensive Planning and Zoning Administration
- Research/Historic Preservation
- Address Coordinator
- Agricultural Preservation
- Development Engineering Division
- Forest Conservation Planner
- File

SIGNED COPY PLACED
IN FILE 11-25-96

Agencies

- Soil Conservation District
- Department of Inspections, Licenses & Permits
- Department of Fire and Rescue Services
- State Highway Administration
- Bureau of Environmental Health
- Board of Education
- Recreation and Parks

- Tax Assessment
- Bell Atlantic Telephone
- BG&E
- Cable TV
- Police
- MTA
- Finance
- DPW, Real Estate Services
- DPW, Construction and Inspection

RE: Estate of Mullinix, lots 1+2 (WP 96-98)

ENCLOSED FOR YOUR: Signature Approval Review and Comments Files

THE ENCLOSED: Original

1 DED > X Wetland Invest.
1 SCS

Plans

Plans	No. of Sheets	Supplemental Documents
<input type="checkbox"/> Sketch Plan		
<input type="checkbox"/> Prel Equiv Sketch Plan		
<input type="checkbox"/> Preliminary Plan		
<input checked="" type="checkbox"/> Final Plat		
<input type="checkbox"/> Final Constr Plans (RDS)		
<input type="checkbox"/> Final Development Plan		
<input type="checkbox"/> Site Development Plan		
<input checked="" type="checkbox"/> Landscape Plan		
<input checked="" type="checkbox"/> Grading Plan		
<input checked="" type="checkbox"/> House Type Revision Plan		
<input checked="" type="checkbox"/> Existing Structure location - T.T.C.		
	2 DED > X Soils Map	
	1 SCS > X Wetlands Report	
		X Soils/Topo Map/Drain Area Map
		FSD/FCP Worksheet and Application
		Declaration of Intent
		Drainage and/or Computation/Pond
		Safety Comps
		Preliminary Road Profiles
		APFO Roads Test/Mitigation Plan
		Traffic Study/Noise Study
		Sight Distance Analysis
		Floodplain Study
		Stormwater Management Comps.
		Industrial Waste Survey (DPW)
		Road Poster Form Letter
		Response Letter
		Perc Plat - Heath
		Scenic Road Exhibits

Applications

- Waiver Petition Applic/Exhibit
- Planning Board Applic
- ASDP/CSDP Application
- DED Application Checklist
- DED Fee Receipt/Deeds/Cost Estimate

WAS: Received Tentatively Approved Recorded

Received and Revised Approved On 3-22-96

COMMENTS: _____ SRC/COMMENTS DUE BY: 4-17

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

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
 Division of Land Development and Research

DATE: 3-22-96

P&Z File No. WP 96-98

Department of Planning and Zoning

- Transportation Planning
- Historic Preservation
- Comprehensive Planning and Zoning Administration
- Research
- Address Coordinator
- Agricultural Preservation
- Development Engineering Division
- Forest Conservation Planner
- File

Agencies

- | | |
|---|---|
| <input checked="" type="checkbox"/> Soil Conservation District | <input type="checkbox"/> Tax Assessment |
| <input checked="" type="checkbox"/> Department of Inspections, Licenses & Permits | <input type="checkbox"/> Bell Atlantic Telephone |
| <input checked="" type="checkbox"/> Department of Fire and Rescue Services | <input type="checkbox"/> BG&E |
| <input checked="" type="checkbox"/> State Highway Administration | <input type="checkbox"/> Cable TV |
| <input checked="" type="checkbox"/> Bureau of Environmental Health | <input type="checkbox"/> Police |
| <input checked="" type="checkbox"/> Board of Education | <input type="checkbox"/> MTA |
| <input checked="" type="checkbox"/> Recreation and Parks | <input type="checkbox"/> Finance |
| <input type="checkbox"/> | <input type="checkbox"/> DPW, Real Estate Services |
| <input type="checkbox"/> | <input type="checkbox"/> DPW, Construction and Inspection |

RE: Estate of Mullinix (F 96-134)

ENCLOSED FOR YOUR: Signature Approval Review and Comments Files
 THE ENCLOSED: Original

