



HOWARD COUNTY HEALTH DEPARTMENT

Diane L. Matuszak, M.D., M.P.H., County Health Officer

July 28, 2000

Shawn and Kathy Conley
16362 Newport Road
Mt. Airy, MD 21771

RE: Building Permit Application B00125613
16362 Newport Road
Proposed Large Addition w/ Four Bedrooms

Dear Mr. & Mrs. Conley:

This office has received the above referenced building permit application, but cannot recommend approval at this time because of concerns about the capacity of the existing septic system to handle the potential increase in flow associated with this proposal. Concerns also exist about the capacity of the existing septic reserve area to accomodate two additional repairs for a five bedroom house.

The existing septic system, installed in 1986, was sized for a three-bedroom house. Therefore, the septic system would not be expected to be able to accomodate the potential increase in sewage flow from the increase in house capacity (represented by the proposed construction of four additional bedrooms). Since you have reported the existing house contains only one bedroom, the proposed addition would result in an expanded house of five bedrooms. Therefore, septic system expansion would be required to accomodate the potential increase in sewage flow from two additional bedrooms. In addition, expansion of the septic reserve area would also be required in order to accomodate two future replacements of the entire expanded septic system.

A Health Department recommendation for approval is contingent upon a successful percolation test to expand the septic reserve area and subsequent installation of additional septic tank capacity and additional drainfield capacity (septic repair permit fee \$25) suitable for a 5-bedroom house. Any Health Department recommendation for approval is contingent upon prior completion of this work.

Please contact this office at (410) 313-2640 if you have any questions or to arrange septic repair permit issuance.

Very Truly Yours,

Mark E. Rifkin
Mark E. Rifkin, R.S.
Water & Sewerage Program

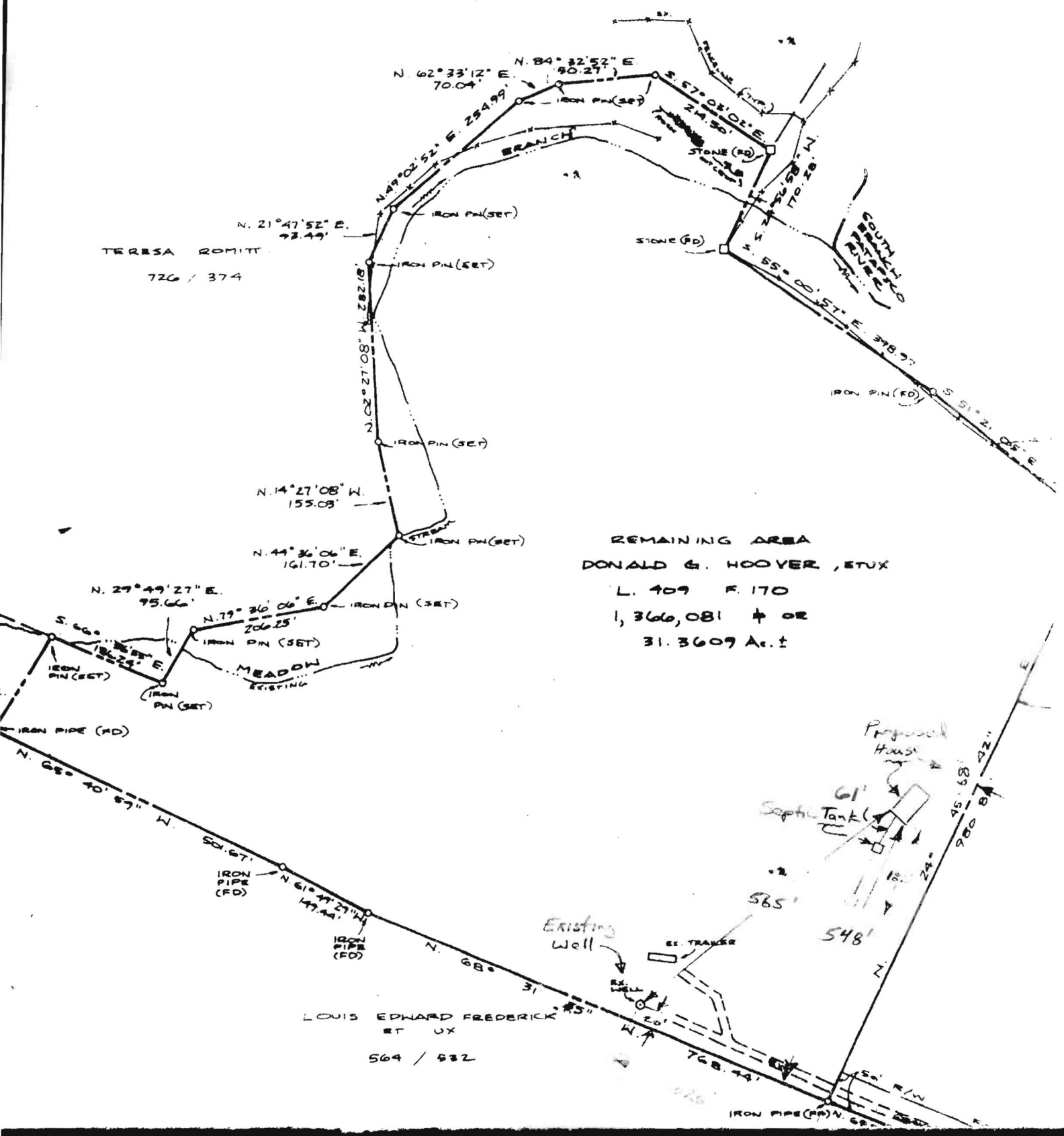
MR
cc: Department of Inspections, Licenses & Permits
File

