

# APPLICATION

10:30  
1/25/46

PERCOLATION TESTING

A 56401

P \_\_\_\_\_

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

DISTRICT \_\_\_\_\_

DATE 4/17/96

TO: THE COUNTY HEALTH OFFICER  
ELLICOTT CITY, MARYLAND

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

PROPERTY OWNER Deborah Fochois, Pers. Rep "THE ESTATE OF MULLINIX"

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

AGENT OR PROSPECTIVE BUYER SHANABERGER & LANE

ADDRESS 8126 TOWN & COUNTRY BLVD SUITE 104 PHONE 461-9563

PROPERTY LOCATION: #2399 DAISY RD.

SUBDIVISION NONE LOT NO. \_\_\_\_\_

ROAD AND DESCRIPTION INTERSECTION OF DAISY RD. & A.E. MULLINIX RD., REPAIR FOR EXISTING HOUSE (WEST OF A-50736 perced on 6-13-95)

TAX MAP A PARCEL # 3

SIZE OF LOT 3 AC ± TYPE BLDG. EX 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. Smoller (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



# 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.

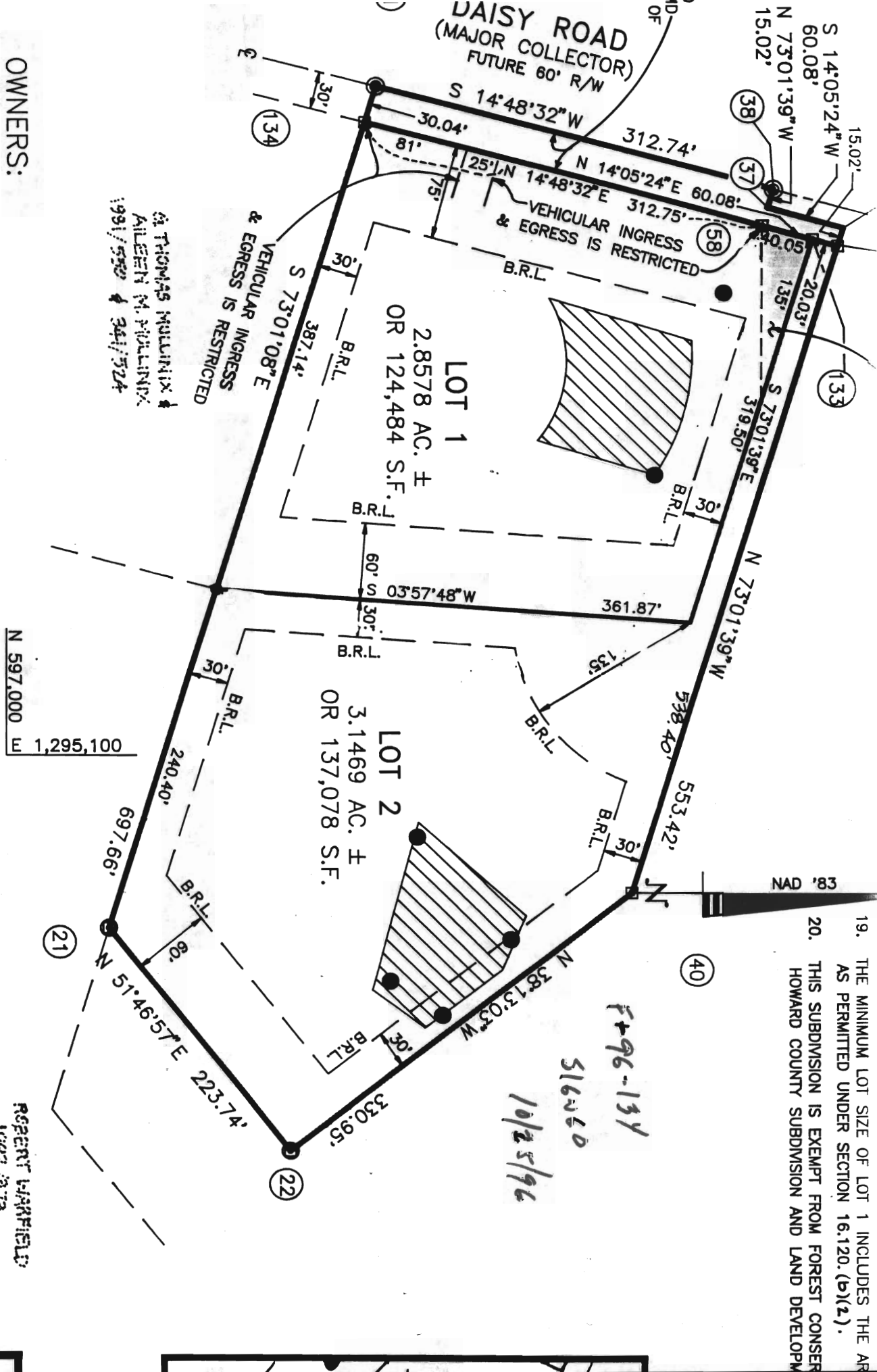
Very truly yours,

Craig Williams, Director  
Water and Sewerage Program

CW:JR

cc: Tax Assessment Office

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



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

**OWNER'S CERTIFICATE**

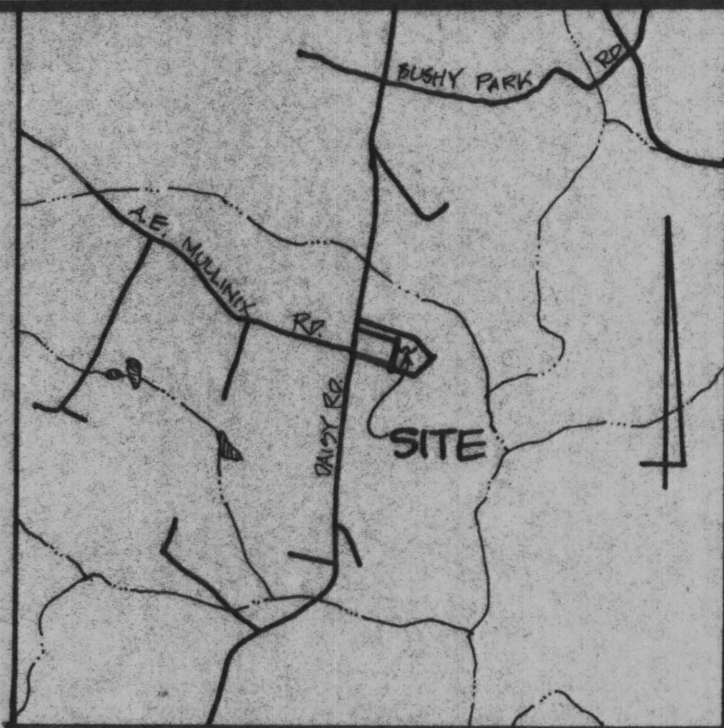
PAMELA J. MULLINIX KELLOUGH, OWNERS OF THE  
 ID HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND IN CONSIDERATION  
 DIVISION PLAN BY THE DEPARTMENT OF PLANNING AND ZONING, ESTABLISH THE  
 AND GRANTS INTO HOWARD COUNTY, MARYLAND

**SURVEYOR'S CERTIFICATE**

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

REGENT WARRFIELD  
 1092/373

*Fig-131*  
*516260*  
*10/25/96*



VICINITY MAP  
SCALE: 1"=2000'