<u>Plans</u>	<u>No. of Sheets</u>	<u>Supplemental Documents</u>
<input type="checkbox"/> Sketch Plan	<input type="checkbox"/>	<input type="checkbox"/> Wetlands Report
<input type="checkbox"/> Prel Equiv Sketch Plan	<input type="checkbox"/>	<input type="checkbox"/> Soils/Topo Map/Drain Area Map
<input type="checkbox"/> Preliminary Plan	<input type="checkbox"/>	<input type="checkbox"/> FSD/FCP/Worksheet and Application
<input type="checkbox"/> Final Plat	<input type="checkbox"/>	<input type="checkbox"/> Declaration of Intent
<input type="checkbox"/> Final Constr Plans (RDS)	<input type="checkbox"/>	<input type="checkbox"/> Drainage and/or Computation/Pond
<input type="checkbox"/> Final Development Plan	<input type="checkbox"/>	<input type="checkbox"/> Safety Comps
<input type="checkbox"/> Site Development Plan	<input type="checkbox"/>	<input type="checkbox"/> Preliminary Road Profiles
<input type="checkbox"/> Landscape Plan	<input type="checkbox"/>	<input type="checkbox"/> APFO Roads Test/Mitigation Plan
<input type="checkbox"/> Grading Plan	<input type="checkbox"/>	<input type="checkbox"/> Traffic Study/Noise Study
<input type="checkbox"/> House Type Revision Plan	<input type="checkbox"/>	<input type="checkbox"/> Sight Distance Analysis
		<input type="checkbox"/> Floodplain Study
		<input type="checkbox"/> Stormwater Management Comps.
		<input type="checkbox"/> Industrial Waste Survey (DPW)
		<input type="checkbox"/> Road Poster Form Letter
		<input type="checkbox"/> Response Letter
		<input type="checkbox"/> Perc Plat
		<input type="checkbox"/> Scenic Road Exhibits

Applications

- | | | |
|--|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> Waiver Petition Applic/Exhibit | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Planning Board Applic | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> ASDP/CSDP Application | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> DED Application/Checklist | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> DED Fee Receipt/Deeds/Cost Estimate | <input type="checkbox"/> | <input type="checkbox"/> |

WAS: Received Tentatively Approved Recorded
 Received and Revised Approved On 3-22-96

COMMENTS: _____ SRC/COMMENTS DUE BY: 4-18

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

**Howard County Department of Planning and Zoning
Division of Land Development and Research**

WAIVER PETITION APPLICATION

Date Submitted/Accepted _____ DPZ File Number _____

I. Site Description

Subdivision Name/Property Identification: THE ESTATE OF MULLINIX

Location of property: PAISY ROAD, INT. OF A.E. MULLINIX RD.

RES (Existing Use) RES (Proposed Use)

14 (Tax Map) 3 1/4 P104 (Parcel Number) THIRD (Election District)

RC-DEO (Zoning District) 6.2409 AC. ± (Total Area)

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

SUBDIVISION PLANS SUBMITTED SIMULTANEOUSLY

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 of modifications to the minimum requirements stipulated within the Regulations.

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

<u>Section Reference No.</u>	<u>Summary of Regulation</u>
1. <u>16.1204</u>	<u>REQUIRING SUBMITAL OF A FORMAL FOREST CONSERVATION PLAN, POSTING SURETY FOR EXISTING TREES, DEVELOPERS AGREEMENT.</u>
2. <u>16.119(f)(1)</u>	<u>PROHIBITING DIRECT ACCESS TO A MAJOR COLLECTOR ROADWAY.</u>
3. _____	_____
4. _____	_____
5. _____	_____

Howard County Department of Planning and Zoning
Division of Land Development and Research

WAIVER PETITION APPLICATION

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2. <u>16.119(f)(1)</u>	<u>PROHIBITING DIRECT ACCESS TO A MAJOR COLLECTOR ROADWAY.</u>
3. _____	_____
4. _____	_____
5. _____	_____

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'.
- 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.
- 6. Delineation of building setback lines.
- 7. Delineation of all existing public road and/or proposed street systems.
- 8. Identification and location of all easements.
- 9. Approximate delineation of floodplain, wetland and forested areas, if applicable.
- 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.
- N/A 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.
- 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).