8/3/00 T/C W/ OWNER -
HOUSE TO BE 4BR
AFTER ADD'N, OK TO ISSUE
UPON PAYMENT OF \$25
REPAIR FEE
MRP

Bureau of Environmental Health

3525-H Ellicott Mills Drive • Ellicott City, Maryland 21043-4544

Water and Sewerage, Permits (410) 313-1771 Community Environmental Health Program (410) 313-1773
Director (410) 313-2640 TDD(410) 313-2323 TOLL FREE - 1-877-4MD-DHMH



TERESA ROMITT
726 / 374

REMAINING AREA
DONALD G. HOOVER, ETUX
L. 409 F. 170
1,366,081 ± OR
31.3609 Ac. ±

LOUIS EDWARD FREDERICK
ET UX
564 / 532

COUNTY
PLAT
1875
P. 100

Proposed
House

Septic Tank

Existing
Well

ET. TRAILER

565'

548'

95' 68"
900 84'

IRON PIPE (FD) N. 68° 40' 57" W.

5. Petitioner's Interest in Subject Property:

OWNER (including joint ownership)

OTHER (describe and give name and address of owner):

Name of Owner: Sharon & Robert Conley

Mailing Address: 11602 E. Thompson Rd. Apt. 404, MO 63178

If the Petitioner is not the owner, written authorization for this petition from the owner must be submitted.

6. Conditional Use Plan Requirements:

If the petition is approved, the conditional use plan will be made a part of the Board of Appeals Decision and Order, subject to modifications and conditions required by the Board. The conditional use plan must be drawn to scale and must include the items listed below:

- (a) Courses and distances of outline boundary lines and the size of the property.
- (b) North arrow.
- (c) Zoning of subject property and adjoining properties.
- (d) Scale of plan.
- (e) Existing and proposed uses, structures, natural features and landscaping.
- (f) Location and surface material of existing and proposed parking spaces, driveways, and points of access; number of existing and proposed parking spaces.
- (g) Same as (e) and (f) above, of adjoining properties.
- (h) Location of existing and/or proposed well and private septic easement area, if property is to be served by private water and septic facilities.
- (i) Election District in which the subject property is located.
- (j) Tax Map and parcel number(s) of the subject property.
- (k) Name of local community in which the subject property is located or name of nearby community.
- (l) Name, mailing address, telephone number (and e-mail address, if any) of the Petitioner.
- (m) Name, mailing address, telephone number (and e-mail address, if any) of Counsel.
- (n) Name, mailing address, telephone number of property owner.
- (o) Floor area and height of structures, setback distances from property lines, and other numerical values necessary for the examination of the petition.
- (p) Location of subject property in relation, by approximate dimension, to the center line of nearest intersection of two public roads.
- (q) Ownership of abutting roads, right-of-way width, and existing pavement width.
- (r) Any other information as may be necessary for full and proper consideration of the petition.

7. Additional Information Requirements

- a. Information regarding noise, dust, fumes, odors, lighting, vibrations, hazards or other physical conditions resulting from the use.
- b. Supporting documentation, such as traffic studies, market studies, and noise studies as may be required by the Department of Planning and Zoning or by the Zoning Regulations.
- c. For expansions and enlargements, previous case number(s) and information regarding compliance with previous requirements and conditions.

