

Department of Planning and Zoning
Howard County, Maryland
Recommendations/Comments

Date: 2/25/03

Planning Board n/a Hearing Examiner 3/31/03 Board of Appeals 3/31/03 Zoning Board _____

Petition No. BA 03-04V Map No. 14 Block 3 Parcel 240 Lot 17

Return Comments by 3/10/03 to Public Service and Zoning Administration

Location of Property: 1600' SW of the intersection of Bushy Park Road and
Scottswood Ct.

Applicant: Thomas A. and Laurel G. Garland

Applicant's Address: 15067 Bushy Park Road, Woodbine, MD 21797

Owner: (if other than applicant) _____

Owner's Address: _____

Petition: Variance to reduce the minimum lot size for a noncluster
subdivision to less than 3 acres for two existing dwellings.

To:

- _____ Department of Education
- _____ **Bureau of Environmental Health**
- _____ Development Engineering Division
- _____ Department of Inspections, Licenses and Permits
- _____ Department of Recreation and Parks
- _____ Department of Fire and Rescue Services
- _____ State Highway Administration
- _____ Sgt. Karen Shinham, Howard County Police Dept.
- _____ James Irvin, Department of Public Works
- _____ MD Dept. of Human Resources, Janice Burris
(Child Day Care)
- _____ Office on Aging, Betty Totaro (senior assisted living)
- _____ Police Dept., Animal Control, Brenda Purvis, (kennels)

COMMENTS: _____

RESIDENTIAL DISTRICT VARIANCE PETITION
TO THE HOWARD COUNTY BOARD OF APPEALS

03 FEB 24 11:08

For DPZ office use only:
CASE NO. BA 03-04V
DATE FILED _____
DATE ACCEPTED FOR
SCHEDULING _____

1. PETITIONER'S NAME Thomas A & Laurel G Garland

TRADING AS (IF APPLICABLE) _____

ADDRESS 15067 Bushy Park Rd Woodbine, MD 21797

PHONE NO. (W) (410) 750-1236 (H) (410) 481-4464

2. COUNSEL FOR PETITIONER _____

COUNSEL'S ADDRESS _____

COUNSEL'S PHONE NO. _____

3. PROPERTY IDENTIFICATION:

ADDRESS OF SUBJECT PROPERTY As Above

TOTAL ACREAGE OF PROPERTY 4.28 ±

PROPERTY LOCATION:

ELECTION DISTRICT: Fourth ZONING DISTRICT: RG DEO

TAX MAP # 14 BLOCK # _____ PARCEL/LOT # 240/17

SUBDIVISION NAME (if applicable): Country Springs

4. PETITIONER'S INTEREST IN SUBJECT PROPERTY:

- OWNER (including joint ownership)
- OTHER (describe and give name and address of owner)

If the Petitioner is not the owner of the subject property, documentation from the owner authorizing the petition must accompany this petition.

NOTE: Completed petition forms must be submitted before the first day of the month in order to be heard on the last Tuesday of the Month. Incomplete petitions may result in postponement.

The Board of Appeals may, at its discretion, refer a variance petition in a residential district to the Planning Board for review and a recommendation.

PLEASE READ CAREFULLY
DATA TO ACCOMPANY PETITION:

5. VARIANCE PLAN:

No application for a variance shall be considered complete unless the plan indicates the required setback or other requirement, and the requested variance from the subject setback or other requirement. The submitted plans shall be folded to approximately 8 1/2 x 14 inches.

The 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 property.
- (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 any adjoining property as necessary for proper examination of the petition.
- (h) Location of well and private sewerage easement area, if property is to be served by private water and sewer.
- (i) Election District in which the subject property is located.
- (j) Tax Map and parcel number on which the subject property is located.
- (k) Name of local community in which the subject property is located or name of nearby community.
- (l) Name and mailing address of the petitioner.
- (m) Name and mailing address of attorney, if any.
- (n) Name and mailing address 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 affected roads.
- (r) A detailed description of all exterior building materials for all proposed structures.
- (s) Any other information as may be necessary for full and proper consideration of the petition.

6. OTHER DATA TO ACCOMPANY PETITION:

The Petitioner must also submit with the petition an area location map (tax map) of the subject property, indicating the street address of the site, the zoning district of the site and the zoning district of all adjacent properties.

7. VARIANCE REQUEST:

The undersigned hereby petition the Board of Appeals for a variance from the requirement(s) of section 104.F.1.B.2 of the Zoning Regulations to: (describe) Remove the minimum lot size for a non cluster subdivision to less than 3 Acres to support the subdivision of reference property consisting of two existing dwellings

A) Describe why the Zoning Regulations in question would result in practical difficulties or unnecessary hardships in complying strictly with the bulk requirements:

() narrowness, () shallowness, () shape, () topography, () other; explain: two dwellings currently exist on one 4.28 Acre Lot

B) If exceptional narrowness, shallowness or shape of the property is claimed, give the date of the recording of the plat of present subdivision, if any: _____; or if property is not subdivided, give the date on which a deed conveying the identically bounded tract was first recorded: _____

C) The intended use of the property, in the event the petition is granted: Single Family Detached - Residential

D) Any other factors which the Petitioner desires to have considered: Construction of 2nd Dwelling pre existed our ownership. We are making all efforts at considerable expense & effort to correct existing deficiencies

E) Explain why the requested variance is the minimum necessary to afford relief: All attempts have been made to engineer a site plan amenable to all County & State agencies while requiring the least variance to existing zoning

F) Is the property connected to: public water?: Y ___ N ; public sewer?: Y ___ N

G) If the requested variance is granted, would it impact the water and/or septic/sewer on the site? Y ___ N

H) If the requested variance is granted, would it increase the intensity of uses on the site? Y N ___; if yes, explain: IF one of the Petitioners immediate family members, in retirement, were to take up residence

I) If the requested variance is granted, would it increase traffic to or from the site?
Y N ; if yes, explain: Perhaps 1 additional vehicle which would
in no way overrun the existing driveway

J) Describe in detail (i.e. width, type of paving, etc.) all means of vehicular access onto
the site: 50' Common easement paved with Tar & Chip

K) Describe the topography of the site: Level to Gently rolling

L) Will the existing or proposed structure be visible from adjacent properties? Y N ; if
yes, describe any proposed buffering or landscaping: It is not visible from adjacent
homes, as it is obscured by a stand of white pines. It is
possible to see the home from the corner boundary line of 2 adjacent properties

M) Describe any existing buffering or landscaping: A stand of white pines eliminates
any view from the north, our residence obscures any view from the east.
Another stand of pines obstructs view from south, Barn obscures view from west

8. **PRIOR PETITIONS:** Has any petition for the same, or substantially the same, variance as
contained herein for the same property as the subject of this petition been disapproved 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 setting
forth new and different grounds on which re-submittal is based must be attached.

