



Bureau of Environmental Health

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Maura J. Rossman, M.D., Health Officer

MEMORANDUM

TO: Mitch Young

FROM: Ryan Rappaport, LEHS Well & Septic Program 

RE: 8876 Baltimore Street, Savage MD.20763
Map 47, Grid 11, Parcel 420, Lot 7

DATE: May 4, 2015

Please accept this memo as verification from the Approving Authority that there is no evidence of existing well and/or septic components requiring abandonment on the above referenced property.

A site inspection was conducted by this office on April 1, 2015 and a distribution box was located on the west side of the property in between the driveway and the main house. This distribution box housed the sewer line for the cottage dwelling on the property and it has since been removed and replaced with a PVC line to the public sewer system.

IN THE MATTER OF
MITCHELL YOUNG,
PETITIONER

* BEFORE THE DIRECTOR OF
* DEPARTMENT OF PLANNING & ZONING
* NCU CASE NO. 14-006
* 8876 BALTIMORE STREET

* * * * *

DECISION AND ORDER

On February 3, 2015, the Designee for the Director of the Department of Planning and Zoning conducted a public hearing to consider the petition of Mitchell Young, to obtain confirmation as a nonconforming use for two existing single family detached dwellings on one lot in an R-12 zoning district. The notice of the hearing was posted on the subject property in accordance with all applicable regulations.

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

1. The 2013 Howard County Zoning Regulations.
2. Howard County Subdivision and Land Development Regulations.
3. The Administrative Procedure Act of the Howard County Code.
4. The 1949, 1954, 1961, 1977, 1985, 1993, and 2004 Howard County Zoning Regulations.
5. The aerial photograph records of the Department of Planning and Zoning.

The Petitioner, Mitchell Young, was represented by Jack Gates, Esquire. The current owner of the property, Mitchell Young, testified in support of the petition. No one appeared in opposition to the petition.

Mr. Young testified that he is the owner of the property located at 8876 Baltimore Street in Savage, Maryland. Mr. Young testified that there are two separate single family detached dwellings on the property, and that he has owned the property since May, 2014. Mr. Young also testified that the two buildings on the property were designed to be used as two separate dwellings and the water, sewer, and electric are separately metered for each building. Mr. Gates entered Exhibit A into the record, a plan showing the layout of the property. Mr. Gates also entered Exhibits B1 and B2 into the record showing separate county water and sewer bills and separate BGE bills for each dwelling. Finally, Mr. Gates entered into the record Exhibits C and D, affidavits from a previous property owner and a neighboring property owner stating that the two dwellings on the property have been used as dwellings continuously and uninterrupted for the past 46 years (from September, 1968 through May, 2014).

Based upon all the testimony 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 subject property is located on the northern side of Baltimore Street, approximately 75 feet east of Woodward Street. This property is identified as Tax Map 47, Grid 11, Parcel 420, Lot 7 (the "Property"). The Property is located in an R-12 zoning district, and it is approximately 16,335 square feet in area.
2. The property was zoned R-20 until 1977 when it was rezoned R-12. Prior to the adoption of the 1977 Zoning Regulations, more than one single family detached dwelling was permitted as a matter of right in those districts as long as they met all of the other bulk requirements. In 1977, the Zoning Regulations were changed, allowing only one single family detached dwelling unit per lot in the R-12 zoning district. Based on aerial photographs dating back to the 1950's, testimony from the current owner, and affidavits from the previous owner and neighbor, it appears that two single family detached dwellings have existed on the property prior to 1977 when the Zoning Regulations changed. Further, affidavits from the previous owner of the property and from the resident of a neighboring property confirm that both homes have been used as single family detached houses in a continuous and uninterrupted manner since September 20, 1968. Finally, water, sewer, and electric bills for each dwelling showing that the two dwellings are being separately metered.
3. All adjacent areas are also zoned R-12. Adjoining to the west is Parcel 424, Lot 1, which is improved with a single family detached dwelling and fronts on Baltimore Street. Adjoining to the east is Parcel 419, which is also improved with a single family detached dwelling and fronts on Baltimore Street. Adjoining to the northwest is Parcel 421, which is also improved with a single family detached dwelling and fronts on Carrollton Avenue. Adjoining to the north is Parcel 234, Lot 59, which is also improved with a single family detached dwelling and fronts on Carrollton Avenue. Adjoining to the northeast is Parcel 234, Lot 60, which is also improved with a single family detached dwelling and fronts on Carrollton Avenue. Adjoining to the south is Baltimore Street.

CONCLUSIONS OF LAW

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

1. The Petitioner testified that the two homes on the property are used as two separate dwelling units. The Petitioner also submitted aerial photographs from 1952, 1963, 1970, 1977, 1984,

1993, 1998, 2002, 2007, 2011, and 2013 showing that two separate buildings existed on the property during that time.

