

APPLICATION

A 26206

P _____

SEWAGE DISPOSAL TESTING

STATE OF MARYLAND - DEPARTMENT OF HEALTH AND MENTAL HYGIENE

DISTRICT 5TH

HOWARD COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH SERVICES
P. O. BOX 476, ELLICOTT CITY, MARYLAND 21043
TELEPHONE: 465-5000, EXT. 356

DATE JUNE 22, 1977

TO: THE COUNTY HEALTH OFFICER
ELLICOTT CITY, MARYLAND

I, HEREBY, APPLY FOR THE NECESSARY TEST IN ORDER TO CONSTRUCT (OR RECONSTRUCT) A SEWAGE DISPOSAL SYSTEM.

PROPERTY OWNER DONALD SIMPSON

ADDRESS JOHNS HOPKINS ROAD CLARKSVILLE MARYLAND PHONE 725-2847

PROPERTY LOCATION:

SUBDIVISION HALLMARK SECTION I LOT NO. 14

ROAD AND DESCRIPTION JOHNS HOPKINS ROAD

SIZE OF LOT 40,000^{sq ft} TYPE BLDG. 3 or 4
NUMBER OF BEDROOMS

IF NOT SINGLE RESIDENCE DESCRIBE _____

THE SYSTEM INSTALLED UNDER THIS APPLICATION IS ACCEPTABLE ONLY UNTIL PUBLIC FACILITIES BECOME AVAILABLE.

SIGNATURE OF APPLICANT Charles J. Crow

APPROVED BY Paul J. O'Neill FOR Dry Well + Trench DATE 11/29/77
(KIND OF SYSTEM)

REJECTED BY _____ FOR _____ DATE _____
(KIND OF SYSTEM)

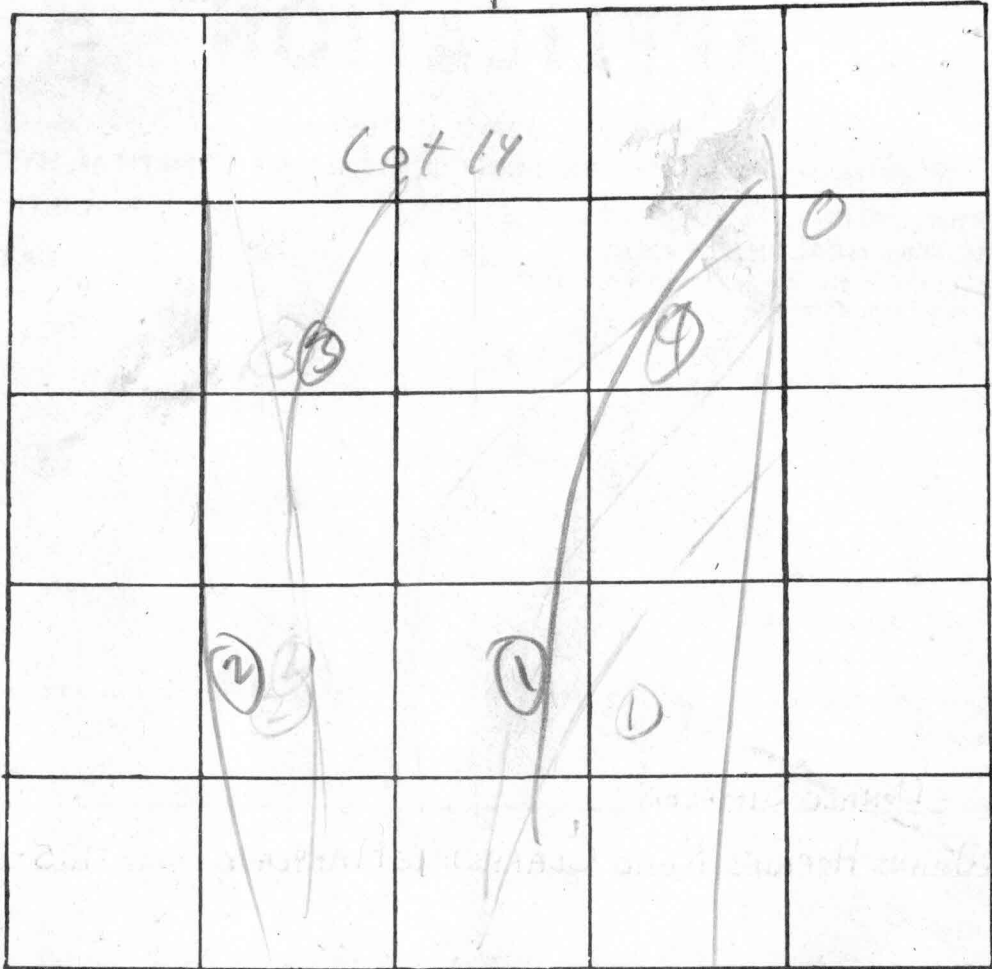
HOLD PENDING FURTHER TESTS _____ DATE _____