9. ADDITIONAL MATERIAL, FEES, POSTING, AND ADVERTISING:

A) If desired, supplemental pages may be attached to the petition. The following number
of petitions, plans and supplemental pages must be submitted:
18 copies if the subject property adjoins a State road.
15 copies if the subject property adjoins a County road.

B) The undersigned 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 the filing of this petition.


The undersigned agrees to pay all costs in accordance with the current schedule of fees.
The undersigned also agrees to properly post the property at least fifteen (15) days prior

to the hearing and to maintain the property posters as required and submit an affidavit of posting at, or before the time of the hearing. The undersigned also agrees to insert legal notices, to be published one (1) time in at least two (2) newspapers of general circulation in Howard County, as prepared and approved by the Department of Planning and Zoning, within at least fifteen (15) days prior to the hearing, and to pay for such advertising costs; and further 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.

10. SIGNATURES:

The undersigned hereby affirms that all of the statements and information contained in, or filed with, this petition are true and correct.

The undersigned has read the instructions on this form, filing herewith all of the required accompanying information.



Signature of Petitioner

Signature of Attorney

For DPZ office use only: (Filing fee is \$300.00 plus \$15.00 per poster.)

Hearing fee: \$ _____
Poster fee: \$ _____
TOTAL: \$ _____

Receipt No. _____
(Make checks payable to "Director of Finance")

County Website: WWW.CO.HO.MD.US

GENERAL REQUIREMENTS:

The Petitioner shall note that all requests for variances must meet the following requirements of section 130.B.2.a.(1) through (5) of the Howard County Zoning Regulations in order to be approved:

(1) That there are unique physical conditions, including irregularity, narrowness or shallowness of lot or shape, exceptional topography or other existing features peculiar to the particular lot; and that as a result of such unique physical conditions, practical difficulties or unnecessary hardships arise in complying strictly with the bulk provisions of these regulations.

2. That the variance, if granted, will not alter the essential character of the neighborhood or district in which the lot is located; will not substantially impair the appropriate use or development of adjacent property; and will not be detrimental to the public welfare.

3. That such practical difficulties or hardships have not been created by the owner provided, however, that where all other required findings are made, the purchase of a lot subject to the restrictions sought to be varied shall not itself constitute a self-created hardship.

4. That within the intent and purpose of these regulations, the variance, if granted, is the minimum variance necessary to afford relief.

5. That no variance be granted to the minimum criteria established in Section 131 for special exception uses, except where specifically provided therein or in an historic district. Nothing herein shall be construed to prevent the granting of variances in any zoning district other than to the minimum criteria established in Section 131 except as provided therein.

BA CASE # _____

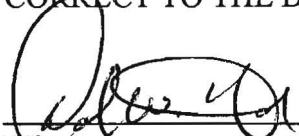
PETITION _____

ADDRESS _____

Affidavit made pursuant to the pertinent provisions of Title 22 of the Howard county Code as amended.

THE UNDERSIGNED DOES HEREBY DECLARE 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 WITHIN APPLICATION OR PETITION IN ZB OR BA CASE # _____ FOR A ZONING CHANGE AS REQUESTED.

I WE, DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OR PERJURY THAT THE CONTENTS OF THE AFOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY, OUR, KNOWLEDGE, INFORMATION AND BELIEF.