V. Fees

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 or incorrect information will result in the rejection of the application and could cause additional time to be required to revise the petition for resubmittal and re-review.

VI. 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.

Deborah Fochios PR 3/13/96 Julie A. Immler
 (Signature of Property Owner) (Date) (Signature of Petition Preparer) (Date)
 (Fee Simple Owner Only)

DEBORAH FOCHIOS, PERS. REP. "THE ESTATE OF MULLINIX" JULIE IMMLER, SHANABERGER & LANE
 (Name of Property Owner) (Name of Petition Preparer (Surveyor/Engineer or Agent/Developer))

15020 A.E. MULLINIX RD.
 (Address)

8726 TOWN & COUNTRY BLVD SUITE 10
 (Address)

WOODBINE, MD 21797
 (City, State, Zip Code)

ELICOTT CITY, MD 21043
 (City, State, Zip Code)

410-312-3471
 (Telephone)

461-9563
 (Telephone)

Howard County Department of Planning and Zoning
Division of Land Development and Research

INITIAL SUBMISSION
WAIVER PETITION WORKSHEET
(For DPZ Use Only)

Project Name: _____ DPZ File No. _____

I. Application Requirements

Indicate Yes, No or N/A

Application is complete _____
Required number of plans and applications are provided _____
 _____ Plans (14 sets on County Road or
 _____ Applications 18 sets on State Road)
Supplemental Information is provided _____

II. Fee Computation

Fee

Number of waivers requested _____
* Base Fee for first two waiver sections (\$350) _____
Fee for each additional waiver section (_____ additional waivers x \$50) _____
* (Maximum fee of \$350 for Agricultural Preservation parcels)

TOTAL _____

III. Certification

Cash Receipt No. _____ Account #011-005-4201 Amount _____

Check issued by _____

_____ Waiver petition application is accepted for processing.

_____ Scheduled SRC meeting date.

_____ Waiver petition application is rejected.

Reason: _____

_____ Resubmission is accepted. Date _____ Staff initials _____

SHANABERGER & LANE

Surveying • Land Planning • Construction Stakeout

March 14, 1996

Ms. Gina Tirinnanzi, Chief
Division of Land Development & Research
Howard County Department of Planning & Zoning
George Howard Building
3430 Court House Drive
Ellicott City, Md. 21043

re: Estate of Mullinix, Lots 1 & 2
Waiver Request

Dear Ms. Tirinnanzi:

The purpose of this letter is to request a waiver of 2 Sections of the Subdivision and Land Development Regulations in order to subdivide the Mullinix Estate Property into a total of 2 residential lots.

The Mullinix Estate Property is presently 2 deeded parcels of land on the east side of Daisy Road opposite its intersection with A. E. Mullinix Road. The first parcel (the front parcel containing the existing house and driveway) was acquired in January, 1955, by Donald and Joan Mullinix. The second parcel (the rear parcel with a pipestem along the north side of the front parcel) was acquired in April, 1986 by Donald and Joan Mullinix. Both Donald and Joan Mullinix are deceased. The property is being subdivided by their daughter, Deborah Fochois, who is the Personal Representative of the Estate of Joan Mullinix. Both parcels together contain 6.2408 acres.

The front parcel is improved by a house, a freestanding garage, and a driveway. The rear parcel is unimproved. The waivers requested, and justification of granting the waivers, are as follows.

1. Section 16.1204—requiring submission of a Formal Forest Conservation Plan, and posting of surety, and execution of Developers Agreement. This waiver is justified because the minimum Forest Conservation obligations for this minor subdivision can be met by retention of existing forest resources within a Forest Conservation Easement around the perimeter of Lot 2, without unreasonably restricting clearing for the future house and driveway.

2. Section 16.119.(f)(1)—prohibiting direct driveway access to a major collector roadway (Daisy Road). Specifically, we are requesting that the existing driveway entrance remain to serve the existing house on Lot 1, and that a new driveway entrance be constructed farther to the north to serve Lot 2. While sight distance requirements in the Design Manual cannot be met anywhere along the entire frontage of the property, I believe this waiver is justified for the following reasons:

A. The existing house should continue to use the existing driveway because relocation of the entrance will adversely affect the overall appearance of Lot 1.