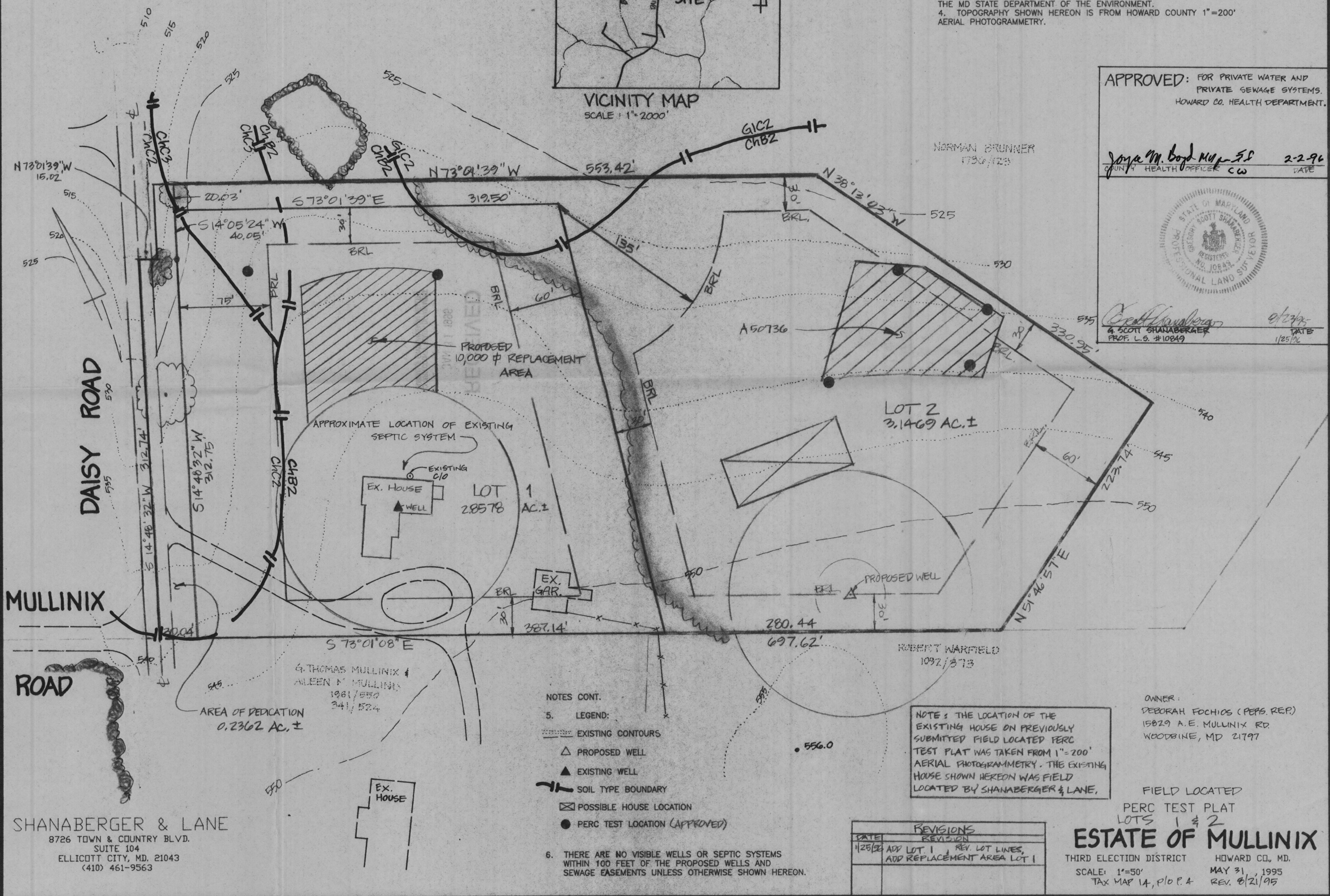
- NOTES:
1. PROPERTY ZONED: RC-DEO
  2. THIS AREA DESIGNATES A PRIVATE SEWAGE EASEMENT OF 10,000 S.F. AS REQUIRED BY THE MD STATE DEPARTMENT OF THE ENVIRONMENT FOR INDIVIDUAL SEWAGE DISPOSAL. IMPROVEMENTS OF ANY NATURE IN THIS AREA ARE RESTRICTED. THIS EASEMENT SHALL BECOME NULL AND VOID UPON CONNECTION TO A PUBLIC SEWERAGE SYSTEM. THE COUNTY HEALTH OFFICER SHALL HAVE THE AUTHORITY TO GRANT VARIANCES FOR ENCROACHMENTS INTO THE PRIVATE SEWAGE EASEMENT. RECORDATION OF A MODIFIED SEWAGE EASEMENT PLAT SHALL NOT BE NECESSARY.
  3. THE LOT SHOWN HEREON COMPLIES WITH THE MINIMUM OWNERSHIP WIDTH AND LOT AREA AS REQUIRED BY THE MD STATE DEPARTMENT OF THE ENVIRONMENT.
  4. TOPOGRAPHY SHOWN HEREON IS FROM HOWARD COUNTY 1"=200' AERIAL PHOTOGRAMMETRY.