For DPZ office use only:

BA CASE NO. BA04-022C

Date Submitted _____

04
11:12

CONDITIONAL USE PETITION

TO THE HOWARD COUNTY BOARD OF APPEALS

1. **Name of Petitioner:** Shawn + Kathy Couley
Trading as (If applicable): _____
Mailing Address: 16362 Newport Rd., Mt. Airy, MD 21771
Phone Number(s): 301-854-5279 301-221-8090
Name of Principal Contact (If different): _____

2. **Counsel for Petitioner:** _____
Mailing Address: _____
Phone Number(s): _____
Secondary Contact with Counsel (If any): _____

3. **Conditional Use Site Description:**
Address/Street for Property: 16362 Newport Rd., Mt. Airy, MD 21771
Tax Map: 2 Grid: 17 Parcel: 29 Lot: _____
Department of Assessments and Taxation Account No.: 14 04 - 318 137
Total Land Area of Property: 31.36 (Acres) (Square Feet)
Election District: 04 Zoning of Property: RC
Subdivision Name and Plat No. (If applicable): _____
Total Land Area of Use (If different than above): _____ (Acres) (Square Feet)

4. **Conditional Use Request:**
Conditional Use Category: Farm Tenant House
_____ Section 131.N. _____
Specific Use Requested: building a farm tenant house

8. **Summary of Request:**

The following items should be answered by summary statements. If additional space is needed, please attach a Supplement to this petition.

a. The present use of the subject property: Single-family detached dwelling
+ farm

b. Details of the proposed use, including, **where applicable**: types of indoor and outdoor activities; hours of operation; number of employees, occupants, and/or customers; quantity and types of vehicles or equipment used; outdoor lighting to be used; quantities and capacities of materials stored; etc.:

- New Single-family detached dwelling to replace existing house trailer. The new dwelling will be a single story, one-two bedroom house. Well & septic system already exist for trailer.

- Outdoor lighting will consist of a ~~porch~~^{porch} light + a flood light to light walkway from house to barn.

d. Any additional information which will be useful in the evaluation of whether the conditional use complies with the specific criteria for the conditional use category within Section 131.N.:

e. Will the conditional use generate any physical conditions such as noise, dust, fumes, odors, lighting, or vibrations which would be discernible from abutting and vicinal properties? no

9. Prior Petitions

Has any petition for the same, or substantially the same, conditional use as noted above for the subject property been denied by the Board of Appeals within twenty four (24) months of the date of this petition? Yes No

If yes, and six (6) months have elapsed since the last hearing, an affidavit must be attached which states the new and different grounds on which this re-submittal is based.

10. Additional Materials, Fees, and Posting and Advertising Requirements:

a. Supplemental pages may be attached to the petition. You must submit one original petition with original signatures, and one original of any other signed documents. The following number of sets including petitions, plans and supplemental pages must be submitted:

One original plus 28 copies if the subject property adjoins a State road.

— One original plus 24 copies if the subject property adjoins a County Road

b. The Petitioner signing below hereby agrees to furnish such additional plats, plans, reports or other material as may be required by the Department of Planning and Zoning and/or the Board of Appeals in connection with this petition.

c. The Petitioner hereby agrees to pay all costs in accordance with the current schedule of fees.

d. The Petitioner hereby agrees to properly post the property at least thirty (30) days immediately prior to the Planning Board meeting and the Board of Appeals public hearing; to maintain the public notice posters until the public hearing is concluded; and to submit an affidavit of posting at, or before the time of the initial public hearing. The Petitioner also hereby agrees to advertise the public hearing by means of legal notices as prepared and approved by the Department of Planning and Zoning to be published one (1) time in at least two (2) newspapers of general circulation in Howard County, at least thirty (30) days prior to the Board of Appeals public hearing, and to pay for such advertising costs; and agrees to submit two (2) approved certificates of the text and publication date(s) of the advertisement at or before the time of the hearing.

11. Signatures:

The Petitioner hereby affirms that he/she has read the instructions on this form, filing herewith all of the required accompanying information, and affirms that all of the statements and information contained in, or filed with, this petition are true and correct.