Witness



Signature

2/18/03

Date

Witness

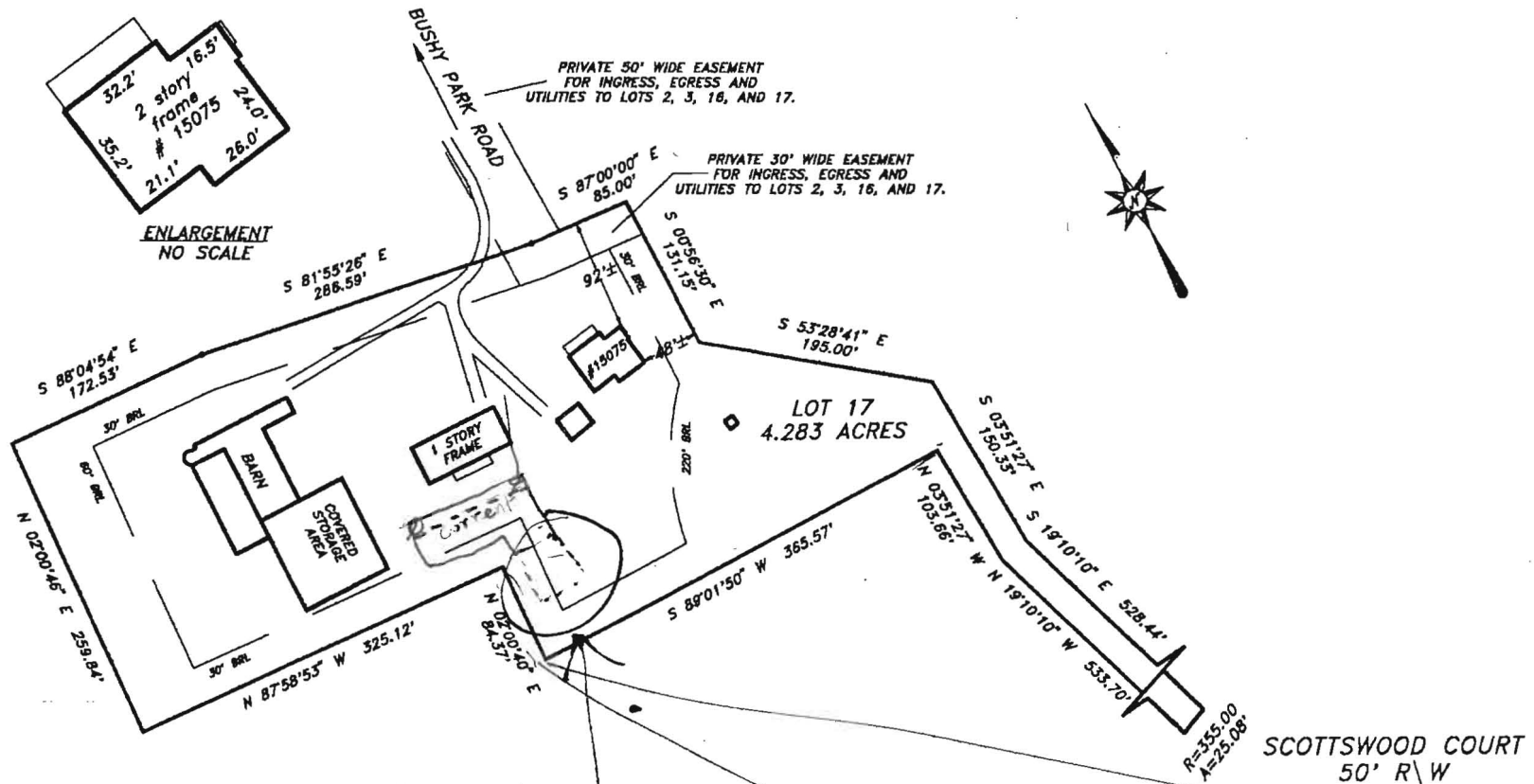
Signature Date

Witness

Signature Date

NOTES:

- 1) B.R.L. information, if shown, was obtained from existing record plat or local agencies and is not guaranteed by NTT, Inc.
- 2) Building line and/or Flood Zone Information is subject to the interpretation of the originator.
- 3) NTT, Inc. does not certify to unshown or unrecorded encroachments or overlaps.
- 4) Property markers not found, or guaranteed by this location.
- 5) Setback distance accuracy: $1 \pm$.

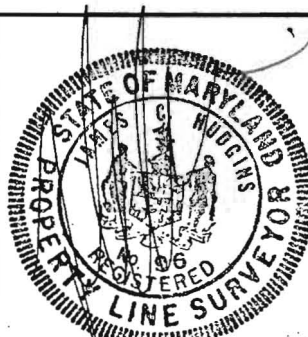


Subject property is shown in Zone C on the National Flood Insurance Program Flood Insurance Rate Map of Howard County, Maryland, Panel # 14 of 45 Community Panel # 240044-00 14B Effective date: December 4, 1986

→ Current
 --- Proposed Relocation

This is to certify that I have surveyed the property shown hereon, being known as **LOT 17 15075 BUSHY PARK ROAD** recorded in the Land Records of Howard County, Maryland in Plat Bk. **9650** Liber **Folio** for the purpose of locating the improvements thereon.

- This plat is of benefit to the consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing, or refinancing purposes.
- This plat is not to be relied upon for the establishment of location of fences, garages, buildings, or other existing or future structures.
- This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or for securing financing or refinancing.



J. Carl Hudgins PLS #96

LOCATION DRAWING
 15075 BUSHY PARK ROAD
 COUNTRY SPRINGS
 4TH ELECTION DISTRICT
 HOWARD COUNTY, MARYLAND

NTT Associates, Inc.

16205 Old Frederick Road
 Mt. Airy, Maryland 21771
 Ph. (410)442-2031
 Fax No. (410)442-1315

Scale:	1" = 150'
Date:	DECEMBER 10, 1996
Field by:	JLM
Drawn by:	JLM
Drawing #	GARLAND

**FISHER, COLLINS
& CARTER, INC.**

**CIVIL ENGINEERING CONSULTANTS
and LAND SURVEYORS**

Terrell A. Fisher, P.E., L.S.
Earl D. Collins, P.E.
Ronald B. Carter, L.S.
Charles J. Crovo, Sr., P.E., L.S.

July 22, 2002

Mr. Mark Rifkin
Water and Sewerage Program
Bureau of Environmental Health
3525-H Ellicott Mills Drive
Ellicott City, MD 21043-4544

RE: F-02-114
Country Springs
Lots 46 and 47

Dear Mark:

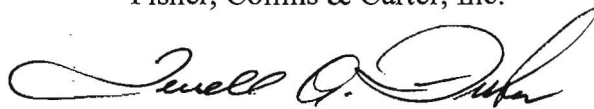
In response to a meeting with Mr. Tom Garland and yourself, our office received a copy of a memo dated May 23, 2002 referencing the downhill adjustment to the approved private sewerage easement for Lot 46 (formerly Lot 47).

The previous lot line configuration for proposed Lots 46 and 47 have been revised at the request of the Department of Planning and Zoning. Accordingly, we are enclosing a print of the approved percolation certification plan with a requested adjustment to this area keeping in mind that your instruction is not to move down hill towards the 365.57' lot line.

In addition, we are enclosing a print of the newly submitted record plat and Supplemental Plan dated July 18, 2002 that shows the new Lot 46 and 47 configuration and related information.

We trust that this information will be helpful during your review.

Very truly yours,
Fisher, Collins & Carter, Inc.



Terrell A. Fisher, P.E., L.S.

WO #30660
c.c. Mrs. Pat Britt-Fendley
Mr. and Mrs. Tom Garland



HOWARD COUNTY HEALTH DEPARTMENT


Bureau of Environmental Health
3525-H Ellicott Mills Drive, Ellicott City, Maryland 21043-4544
(410) 313-2640 FAX (410) 313-2648
TDD (410) 313-2323 Toll Free 1-877-4MD-DHMH

Penny E. Borenstein, M.D., M.P.H., Acting County Health Officer

May 23, 2002

MEMORANDUM

TO: Tom Garland
15067 Bushy Park Road
Woodbine, MD 21797

FROM: Mark Rifkin 
Water and Sewerage Program

RE: Country Springs, Lot 47
Scottswood Court
Proposed Adjustment of the Approved Sewage Disposal Area

In response to your request to review and approve a proposed adjustment of the approved sewage disposal area downhill (toward the 365.57' lot line), the request is denied without further percolation testing.

The July, 1999 test holes which support the approved sewage disposal area appear to have been arranged to appropriately avoid a swale located near the 365.57' lot line. Presumably due to other site constraints, the Health Department granted approval to extend the sewage disposal area 30-45' downhill of the area tested (toward the referenced swale). Any further adjustments in this direction would be not approvable without further testing, and then only if the swale is found to be located further downhill than shown on the approved percolation certification plan.

If you have any questions, please call this office at (410) 313-2640.

MR
cc: Joseph Rutter, Department of Planning and Zoning
Terry Fisher, Fisher Collins and Carter
File

5/8/02

Mark:

I've just left a meeting w/ Joe Butler who requested that my Engineer (Terry Fisher) relocate part of the Septic field to my Rancher (See Attached Drawing).