B. The existing house should continue to use the existing driveway because Mrs. Fochois has used the driveway entrance for years, and does not consider it to be unsafe or dangerous.

C. Lot 2 (which will eventually be improved by a new house) should use a new driveway at the north end of the site because the sight distance there is greater than at any other point along the

frontage of the subdivision.

D. Stopping sight distance for traffic in both directions on Daisy Road is provided.

If any further information is required to evaluate this request, please call me. Thank you for your assistance in this matter.

Sincerely,



G. Scott Shanaberger
Professional L. S.

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
Division of Land Development and Research

DATE: 11/21/96

P&Z File No. F-96-134

Department of Planning and Zoning

- Transportation Planning
- Historic Preservation
- Comprehensive Planning and Zoning Administration
- Research
- Address Coordinator
- Agricultural Preservation
- Development Engineering Division
- Forest Conservation Planner
- File

Agencies

- | | |
|---|--|
| <input checked="" type="checkbox"/> Soil Conservation District | <input type="checkbox"/> Tax Assessment |
| <input checked="" type="checkbox"/> Department of Inspections, Licenses & Permits | <input type="checkbox"/> Bell Atlantic Telephone |
| <input type="checkbox"/> Department of Fire and Rescue Services | <input type="checkbox"/> BG&E |
| <input checked="" type="checkbox"/> State Highway Administration | <input type="checkbox"/> Cable TV |
| <input type="checkbox"/> Bureau of Environmental Health | <input type="checkbox"/> Police |
| <input checked="" type="checkbox"/> Board of Education | <input checked="" type="checkbox"/> MTA |
| <input type="checkbox"/> Recreation and Parks | <input checked="" type="checkbox"/> Finance |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> DPW, Real Estate Services |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> DPW, Construction and Inspection |

RE: THE ESTATE OF MULLINIX LOTS 192

ENCLOSED FOR YOUR: Signature Approval Review and Comments Files
 THE ENCLOSED: Original

<u>Plans</u>	<u>No. of Sheets</u>	<u>Supplemental Documents</u>
<input type="checkbox"/> Sketch Plan	<input type="checkbox"/>	<input type="checkbox"/> Wetlands Report
<input type="checkbox"/> Prel Equiv Sketch Plan	<input type="checkbox"/>	<input type="checkbox"/> Soils/Topo Map/Drain Area Map
<input type="checkbox"/> Preliminary Plan	<input type="checkbox"/>	<input type="checkbox"/> FSD/FCP/Worksheet and Application
<input checked="" type="checkbox"/> Final Plat	<u>1</u>	<input type="checkbox"/> Declaration of Intent
<input type="checkbox"/> Final Constr Plans (RDS)	<input type="checkbox"/>	<input type="checkbox"/> Drainage and/or Computation/Pond
<input type="checkbox"/> Final Development Plan	<input type="checkbox"/>	<input type="checkbox"/> Safety Comps
<input type="checkbox"/> Site Development Plan	<input type="checkbox"/>	<input type="checkbox"/> Preliminary Road Profiles
<input type="checkbox"/> Landscape Plan	<input type="checkbox"/>	<input type="checkbox"/> APFO Roads Test/Mitigation Plan
<input type="checkbox"/> Grading Plan	<input type="checkbox"/>	<input type="checkbox"/> Traffic Study/Noise Study
<input type="checkbox"/> House Type Revision Plan	<input type="checkbox"/>	<input type="checkbox"/> Sight Distance Analysis
		<input type="checkbox"/> Floodplain Study
		<input type="checkbox"/> Stormwater Management Comps.
		<input type="checkbox"/> Industrial Waste Survey (DPW)
		<input type="checkbox"/> Road Poster Form Letter
		<input type="checkbox"/> Response Letter
		<input type="checkbox"/> Perc Plat
		<input type="checkbox"/> Scenic Road Exhibits