APPROVED: FOR PRIVATE WATER AND PRIVATE SEWAGE SYSTEMS.  
HOWARD CO. HEALTH DEPARTMENT.

*Joyce M. Boyd* M.D. 2-2-96  
COUNTY HEALTH OFFICER CW DATE



*Scott Shanaberger* 9/27/95  
SCOTT SHANABERGER DATE  
PROF. L.S. #10849 1/25/96



DAISY ROAD  
530  
535

MULLINIX ROAD

SHANABERGER & LANE  
8726 TOWN & COUNTRY BLVD.  
SUITE 104  
ELLCOTT CITY, MD. 21043  
(410) 461-9563

- NOTES CONT.
5. LEGEND:
- EXISTING CONTOURS
  - △ PROPOSED WELL
  - ▲ EXISTING WELL
  - SOIL TYPE BOUNDARY
  - ▭ POSSIBLE HOUSE LOCATION
  - PERC TEST LOCATION (APPROVED)
6. THERE ARE NO VISIBLE WELLS OR SEPTIC SYSTEMS WITHIN 100 FEET OF THE PROPOSED WELLS AND SEWAGE EASEMENTS UNLESS OTHERWISE SHOWN HEREON.

NOTE: THE LOCATION OF THE EXISTING HOUSE ON PREVIOUSLY SUBMITTED FIELD LOCATED PERC TEST PLAT WAS TAKEN FROM 1"=200' AERIAL PHOTOGRAMMETRY. THE EXISTING HOUSE SHOWN HEREON WAS FIELD LOCATED BY SHANABERGER & LANE.

OWNER:  
DEBORAH FOCHIOS (PEPS. REP.)  
15829 A.E. MULLINIX RD  
WOODBINE, MD 21797

FIELD LOCATED PERC TEST PLAT LOTS 1 & 2

**ESTATE OF MULLINIX**

THIRD ELECTION DISTRICT HOWARD CO., MD.  
SCALE: 1"=50' MAY 31, 1995  
TAX MAP 14, p.10 P.4 REV. 8/21/95

REVISIONS	
DATE	REVISION
1/25/96	ADD LOT 1, REV. LOT LINES, ADD REPLACEMENT AREA LOT 1



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 > X

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
		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
	1 DED - X	Traffic Study/Noise Study
		Sight Distance Analysis
		Floodplain Study

Applications

- Waiver Petition Applic/Exhibit
- Planning Board Applic
- ASDP/CSDP Application
- DED Application Checklist
- DED Fee Receipt/Deeds/Estimate
- Stormwater Management Comps.
- Industrial Waste Survey (DPW)
- Road Poster Form Letter
- Response Letter
- Perc Plat - Heath
- Scenic Road Exhibits

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
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<input type="checkbox"/> Landscape Plan	<input type="checkbox"/>	<input type="checkbox"/> APFO Roads Test/Mitigation Plan
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<input type="checkbox"/> House Type Revision Plan	<input type="checkbox"/>	<input type="checkbox"/> Sight Distance Analysis
		<input type="checkbox"/> Floodplain Study
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**Applications**

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- 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: 4-18

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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3. _____	_____
4. _____	_____
5. _____	_____

Legend:	<input checked="" type="checkbox"/> Information Provided	<input checked="" type="checkbox"/> Information Not Provided,
	<input type="checkbox"/> NA Not Applicable	<input type="checkbox"/> X Justification Attached

- 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. 8726 TOWN & COUNTRY BLVD SUITE 10  
 (Address) (Address)

WOODBINE, MD 21797 ELICOTT CITY, MD 21043  
 (City, State, Zip Code) (City, State, Zip Code)

410-312-3471 461-9563  
 (Telephone) (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
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		<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.



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DEPARTMENT OF PLANNING & ZONING

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*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

<sup>KS</sup>  
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  
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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.

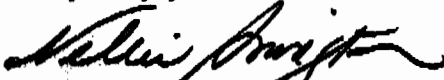
Mrs. Fochios' parents, Mr. and Mrs. Donald Mullinix, purchased a lot on Daisy Road in 1955, built their home on it, and raised their family there. In 1986, thinking that one or the other of their daughters might wish to build close to their family home, they purchased an additional three plus acres adjoining 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.

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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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