Mr Fisher asked me to stop & see you to make sure you had no issues with the minor re configuration. Please call me if you have any problems.

Thanks,

Tom Garland
(410) 489-5475
or
(410) 961-5971

WAIVER PETITION APPLICATION

Date Submitted/Accepted _____ DPZ File Number _____

I. Site Description

Subdivision Name/Property Identification: Country Springs, Lots 46 & 47

Location of property: #15067 Bushy Park Road
(Street Address and/or Road Name)

<u>Residential (2 single family detached)</u>	<u>Same (residential) 2 single Family Units</u>		
(Existing Use)	(Proposed Use)		
<u>14</u>	<u>3</u>	<u>240</u>	<u>Fourth</u>
(Tax Map No.)	(Grid/Block No.)	(Parcel No.)	(Election District)
<u>RC-DED</u>		<u>4.283 Ac. †</u>	
(Zoning District)		(Total Site 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.)
Previously submitted and approved Board of Appeals Case No. 00-31V and subdivision plat F-02-114, F90-59, WP 90-15 and P89-58.

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 or modifications to the minimum requirements stipulated within the Regulations if it is determined that extraordinary hardships or practical difficulties may result from strict compliance with the regulations, or if it is determined that the regulations may be served to a greater extent by an alternative proposal.**

In the area below, the petitioner shall enumerate the specific numerical section(s) from the Subdivision and Land Development Regulations for 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>16.120 (b)(4)(i)(ii)</u>	<u>Lot lay-out (Lot dimensions generally not exceeding a 3:1 lot depth to lot width ratio)</u>
2. <u>16.120 (c)(2)</u>	<u>Minimum Frontages (Frontage shall coincide with access)</u>
3. <u>16.120 (b)(4)(iii)(b)</u>	<u>Usable lot design (Environmental features are not allowed on lots less than 10 acres)</u>
4. _____	_____
5. _____	_____

- ✓ 1. Vicinity map scale 1" = 2,000' indicating and identifying the total boundary of the property, exact site location, vicinity roads and north arrow.
- ✓ 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.
- n/a 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

The Waiver Petition application fee shall be in accordance with the adopted fee schedule. 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, incorrect or missing information may result in the rejection of the application** and could cause additional time to be required to revise the petition for resubmittal and re-review. For more information or questions, contact DPZ at (410) 313-2350.

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 herein are understood, and authorizes periodic on-site inspections by the Howard County Subdivision and Planning Committee agencies. ***If the applicant is the owner's agent, written documentation from owner granting that authority is required.**



[Signature] 7/20/02
 (Signature of Property Owner) (Date)
 (Fee Simple Owner Only)
Thomas and Laurel Garland
 (Name of Property Owner)
15067 Bushy Park Road
 (Address)
Woodbine, MD. 21797
 (City, State, Zip Code)
 (E-mail) _____
410-489-4404
 (Telephone) (Fax)

[Signature] 7/20/02
 (Signature of Petition Preparer) (Date)
Terrell A. Fisher
 (Name of Petition Preparer, Surveyor/Engineer or Agent/Developer)
Fisher, Collins and Carter, Inc
10272 Baltimore National Pike
 (Address)
Ellicott City, MD. 21042
 (City, State, Zip Code)
 (E-mail) tfisher@fcc-eng.com
410-461-2855 410-750-3784
 (Telephone) (Fax)

Contact Person: Mr. Tom Garland

Contact Person: Terry Fisher

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[Signature] 7/20/02
 (Signature of Property Owner) (Date)
 (Fee Simple Owner Only)

[Signature] 7/20/02
 (Signature of Petition Preparer) (Date)
 PROFESSIONAL ENGINEER

Thomas and Laurel Garland
 (Name of Property Owner)
15067 Bushy Park Road
 (Address)
Woodbine, MD. 21797
 (City, State, Zip Code)

Terrell A. Fisher
 (Name of Petition Preparer, Surveyor/Engineer or Agent/Developer)
Fisher, Collins and Carter, Inc
10272 Baltimore National Pike
 (Address)
Ellicott City, MD. 21042
 (City, State, Zip Code)

(E-mail) _____

(E-mail) tfisher@fcc-eng.com

410-489-4404
 (Telephone) (Fax)

410-461-2855 410-750-3784
 (Telephone) (Fax)

Contact Person: Mr. Tom Garland

Contact Person: Terry Fisher

**To Waiver Request
Lots 46 & 47
Country Springs Subdivision**

JUSTIFICATION LETTER

Section 16.120.(b).(4).(i) and (ii)-Usable Lot Design

On May 8, 2002 a meeting was scheduled with Mr. Joseph Rutter, Mrs. Cindy Hamilton, Mrs. Pat-Britt Fendley, Mr. and Mrs. Garland and Mr. Terrell A. Fisher.

Mrs. Cindy Hamilton offered that the separation of Lot 46 into 2 connected parts on the east and west side of Lot 47 was not a pleasing configuration and did not conform to the intent of the definition of usable lot design. Mr. Garland stated that this lot configuration was offered to the Board of Appeals and approved by Decision and Order for BA Case No. 00-31V.

Mrs. Cindy Hamilton and Mr. Joe Rutter suggested an adjustment to the lot configuration of Lots 46 and 47 as submitted to provide a more reasonable and usable lot area. Several lot line locations were discussed to place the accessory structures with the existing rancher rather than with the 2-story house. This reconfiguration of the lot lines recommended by the Division of Land Development was logical and agreed to by both Mr. and Mrs. Thomas Garland.

The adjustment to the lot geometry as discussed at the May 8th meeting for Lots 46 and 47 is reflected on the plan submitted with this waiver request. The acreage of both lot 46 and 47 are less than 3 acres and accommodate both the principle and accessory structures with the setback restrictions defined in Section 104.E.4.(b) without any waiver or modification.

Section 16.120.(c).(2)-Minimum Frontages

The Fifth Edition recently adopted recommends that newly subdivided lots after November 15, 2001 must have their frontage coincide with access to the lot.

As a point of history, lot 17 was designed and recorded with the design conditions reflected by the Fourth Edition of the Subdivision and Land Development Regulations providing a 24 foot pipestem lot frontage on Scottswood Court with a viable and usable vehicular access via a private use-in-common easement with direct access to Bushy Park Road.