Applications

- | | | |
|--|--------------------------|--------------------------|
| <input type="checkbox"/> Waiver Petition Applic/Exhibit | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Planning Board Applic | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> ASDP/CSDP Application | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> DED Application/Checklist | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> DED Fee Receipt/Deeds/Cost Estimate | <input type="checkbox"/> | <input type="checkbox"/> |

WAS: Received Tentatively Approved Recorded
 Received and Revised Approved On 11/15/96

COMMENTS: _____ SRC/COMMENTS DUE BY: _____

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



DEPARTMENT OF PLANNING & ZONING

Joseph W. Rutter, Jr., Director

November 20, 1996

Deborah Fochios, Personal Representative
The Estate of Mullinix
15829 A.E. Mullinix Road
Woodbine, MD 21797

RE: F-96-134, The Estate of Mullinix, Lots 1-2

Dear Ms. Fochios:

Please be advised that the above referenced final subdivision plat was recorded on November 15, 1996 among the Land Records of Howard County as Plat No(s). 12479.

Prints of this final plat may be ordered at the Department of Planning and Zoning's public service desk between the hours of 1:30 p.m. and 4:00 p.m., Monday thru Friday. Please bring this letter with you when ordering prints.

Sincerely,

Richard Blood, Acting Division Chief
Division of Land Development

^{K3}
RB/TW/cs/F96134.let

cc: Research
Development Engineering Division
State Department of Assessments and Taxation
~~Environmental Health~~
State Highway Administration
Board of Education
Shanaberger and Lane

March 21, 1996

conserve the value of Lot 1 as a home and enhance the value of Lot 2 for a future home.

When Mr. and Mrs. Mullinix built their house some 40 years ago, they oriented it to Daisy Road, and the house siting, the lot development, the landscaping, the driveway access, and its subsequent occupation and use are all situated to optimize the lot's location on and present access to Daisy Road. Requiring a change of this lot's access to the proposed road for Lot 2, while admittedly resulting in slightly better sight distance to the south, would greatly impair the ambience, the balance and setting of the house and lot. The present private driveway to Lot 1 is a major part of its attractiveness. Abandoning it and developing another from the proposed north road, besides altering the aesthetic balance of the existing dwelling on its lot, is practically difficult and will create an extraordinary hardship on the Petitioner without any compensating public benefit.

The development of this property into two lots requires a new driveway, either along the northern or southern boundaries. The plan submitted represents the most practical development; it proposes keeping the present driveway access to Lot 1 and building a new access road to Lot 2 along the northern boundary. This will enhance the desirability of Lot 2 as most people prefer their own private driveway as it adds to the seclusion they expect in buying a three acre lot in the country. The entrance for Lot 2 should be along the northern boundary because this location does not interfere with the existing improvements on Lot 1 and provides the better sight distance to the south.

The waiver from the strict compliance with § 16.1204 will also eliminate the extraordinary and unnecessary expense of developing a forest conservation plan when enough forest can be retained to meet the spirit and intent of the law without adversely affecting, or affecting in any way, the water quality.

For all the above reasons, it is respectfully requested that the waivers be granted as requested.

Very truly yours,



Thomas E. Lloyd

LLOYD, KANE, WIEDER & WILLIS, P. A.

ATTORNEYS AT LAW

THOMAS E. LLOYD
MALCOLM B. KANE
JOHN WILLIS

ROBERT E. WIEDER
OF COUNSEL

3716 COURT PLACE
ELLCOTT CITY, MARYLAND 21043-4589

TELEPHONE
(410) 461-9400
(410) 992-8933
FACSIMILE
(410) 750-8544

March 21, 1996

Ms. Gina Tirinnanzi, Chief
Division of Land Development & Research
Department of Planning and Zoning
George Howard Building
2320 Courthouse Drive
Ellicott City, MD 21043

RE: Estate of Joan R. Mullinix
Tax Map 14, p. 3 and part of p. 4

Dear Ms. Tirinnanzi:

I represent Mrs. Deborah Jo Fochios who is the personal representative of her mother, Joan R. Mullinix, late of Howard County, deceased. I represented Mrs. Fochios' mother and father during their lifetime, and this letter is in support of the Petition for a Waiver filed by Mrs. Fochios to facilitate the subdivision of her parents' property. The Petition seeks a waiver of the literal requirements of §§ 16.119(f) and 16.1204 of the Howard County Code on the ground that requiring strict compliance with these provisions will impose practical difficulties and extraordinary hardship on her mother's estate without any compensating public benefit.