REASONS FOR REJECTION OR HOLDING _____

BLDG. PERMIT SIGNED
AND RETURNED 3/13/78
serial # 34896

THIS IS NOT A PERMIT

14



INDICATE NORTH NAME ADJOINING ROADWAY AS BASE LINE

JH RD

DATE	TEST NO.	DEPTH	PRE-WET		TEST - 1" DROP		TIME
			START	STOP	START	STOP	
7/14/67	1 S	4'	223	231	231	239	8
1/6	d	13'	223	226	226	231	5
	4 S	2	221	226	226	235	9
	d	13'	221	226	226	232	6
	2 kiffs	4'	230	234	234	242	8
	d	13	236	240	240	252	12
	3 vrs	3-12'	good	5011			

4'
10x

REMARKS _____

TYPE OF SOIL _____

TESTED BY ADON ALSO PRESENT: _____

IN THE MATTER OF
GERALD O. LEWIS
PETITIONER

* BEFORE THE DIRECTOR OF
* DEPARTMENT OF PLANNING AND ZONING
* AA CASE NO. 99-05
* 11310 OLD HOPKINS ROAD

* * * * *

DECISION AND ORDER

On March 9, 1999, the Designee for the Director of the Department of Planning and Zoning conducted a public hearing to consider the petition of Gerald O. Lewis for an administrative adjustment from Section 105.E.4.b(3)(6) of the Howard County Zoning Regulations, as authorized under the Administrative Adjustment Procedure, Section 100.F.1, to reduce the required 10-foot side yard setback for a structure in an RR-DEO (Rural Residential: Density Exchange Option) District to 8 feet for the construction of an addition to a garage. The notice of the hearing was posted on the subject property in accordance with all applicable regulations. The Petitioner was present with his wife, Sandra. No protestants were present at the hearing.

Prior to the introduction of testimony, the following items were incorporated into the record by reference:

1. The Administrative Procedure Act, Section 2.1, of the Howard County Code.
2. The Howard County Zoning Regulations.
3. The Howard County Subdivision and Land Development Regulations.
4. Section 130.B.2 of the Howard County Zoning Regulations.
5. Section 100.F.1 of the Howard County Zoning Regulations.

During the hearing the following items were introduced as exhibits:

1. Petition, House Location Survey and construction drawings submitted by Petitioner.

Testimony in favor of the petition was presented by the owner, Gerald O. Lewis. The owner stated that he wishes to add an addition to his existing garage so that he can store four additional antique cars. The owner has recently retired and would like to continue his hobby of working on and restoring antique automobiles. The owner stated that he has consulted his neighbors about expanding the garage at the rear, but they prefer that the expansion occur at the side of the house where he can continue to use the existing driveway. The owner further stated that he prefers the garage expansion to be on the side for aesthetic and architectural purposes. The owner will match existing siding and make all trim and exterior details to match the existing garage and house. The owner stated that he has a landscape plan for the rear and intends to remove an existing side fence next to his driveway and will plant a line of shrubs for landscaping that will replace the fence. The owner further stated that he has discussed his landscaping plan with neighbors, and they are satisfied with his intended improvements.