The purpose of this resubdivision of Lot 17 is to place each of the 2 existing dwellings on separate building lots. This proposed lot access and frontage for Lots 46 and 47 mimics the concept of Lot 17 previously approved and continues the community relationship of the methodology for vehicular access to Bushy Park Road for the existing structures which has existed by use for many years.

Also, recorded Lot 17 includes a portion of the 75-foot stream buffer within the pipestem fronting on Scottswood Court. Any driveway construction proposed within the pipestem to Scottswood Road will require a separate waiver to grade and fill in a stream buffer with justification supporting the need for that driveway construction. With alternate vehicular access available via the private easement to Bushy Park Road, the disturbance of the stream buffer would not be required and could be considered not to be an essential stream crossing. We feel the avoidance of a grading in a stream buffer will be supporting justification to grant a waiver to Section 16.120.(c)(2).



HOWARD COUNTY HEALTH DEPARTMENT

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

June 28, 2000

To: Tom Garland
15067 Bushy Park Rd. Woodbine, Md. 21797

From: Craig Williams (CW) Sanitarian

Re: Pending Zoning Appeals Case
Brick Rancher
Lot 17 Country Springs Subdivision

The purpose of this letter is to respond to your request for comment from the Health Department, suitable for presentation to the Zoning Board of Appeals, about progress-to-date on resolving certain issue affecting the above referenced property.

At the time of the original subdivision, this lot was established with an existing occupied two-story dwelling. As is common for lots created around existing houses, percolation testing was conducted to demonstrate sufficient area for future septic system replacement when needed; the conditions of the existing well and septic system were accepted "as is" after cursory inspection.

Sometime after subdivision of the lot, a second dwelling, the brick rancher, was erected and its septic system was installed, without benefit of permit review. When this circumstance was brought to our attention, the agency requested that you conduct percolation testing to establish adequate area for septic system installation and future repair for this house.

In the ensuing evaluation, site conditions in the immediate vicinity of the two houses were found to be insufficient to accommodate the well and septic requirements of both houses; additional area somewhat remote from the structures was required to develop a potential solution. The depiction of the arrangement that could best resolve these issues is an exhibit prepared December 30, 1999 by FCC Associates, titled "Perc Re-certification Plat Country Springs Lots 46 and 47", with Health Officer signature dated 1/4/00.

Even though the lot configuration is somewhat unusual, more septic area than necessary has been established. If the proposal were to be accepted, that additional septic area could be of potential benefit to adjoining Lot 18. Unreviewed enlargement of the pond rendered the intended septic area for that property unusable. Soil and site conditions at all other possible locations on lot 18 have also been found unsuited to conventional septic system installation.

Should the proposal not be acceptable, there may be no other means to satisfy the septic system requirements of both houses and it is not to be assumed that there would be continued willingness to offer a solution for the separate but similar dilemma afflicting Lot 18.

**Tom & Laurie Garland
15067 Bushy Park Road
Woodbine, MD 21797**

June 20, 2000

Howard County Board of Appeals
George Howard Multi Service Center
Ellicott City, MD 21043

Re: Residential District Variance
15067 Bushy Park Rd.
Woodbine, MD 21797

1 JUN 30 AM 9:39

Dear Members:

Several years ago my wife and I purchased Lot 17 at Country Springs. The subject property is the original farmhouse for the former Rippeon Farm which is now the finished community of Country Springs.

The farmhouse that is now our home had no heating system or duct work, an antiquated electrical system, and was in need of major renovation/rehabilitation to make it habitable. Issuance of the required building permit for the renovation was withheld pending our formulation of a plan which addressed the existence of a brick, ranch-style home, situated on the property. The Rancher had been built (apparently, by the previous owners) without proper permits or authorization by Howard County. My wife and I agreed to make all efforts necessary to bring the ranch house into local compliance and have since endeavored to do so.

To that end, in March of 1997, I contacted Terrell Fisher of the engineering firm of Fisher, Collins and Carter. The firm was hired to advise and counsel us on a plan to reconfigure our property with a site- plan that would accommodate the Ranch home in a manner which they believed would be acceptable to Howard County, and also have a positive effect on our community. It was also necessary that we work closely with the Bureau of Environmental Health, and, on their advice, we have relocated the septic field of our home and successfully tested for a septic field to accommodate the Ranch home. The Bureau of Environmental Health has since approved and endorsed the attached plan.

My wife and I have worked in concert with the engineers and the folks at the Bureau of Environmental Health in order to submit a well considered, sensible and attractive plan for your review which will bring the ranch home into compliance. As previously stated, we began this process in 1998. Due to our limited budget, lack of knowledge in these matters and the fact that



DEPARTMENT OF INSPECTIONS, LICENSES & PERMITS

David M. Hammerman, P.E., Director

June 8, 2000

Mr. Thomas & Laurel Garland
15067 Bushy Park Road
Woodbine, MD 21797

Re: Building Permit
15067 Bushy Park Road

Dear Mr. & Mrs. Garland:

This letter is to clarify that if you receive a subdivision approval for the property in question, this Department does have a building permitting process available that provides verification that existing structures constructed without permits are both reasonably safe and code compliant.

If you have any further questions, please contact me at (410) 313-2436.

Sincerely,

Robert J. Frances, P.E., Chief
Plan Review Division

RJF:jw

cc: Plan Review Division, DILP
Cindy Hamilton, DPZ
Sean Kelly, DILP
T:\PRSEC\letters\garland-2.rjf.wpd

6-15-00

TO Whom it may concern,

Our home is in front of
Tom & Laurie Barland's home
and the property in question
does not affect us or our view.

Our property has a line
of trees that blocks our view
of the house in question.

In closing we do not
have an objection to the
variance of the property.

Joseph Reese
Margaret A. Reese

15073 Bushy Park Road
Woodbine, MD 21797



Tom & Laurie Garland**15067 Bushy Park Rd****Woodbine, MD 21797****(410)489-4404**

301-986-7536

410 961-5971

May 30, 2000

Mr. Craig Williams

Howard County Bureau of Environmental Health

3525-H Ellicott Mills Drive

Ellicott City, MD 21043-4544

FAX 301-986-7510
FAX 489-5475

Re: Brick Rancher, Lot 17, Country Springs

Dear Craig:

Pursuant to our conversation of May 25, I am requesting a letter from you describing my efforts to bring the above referenced Brick Rancher into compliance, with regards to the concerns of your department.

As you are aware, the major hurdle in my quest to "legalize" the Rancher is the approval by the Appeals Board for a zoning variance to subdivide my property. Key to approval of that variance is the Okay from your department indicating that, not only is the property large enough to accommodate an additional septic system, it has already been tested and approved by Kim Soe.