Shawn Conley
Signature of Petitioner

4-12-04
Date

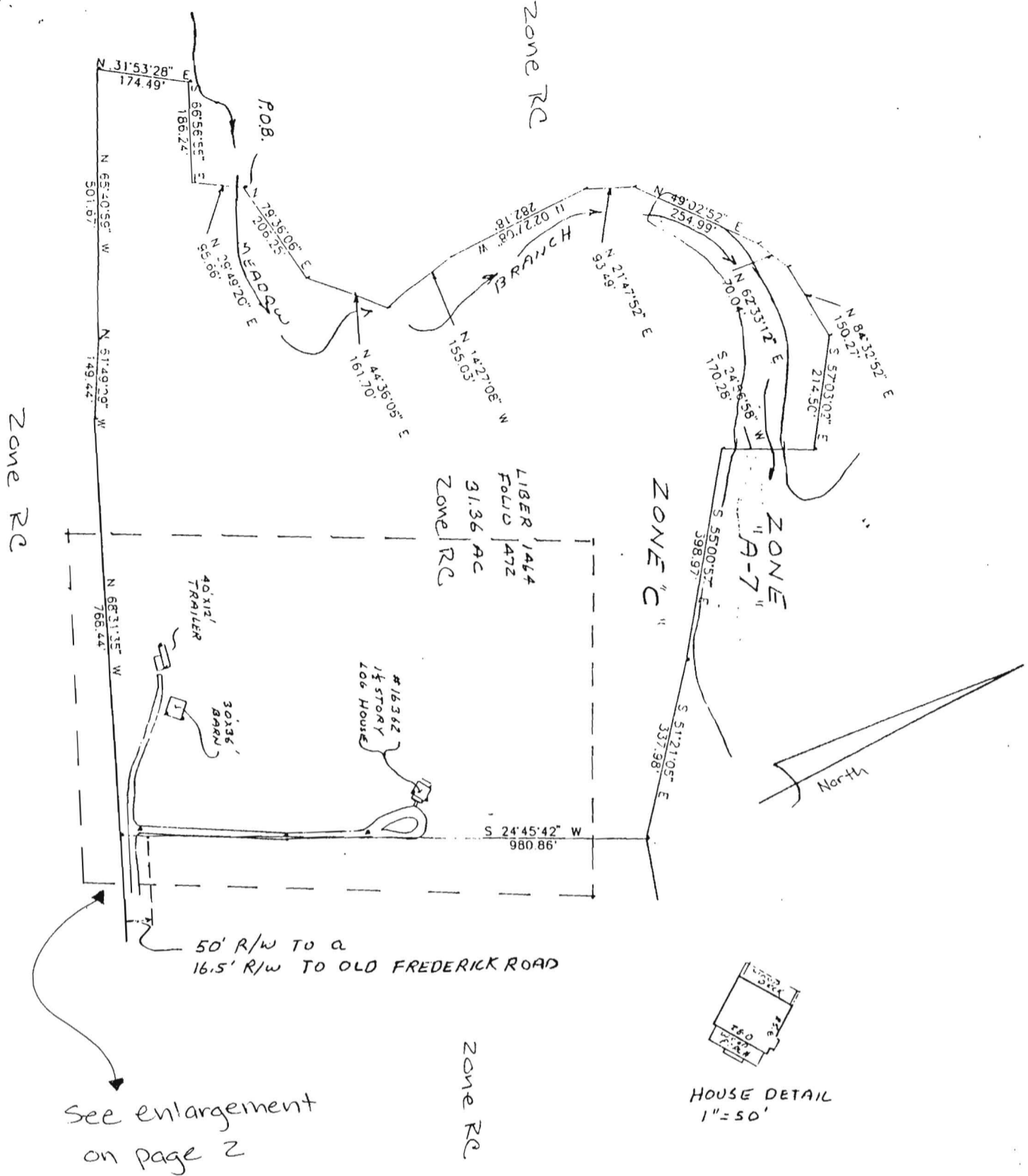
SHAWN CONLEY
Print Name of Petitioner

Kathy L. Conley
Signature of Petitioner

4/12/04
Date

Kathy L. Conley
Print Name of Petitioner

Signature of Attorney



See enlargement on page 2

Subject property is shown in Zone A-7C on the National Flood Insurance Program Flood Insurance Rate Map of HOWARD County, Maryland, Panel # 240094 and recorded among the land records of HOWARD COUNTY in Liber 1464 Folio 472 for the effective date DEC 4 1986

Shawn & Kathy Conley
 16362 Newport Road
 Mt. Airy, MD 21771
 301-854-5279
 e-mail: skfarm@juno.com

Tax Map - 2
 Grid - 17
 Parcel - 29
 Election district - 4
 zoning - RC

This is to certify that I have surveyed the property shown hereon, being the same property described in a deed from DONALD S. HOOVER & WIFE to RONALD G. HOOVER & TERRY L. HOOVER and recorded among the land records of HOWARD COUNTY in Liber 1464 Folio 472 for the purpose of locating the improvements thereon.