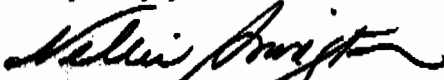
Mrs. Fochios' parents, Mr. and Mrs. Donald Mullinix, purchased a lot on Daisy Road in 1955, built their home on it, and raised their family there. In 1986, thinking that one or the other of their daughters might wish to build close to their family home, they purchased an additional three plus acres adjoining their lot, intending to develop it into a building site for one of their daughters. However, Mr. Donald Mullinix then fell ill within a short time and died in 1988 without fulfilling his plan. Mrs. Joan Mullinix intended to carry it out, but, as frequently happens, both daughters married and established their own homes in other locations, and Mrs. Mullinix's unexpected death last year now leaves Mrs. Fochios with the duty of settling her mother's estate.

She is submitting a minor subdivision plat by Shanaberger & Lane which shows the best plan of subdivision of these two lots considering the location, topography and geography of the land, and the present improvements on Lot 1, and she requests a waiver of § 16.119(f) of the Code to continue the present access to Lot 1 and to permit a new access to be developed for Lot 2. This will

the northern property line, where it would give privacy to the front lot and appropriate sight distance along Daisy Road and the intersection of A.E. Mullinix Road.

Should you have any questions, please contact me at 410-715-2703.

Very truly yours,



Nellie W. Arrington
Associate Broker



LONG & FOSTER REAL ESTATE, INC.

BRANCH OFFICE
LONG & FOSTER BUILDING
10805 HICKORY RIDGE ROAD
COLUMBIA, MARYLAND 21044-5614
LOCAL (410) 730-3456
WASHINGTON (301) 982-1031
BALTIMORE (410) 995-3850

EXECUTIVE OFFICES
11351 RANDOM HILLS ROAD
FAIRFAX, VIRGINIA 22030-6082
(703) 359-1500

March 13, 1996

Scott Shanaberger
Shanaberger and Lane
8726 Town and Country Boulevard, Suite 104
Ellicott City, Maryland 21043

Reference: Debbie Fochios, 2399 Daisy Road, Woodbine, MD 21797

Dear Mr. Shanaberger;

This is to support two waivers to requirements of the minor subdivision process involving the property noted above. I am the listing agent for the resulting lot which will contain the existing house, and address these issues as a licensed Associate Broker practicing in Howard County for more than 10 years.

Section 16.1204 -- This waiver involves the posting of a bond for the trees on the property under the reforestation/afforestation statutes and regulations. This property is substantially wooded with mature hardwood trees which probably predate the house (which was built in the early 1950s). To the best of my knowledge, none of these are newly planted and therefore are not subject to demise from improper installation, care or construction damage. Posting a bond would seem to be outside the intent of the requirements.

Section 16.119(F1) -- This waiver would allow the owner to locate the access driveway to the rear lot at the northern boundary of the existing front lot, rather than sharing the existing driveway or relocating both accesses to the southern property line. Two issues support this waiver: marketing/aesthetics and safety/sight distance.

Putting the access to the rear lot on the existing drive will devalue the entire property -- in my professional opinion -- since it will bring the vehicles traveling to the rear property within 15 feet of the existing house. This would be substantially out of character for the neighborhood, and significantly reduce the interest of buyers for the existing house. It would also pose a safety issue for anyone backing out of the existing attached garage, since they would not be able to see cars coming from the rear lot.

Locating the access on the southern side boundary of the property for either or both lots would push the egress onto Daisy Road partially up a hill, and create significant sight distance problems for cars leaving the property as well as for those coming north on Daisy Road. This location would also put this driveway virtually in line with the intersection of A.E. Mullinix Road, creating an additional safety hazard as well as the false impression of a through road from A.E. Mullinix at night. The appropriate location for a driveway to the rear lot would be along



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