I feel that a short letter from you would be of tremendous assistance to the Appeals Board by explaining your previous concerns and the remedy provided by this subdivision. To para phrase your words from an earlier discussion; "this subdivision is the cure for an existing violation". I would also hope that you could make mention of the following facts:

1. The existence of the Brick Rancher pre dated my ownership.
2. I began this process, with your department, several years ago (I believe I first contacted you about the Rancher in 1997).
2. Your department's approval of the subdivision was contingent upon it meeting all of the requirements of the Bureau of Environmental Health, including those which may have existed prior to my ownership or were as yet unknown to your department.

Should you have any questions or concerns please do not hesitate in contacting me.

I appreciate your help and hope that you will convey my thanks to Kim and Mark for their efforts over the past few years, as well.

Very Truly Yours,

Thomas A. Garland, Jr.

May 20, 2000

To whom it may concern:

I, R. Jeffrey and I, Susan M. Lanuza reside at 15052 Scottswood Court. We are on Lot 20 of Country Springs sub division. Tom and Laurie Garland have been our neighbors for the last four years. Our home is directly behind their home. We have no objection if the Garlands chose to have the small brick rancher on their property, occupied. The ranch house was on that property when we purchased our lot five and one half years ago.

Kindly,

Handwritten signatures of R. Jeffrey Lanuza and Susan M. Lanuza. The signature of R. Jeffrey Lanuza is written in black ink and is positioned above the signature of Susan M. Lanuza, which is written in blue ink.

R. Jeffrey Lanuza
Susan M. Lanuza



May 2, 2000

Mr. and Mrs. Thomas A. Garland, Jr.
15067 Bushy Park Road
Woodbine, Maryland 21797

Re: 15067-B Bushy Park Road

Dear Mr. and Mrs. Garland,

On April 19, 2000, I inspected the above referenced property to identify and document the building's present condition. The following observations were made:

The house is a one-story rancher- styled structure built over a crawl space. The front door is oriented to the South. The building includes a kitchen, Great room, two full bathrooms, three bedrooms and a two-car garage.

Construction of this dwelling ceased once the drywall was taped, spackled and sanded.

Structure:

The Foundation is composed of a 12" C.M.U. to grade, and then becomes an 8" C.M.U. with a 4" brick face. The brick continues beyond the floor framing, providing a brick veneer finish on all four sides of the house.

Final grading is complete, thus the footing and damp proofing were not observed. Nonetheless, there were no visible cracks or evidence of any significant subsidence of the foundation walls seen from the exterior or from within the crawl space. There was also limited evidence of any current or prior moisture penetration into the crawl space through the foundation walls.

A steel wide flange beam runs continuously down the center of the house from the East foundation wall to the West foundation wall. The beam is set onto a series of C.M.U. piers constructed within the crawl space. Again, no evidence of movement of the beam or its piers was observed.

Framing:

The floor structure consists of 2 x 10 floor joists spaced 16" apart and spanning from the South foundation wall to the center beam to the North foundation wall. The maximum

Department of Planning and Zoning
Howard County, Maryland
Recommendations/Comments

Date: 7/17/00

Planning Board n/a Board of Appeals 9/5/00 Zoning Board _____

Petition No. BA 00-31V Map No. 14 Block 3 Parcel _____ Lot 17

Return comments by 8/14/00 to Comprehensive Planning and Zoning
Administration

Location of Property: 1200' S of Bushy Park Road from a point 1200' W of Scottswood Ct.

Applicant: Thomas Garland, Jr. and Laurel Garland

Applicant's Address: 15067 Bushy Park Road, Woodbine, MD 21797

Owner: (if other than applicant) _____

Owner's Address: _____

Petition: Variance to reduce the required 3 acre minimum lot size for non-cluster subdivisions to 1.183 acre (51,532 sq. ft) for a proposed subdivision of a 4.28 acre parcel into two lots.

- TO:
- _____ Department of Education
 - _____ Bureau of Environmental Health
 - _____ Development Engineering Division
 - _____ Department of Inspections, Licenses and Permits
 - _____ Department of Recreation and Parks
 - _____ Department of Fire and Rescue Services
 - _____ State Highway Administration
 - _____ Sgt. Karen Shinham, Howard County Police Dept.
 - _____ James Irvin, Department of Public Works
 - _____ MD Dept. of Human Resources, Janice Burris (child day care)
 - _____ Office on Aging, Barbara Harris (senior assisted living)
 - _____ Police Dept., Animal Control, Brenda Purvis, (kennels)

COMMENTS: The Health Department has no objection to the petition request. Please refer to the memo dated June 28, 2000 to Mr. Garland from Mr. Craig Williams for details and clarification of Health Department issues.

 8/8/00
(Signature)

RESIDENTIAL DISTRICT VARIANCE PETITION
TO THE HOWARD COUNTY BOARD OF APPEALS

JUN 30 AM 9:06

For DPZ office use only:
CASE NO. BA 00-311
DATE FILED 6/30/00
DATE ACCEPTED _____
FOR SCHEDULING _____

1. PETITIONER'S NAME THOMAS GARLAND, JR AND LAUREL GARLAND
TRADING AS (IF APPLICABLE) _____
ADDRESS 15067 BUSHY PARK RD., WOODBINE, MD 21797
PHONE NO. (W) 301.986.7536 (H) 410.489.4404

2. COUNSEL FOR PETITIONER N/A
COUNSEL'S ADDRESS _____
COUNSEL'S PHONE NO. _____

3. PROPERTY IDENTIFICATION:

ADDRESS OF SUBJECT PROPERTY 15067 BUSHY PARK RD.
WOODBINE, MD 21797

TOTAL ACREAGE OF PROPERTY 4.283 ACRES

PROPERTY LOCATION:

ELECTION DISTRICT: FOURTH ZONING DISTRICT: R6 DEO

TAX MAP # 14 BLOCK # 3 PARCEL/LOT # 17

SUBDIVISION NAME (if applicable): COUNTRY SPRINGS

4. PETITIONER'S INTEREST IN SUBJECT PROPERTY:

OWNER (including joint ownership) OTHER (describe and give name and address of owner)

If the Petitioner is not the owner of the subject property, documentation from the owner authorizing the petition must accompany this petition.

NOTE: Completed petition forms must be submitted before the first day of the month in order to be heard on the last Tuesday of the Month. Incomplete petitions may result in postponement.