J. Carl Hudgins PLS#96

LOCATION SURVEY	
16362 NEWPORT ROAD	
4TH ELECTION DISTRICT	
HOWARD COUNTY MD	
NTT ASSOCIATES, INC. 16205 Old Frederick Road Mt. Airy, Maryland 21771 Phone 442-2031	Scale 1" = 200' X.77 Date 4-14-93 Field By JCH Drawn By JCH Drawing # X14256

THIS PLAT SHOWS ONLY THAT THE IMPROVEMENTS ARE LOCATED WITHIN THE OUTLINES OF THE LOT AND IS NOT TO BE USED TO ESTABLISH PROPERTY LINES.

12. Requested Hearing Date Process:

The Petitioner must indicate below which scheduling process is requested for this petition:

I request to have a hearing date set by the Board of Appeals as soon as possible. I understand that the scheduled hearing date may be several months from now. I also understand that once a hearing date has been set, a request for a postponement or continuance may only be granted by the Board of Appeals if the Board finds there are grounds for a postponement or continuance.

I request to have the Board of Appeals wait until after receiving the Planning Board Recommendation before scheduling a hearing date for my case. By so doing, I may be allowed a continuance of the Planning Board meeting in order to amend and resubmit my petition if the Planning Board intends to issue an unfavorable recommendation for the original petition. This resubmission would be made to the Department of Planning and Zoning prior to the date of the continued Planning Board meeting. Petitions that are significantly amended may have to be routed through the reviewing agencies for new comments, and may necessitate an amended or new Technical Staff Report.

13. General Standards for Conditional Uses:

All requests for conditional uses must meet the following general standards set forth in Section 131.B. of the Zoning Regulations for approval:

1. The proposed conditional use plan will be in harmony with the land uses and policies indicated in the Howard County General Plan for the district in which it is located. In evaluating the plan under this standard, the Board shall consider:

The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site; and

If a conditional use is combined with other conditional uses or permitted uses on a site, the overall intensity and scale of uses on the site is appropriate given the adequacy of proposed buffers and setbacks.

2. The proposed use at the proposed location will not have adverse effects on vicinal properties above and beyond those ordinarily associated with such uses. In evaluating the plan under this standard, the Board of Appeals shall consider whether:

The impact of adverse effects such as noise, dust, fumes, odors, lighting, vibrations, hazards or other physical conditions will be greater at the subject site than it would generally elsewhere in the zone or applicable other zones.

The location, nature and height of structures, walls and fences, and the nature and extent of the landscaping on the site are such that the use will not hinder or discourage the development and use of adjacent land and structures more at the subject site than it would generally in the zone or applicable other zones.

Parking areas will be of adequate size for the particular use. Parking areas, loading areas, driveways and refuse areas will be properly located and screened from public roads and residential uses to minimize adverse impacts on adjacent properties.

The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.

In addition to the specific requirements of the appropriate subsection within Section 131.N of the Zoning Regulations, conditional uses within residential developments in the R-ED R-SC, R-SA-8, R-A-15, R-MH or R-VH districts are subject to the standards enumerated in Section 131.C.

PETITIONER Shawn + Kathy Conley

ADDRESS 16362 Newport Rd, Mt. Airy, MD 21771

Affidavit made pursuant to the pertinent provisions of Title 22 of the Howard County Code as amended:

The person(s) signing below hereby declare(s) that no officer or employee of Howard County, whether elected or appointed, has received prior hereto or will receive subsequent hereto, any monetary or material consideration, any service or thing of value, directly or indirectly, upon more favorable terms than those granted to the public generally in connection with the submission, processing, issuance, grant or award of the attached petition to the Board of Appeals for a conditional use as requested.

I, we, do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my, our, knowledge, information and belief.

Gail Price
Witness

Shawn Conley 4-12-04
Signature Date

Gail Price
Witness

Kathy J Conley 4/12/04
Signature Date

Witness

Signature Date

The Conditional Use Hearing Fee is 00. The poster fee is \$15.00 per poster. The Department of Planning and Zoning will determine the number of posters that are required.

FILING FEE IS \$500.00 PLUS \$15.00 PER POSTER

For DPZ use only:		
Hearing fee:	\$	_____
Poster fee:	\$	_____
TOTAL:	\$	_____
Receipt No. _____	(Make checks payable to "Director of Finance")	

Shawn & Kathy Conley
16362 Newport Road
Mt. Airy, MD 21771
301-854-5279
e-mail: skfarm@juno.com

Tax Map - 2
Grid - 17
Parcel - 29
Election district - 4
zoning - RC

1464
472
AC

40'

S 24°45'42" W
980.86'

#16362
1 1/2 STORY
LOG HOUSE
(existing) with a 30' x 34' addition

40' x 12'
TRAILER
well + septic
(existing)

30' x 36'
BARN
(existing)

Proposed Farm Tenant House
~28' x 30' - - - -
one story

N 68°31'35" W
768.44'