Based upon all the testimony and exhibits presented at the hearing, the description of the subject property and vicinal properties resulting from a site inspection by a member of the planning staff, as well as the plans and materials submitted by the Petitioner as part of the petition, the Director makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Petitioner, Gerald O. Lewis, is the owner of the subject property (11310 Old Hopkins Road) of this proceeding, a one acre parcel of land, identified as Lot 14, on Block 10, of Tax Map 41, in the Fifth Election District of Howard County, Maryland. The subject property is located on the north side of Old Hopkins Road in a RR-DEO (Rural Residential: Density Exchange Option) District. The property is improved by a single-family detached dwelling unit.

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- District. The property is improved by a single-family detached dwelling unit.
2. All adjacent properties are zoned RR-DEO. The properties to the south (across Old Hopkins Road), west and east are improved with single-family detached dwelling units.
 3. The proposal would be an expansion of an existing garage, and would continue to be accessed by the existing driveway. No other existing or proposed structures encroach or are located in the side yard setback.
 4. The addition will be located 8 feet from the northwest side of the lot line.
 5. An existing fence will be removed, and the owner proposes to plant a line of shrubs to form a landscape screen to the adjacent property to the northwest.
 6. The dwelling unit on the adjacent property on the northwest side is over 20 feet from the adjoining property line.
 7. The lot was recorded as plat #3869 on October 18, 1977 with a 20 foot side yard setback.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, the Director makes the following Conclusions of

Law:

1. The lot is relatively narrow and because of the position of the existing garage and driveway, the most accessible location for additional garage space is to build attaching to the existing garage and using the existing driveway. It would not be feasible to expand the garage to the rear because a second driveway would have to be constructed, and further expansion in the rear of

hardship in complying strictly with the bulk regulations.

2. The requested administrative adjustment will not substantially impair the appropriate use or development of adjacent property, nor will it be detrimental to the public welfare. The proposed garage addition would be in scale with neighboring houses. As proposed, the garage addition would be 8 feet from the northwest side lot line. Proposed landscape screening on the northwest property line will buffer the adjacent property to the northwest.
3. The practical difficulties resulting from the house location and driveway location were not caused by the Petitioner.
4. The administrative adjustment is the minimum necessary to allow construction of the proposed garage addition and to afford relief.

ORDER


Based upon the foregoing Findings of Fact and Conclusions of Law, it is this 6th day of April, 1999 by the Director of the Department of Planning and Zoning for Howard County, ORDERED that the petition of Gerald O. Lewis for an administrative adjustment to reduce the required 10-foot side yard setback to 8 feet for the construction of a garage addition, be and the same is hereby **APPROVED** subject to the following conditions:

1. The Petitioner shall comply with all applicable Federal, State and County laws and regulations.
2. The granted administrative adjustment shall apply solely to the construction of a garage addition as depicted on the Administrative Adjustment plan submitted by the Petitioner on February 10, 1999, and not to any other structure, addition,

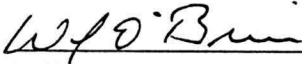
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2. The granted administrative adjustment shall apply solely to the construction of a garage addition as depicted on the Administrative Adjustment plan submitted by the Petitioner on February 10, 1999, and not to any other structure, addition, building or use.
3. A building permit for the construction of a garage addition shall be obtained within two years from the date of this order and substantial construction shall be completed in three years.
4. A row of shrubs will be planted and maintained on the northwest property line along the length of the garage to buffer the adjacent property to the northwest.

Prepared By:
Howard County Department of
Planning and Zoning


Joseph W. Rutter, Jr., Director
Department of Planning and Zoning


William J. Dukes
Department of Planning and Zoning


William F. O'Brien
Director's Designee