The Board of Appeals may, at its discretion, refer a variance petition in a residential district to the Planning Board for review and a recommendation.

PLEASE READ CAREFULLY
DATA TO ACCOMPANY PETITION:

5. VARIANCE PLAN.

No application for a variance shall be considered complete unless the plan indicates the required setback or other requirement, and the requested variance from the subject setback or other requirement. The submitted plans shall be folded to approximately 8 1/2 x 14 inches.

The 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 property.
- (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 any adjoining property as necessary for proper examination of the petition.
- (h) Location of well and private sewerage easement area, if property is to be served by private water and sewer.
- (i) Election District in which the subject property is located.
- (j) Tax Map and parcel number on which the subject property is located.
- (k) Name of local community in which the subject property is located or name of nearby community.
- (l) Name and mailing address of the petitioner.
- (m) Name and mailing address of attorney, if any.
- (n) Name and mailing address 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 affected roads.
- (r) A detailed description of all exterior building materials for all proposed structures.
- (s) Any other information as may be necessary for full and proper consideration of the petition.

Go to page 3.

6. OTHER DATA TO ACCOMPANY PETITION.

The Petitioner must also submit with the petition an area location map (tax map) of the subject property, indicating the street address of the site, the zoning district of the site and the zoning district of all adjacent properties.

7. VARIANCE REQUEST.

The undersigned hereby petition the Board of Appeals for a variance from the requirement(s) of section 104.E.1.D.2 of the Zoning Regulations to: (describe) REDUCE THE MINIMUM LOT SIZE FOR A NON-CLUSTER SUBDIVISION TO LESS THAN 3 ACRES TO SUPPORT THE SUBDIVISION OF THE REFERENCED PROPERTY CONSISTING OF TWO (2) EXISTING DWELLINGS.

A) Describe why the Zoning Regulations in question would result in practical difficulties or unnecessary hardships in complying strictly with the bulk requirements:

narrowness, shallowness, shape, topography, other; explain: TWO (2) DWELLINGS EXIST ON ONE (1) 4.223 ACRE LOT.

B) If exceptional narrowness, shallowness or shape of the property is claimed, give the date of the recording of the plat of present subdivision, if any: _____; or if property is not subdivided, give the date on which a deed conveying the identically bounded tract was first recorded:

C) The intended use of the property, in the event the petition is granted: SINGLE FAMILY DETACHED - RESIDENTIAL

D) Any other factors which the Petitioner desires to have considered: THE CONSTRUCTION OF THE ADDITIONAL DWELLING PRE-EXISTED OUR OWNERSHIP. WE HAVE MADE EVERY EFFORT TO CORRECT THIS VIOLATION BY WORKING WITH ALL COUNTY AGENCIES AFFECTED BY THE PRE-EXISTING VIOLATION, INCLUDING FINALLY, THIS BOARD. Go to page 4.

E) Explain why the requested variance is the minimum necessary to afford relief: ALL ATTEMPTS HAVE BEEN MADE TO ENGINEER A SITE PLAN WHICH WOULD REQUIRE THE LEAST VARIANCE TO EXISTING ZONING.

F) Is the property connected to: public water?: Y___ N X
public sewer?: Y___ N X

G) If the requested variance is granted, would it impact the water and/or septic/sewer on the site? Y___ N X

H) If the requested variance is granted, would it increase the intensity of uses on the site? Y X N___; if yes, explain: THE SUBJECT MAY PROVIDE HOUSING FOR ONE OF THE PETITIONER'S IMMEDIATE FAMILY MEMBERS WITHIN THE NEXT TWO (2) YEARS.

I) If the requested variance is granted, would it increase traffic to or from the site? Y X N___; if yes, explain: PERHAPS BY THE POSSIBILITY OF ONE ADDITIONAL VEHICLE. THE ADDITIONAL VEHICLE WOULD BY NO MEANS OVERBURDEN THE COMMON DRIVEWAY Describe in detail (i.e. width, type of paving, etc.) all means of vehicular access onto the site: 50' COMMON EASEMENT (DRIVEWAY) CURRENTLY COMPOSED OF COMPACTED CR-8, BLUE STONE AND A 24' PIPESTEM TO THE SOUTHEAST, WHICH IS

K) Describe the topography of the site: CURRENTLY MAINTAINED BUT UNUSED.
LEVEL TO GENTLY ROLLING

L) Will the existing or proposed structure be visible from adjacent properties? Y X N___; if yes, describe any proposed buffering or landscaping: IT IS NOT VISIBLE FROM ADJACENT HOMES, AS IT IS OBSCURED BY A STAND OF WHITE PINES. IT IS POSSIBLE TO SEE THE HOME FROM THE CORNER BOUNDARY LINE OF TWO to Page 5 ADJACENT PROPERTIES

M) Describe any existing buffering or landscaping: A STAND OF WHITE PINE TREES ELIMINATES ANY VIEW OF THE HOME FROM THE NORTH. OUR RESIDENCE ELIMINATES ANY VIEW FROM THE EAST. ANOTHER STAND OF WHITE PINES OBSTRUCTS THE

8. PRIOR PETITIONS. Has any petition for the same, or VIEW FROM THE substantially the same, variance as contained herein for the same SOUTH, property as the subject of this petition been disapproved by the AND OUR Board of Appeals within twenty four (24) months of the date of BARN this petition? SHELLS THE VIEW FROM THE

() YES (X) NO If yes, and six (6) months have elapsed since CORN FIELDS the last hearing, an affidavit setting forth new and different TO OUR grounds on which re-submittal is based must be attached. WEST.

8. ADDITIONAL MATERIAL, FEES, POSTING, AND ADVERTISING:

A) If desired, supplemental pages may be attached to the petition. The following number of petitions, plans and supplemental pages must be submitted:
23 copies if the subject property adjoins a State road.
19 copies if the subject property adjoins a County road.

B) The undersigned 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 the filing of this petition.

The undersigned agrees to pay all costs in accordance with the current schedule of fees.

The undersigned also agrees to properly post the property at least fifteen (15) days prior to the hearing and to maintain the property posters as required and submit an affidavit of posting at, or before the time of the hearing. The undersigned also agrees to insert legal notices, to be published one (1) time in at least two (2) newspapers of general circulation in Howard County, as prepared and approved by the Department of Planning and Zoning, within at least fifteen (15) days prior to the hearing, and to pay for such advertising costs; and further 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.

Go to page 5.

9. SIGNATURES.

The undersigned hereby affirms that all of the statements and information contained in, or filed with, this petition are true and correct.

The undersigned has read the instructions on this form, filing herewith all of the required accompanying information.



Signature of Petitioner

Signature of Attorney

For DPZ office use only: (Filing fee is \$450.00 plus \$15.00 per poster.)

Hearing fee: \$ 450
Poster fee: \$ 15
TOTAL: \$ 465
Receipt No. 404753

(Make checks payable to "Director of Finance")

Go to page 7

GENERAL REQUIREMENTS:

The Petitioner shall note that all requests for variances must meet the following requirements of section 130.B.2.a.(1) through (5) of the Howard County Zoning Regulations in order to be approved:

(1) That there are unique physical conditions, including irregularity, narrowness or shallowness of lot or shape, exceptional topography or other existing features peculiar to the particular lot; and that as a result of such unique physical conditions, practical difficulties or unnecessary hardships arise in complying strictly with the bulk provisions of these regulations.

2. That the variance, if granted, will not alter the essential character of the neighborhood or district in which the lot is located; will not substantially impair the appropriate use or development of adjacent property; and will not be detrimental to the public welfare.

3. That such practical difficulties or hardships have not been created by the owner provided, however, that where all other required findings are made, the purchase of a lot subject to the restrictions sought to be varied shall not itself constitute a self-created hardship.

4. That within the intent and purpose of these regulations, the variance, if granted, is the minimum variance necessary to afford relief.


5. That no variance be granted to the minimum criteria established in Section 131 for special exception uses, except where specifically provided therein or in an historic district. Nothing herein shall be construed to prevent the granting of variances in any zoning district other than to the minimum criteria established in Section 131 except as provided therein.

ZB or BA CASE # _____
PETITIONER _____
ADDRESS _____

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

THE UNDERSIGNED DOES HEREBY DECLARE 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 WITHIN APPLICATION OR PETITION IN ZB OR BA CASE # _____ FOR A ZONING CHANGE AS REQUESTED.

I, WE, DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THE AFOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY, OUR, KNOWLEDGE, INFORMATION AND BELIEF.



Witness



Signature Date

Witness

Signature Date

Witness

Signature Date

the small size of our project did not warrant the top priority of the engineers, it has been an arduous task.

The plan we have submitted is accountable to the concerns of the Bureau of Environmental Health, the engineering firm of Fisher, Collins and Carter, our community, and immediate neighbors. It is our conviction that this plan provides the absolute minimum necessary to provide for our needs while thoroughly addressing the concerns of Howard County. Most important is that the plan will have no impact on the surrounding home sites occupied by our friends and neighbors.

My wife and I are hardworking, lifelong residents of this County trying to correct a problem that pre-dates our ownership. The existing violation was not caused by our design or making yet the onus for correcting the existing violation has fallen on us as we are the current (and future) owners of the property. We have accepted that responsibility, and it is our hope that those efforts are recognized by this Board. The ranch home is an existing, tangible dwelling that could provide an ideal location for my father or Laurie's grandmother as they reach a point in their lives when total independent living proves to be a hardship.

Attached herewith and made part of this petition you will find:

1. Letters from adjacent homeowners.
2. An engineer's certification of the ranch home's construction quality.
3. A letter from Bob Frances, Department of Inspections Licenses & Permits
4. Various perspective photographs of the Ranch Home

Additionally, please consider that our request, as submitted, represents no violation of the subdivision regulations excepting a reduction in lot size. Precedent exists for this reduction as Selfridge Homes has subdivided several lots, within the community, to under 3 acres. The lot acreage noted in the site plan is inclusive of the pipestem and we ask that it be considered as such.

We thank you in advance for your consideration.

Very Truly Yours,

Thomas A. Garland, Jr.

Laurel Garland

span of these 2 x 10's is 14' - 0". The floor structure rests on top of a continuous pressure treated plate, which is anchored to the foundation wall. Sill sealer is also present between the plate and the top course of block.

The joists appear to be #1 Southern Yellow Pine. The lumber was in satisfactory condition with no cracks or evidence of unusual deformities noted. The structure appears to be stable with no signs of unusual settlement.

The sub flooring is ¾" T&G plywood.

The living space walls and partitions (load bearing and non-load bearing) are constructed of 2 x 4 studs spaced at 16" o.c. All of the partitions are sheathed or are enclosed by drywall. All of the exterior doors and windows are in place. All open and close freely indicating that any house settlement that may have occurred has not impacted their performance. No signs of unusual settlement of the interior surfaces were observed. The exterior brick veneer is uniform and true with no visible settlement cracks present.

The roof is constructed with pre-engineered roof trusses spaced 16" apart and spanning from the South exterior wall to the North exterior wall. The sheathing is made up of ½" CDX plywood with plywood clips placed between the trusses. The roof is covered with an architectural styled fiberglass shingle. Here again, there were no indications of any unusual settlement or movement of the roof structure.

Plumbing:

All of the sanitary drains and supply pipes have been roughed-in. The drains are PVC schedule 40. The supply lines are CPVC. Fiberglass bathtubs have been installed. No other plumbing fixtures were present. All plumbing observed within the crawl space and attic were satisfactorily attached or braced to the house structure.

Electrical:

Rough in of the electrical appears to be complete. Junction boxes throughout the house are wired and tied back into the electrical panel. A 200-amp circuit breaker panel is located in the garage on the North exterior wall. No electric meter was observed. Receptacles, switches and other devices have not been installed.

Mechanical:

All of the ductwork appears to have been installed. All rooms contain at least one supply air vent. Return air vents are located throughout the house as well. Flex duct was observed in the attic. The heating and air conditioning units were not present.

Insulation:

Blown in cellulose insulation was present within the attic. This measured from 10" to 14" in depth. There was no insulation present within the crawl space (floor structure, perimeter walls, plumbing). Several brick vents were observed at the perimeter foundation walls into the crawl space.

Windows and doors have not been sealed with silicone caulk where in contact with the brick veneer.

Based on my observations, it appears that this structure has been constructed in a reasonable fashion, consistent with current building codes and building practices. It is also worth noting that although the footings could not be observed at the time of the inspection, there was no sign of unusual settlement for a five to six year old structure (age of the structure is based on the manufacturing dates on the PVC pipes and window glazing stamps).

If you have any questions or require any additional clarifications, please do not hesitate to contact me.

Sincerely,



Dean Morekas

Inspector

Boswell Building Surveys, Inc.