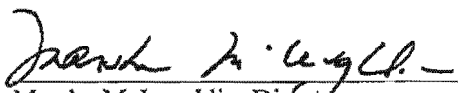
2. The Petitioner's attorney submitted affidavits from a previous property owner and a neighboring property owner stating that the two dwellings on the property have been used as dwellings continuously and uninterrupted for the past 46 years (from September, 1968 through May, 2014).
3. Based on research done by the Department of Planning and Zoning, it appears that the two single family dwellings on the property became nonconforming when the Zoning Regulations were changed in 1977, allowing only one single family detached dwelling unit per lot in the R-12 zoning district.
4. The Petitioner's attorney submitted water, sewer, and electric bills for each dwelling showing that the two dwellings are being separately metered.

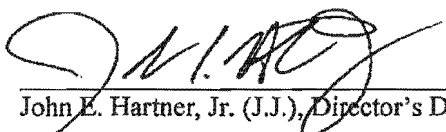
ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is this 19th day of February, 2015, by the Director of the Department of Planning and Zoning for Howard County, ORDERED that the petition of Mitchell Young for confirmation as a nonconforming use for two existing single family detached dwellings on one lot in an R-12 zoning district is hereby **GRANTED**, subject to the following:

1. The Department of Planning and Zoning has been notified that Health Department records indicate that an old septic system and well may exist on the property. The existing septic system and well located on the property must be abandoned, and the applicant is directed to contact the Health Department concerning the proper abandonment of these unused facilities. Once the existing septic system and well are properly abandoned, the applicant must provide written documentation confirming the abandonment to both the Health Department and the Department of Planning and Zoning.

Prepared By:
Howard County Department of
Planning and Zoning


Marsha McLaughlin, Director
Department of Planning and Zoning


John E. Hartner, Jr. (J.J.), Director's Designee

Notice: A person aggrieved by this decision may appeal it to the Howard County Board of Appeals within 30 days of the issuance of the decision. An appeal must be submitted to the Department of Planning and Zoning on a form provided by the Department. At the time the appeal petition is filed, the person filing the appeal must pay the appeal fees in accordance with the current schedule of fees. The appeal will be heard *de novo* by the Board. The person filing the appeal will bear the expense of providing notice and advertising the hearing.

A. R. CROWELL PLUMBING

P.O. Box 423

Savage, MD 20763

Phone: (410) 724-2900 Fax: (301) 498-9470

May 1, 2015

Ryan Rappaport, LEHS
Howard County Health Department
Bureau of Environmental Health
8930 Stanford Blvd.
Columbia, MD 21045

RE: Mitch Young
8876 Baltimore Street
Savage, Maryland 20763

Dear Mr. Rappaport:

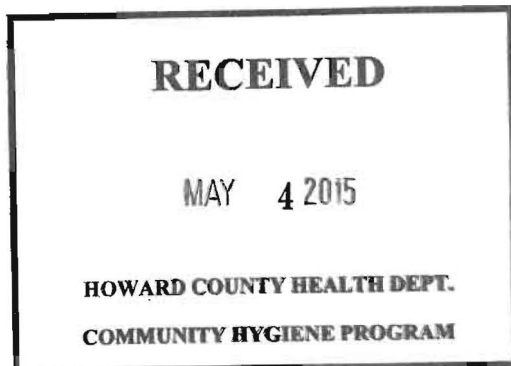
I went to the above referenced property and investigated the drain issues and I have determined that the clean out next to the cottage is an actual clean out for the sewer line that is in use from the cottage. The sewer line that runs from the cottage, runs past the main house to an area where they had a distribution box that has since been removed and replaced with pvc piping with rubber banded couplings. At each coupling a concrete footer was poured underneath to support and keep from settling. The sewer line is being used for sewage only from the cottage and tied into the main sewer.

I went out to the property to oversee the work, but did not do the work since it was such a simple job of joining two pieces of pipe together. All work was done according to the Maryland state standards of plumbing.

Sincerely,

/s/

Robert Crowell
Maryland State License #8980



Mitch Young 410-370-7606

Real Property Data Search (w2)

Guide to searching the database

Search Result for HOWARD COUNTY

| View Map | | View GroundRent Redemption | | | View GroundRent Registration | | | | |
|---|-----------------|--|----------------------|-------------------------------|------------------------------|--|---|-------------------------|-----------------|
| Account Identifier: | | District - 06 Account Number - 418481 | | | | | | | |
| Owner Information | | | | | | | | | |
| Owner Name: | | YOUNG MITCHELL | | | Use: | | RESIDENTIAL | | |
| Mailing Address: | | 3339 SUDLERSVILLE ST LAUREL MD 20724- | | | Principal Residence: | | NO | | |
| | | | | | Deed Reference: | | /15617/ 00164 | | |
| Location & Structure Information | | | | | | | | | |
| Premises Address: | | 8876 BALTIMORE ST SAVAGE 20763-0000 | | | Legal Description: | | P/O LOT 7 8876 BALTIMORE ST VILLAGE OF SAVAGE | | |
| Map: | Grid: | Parcel: | Sub District: | Subdivision: | Section: | Block: | Lot: | Assessment Year: | Plat No: |
| 0047 | 0011 | 0420 | | 0000 | | | 7 | 2014 | Plat Ref: |
| Special Tax Areas: | | | | Town: | | NONE | | | |
| | | | | Ad Valorem: | | 104 | | | |
| | | | | Tax Class: | | | | | |
| Primary Structure Built | | Above Grade Enclosed Area | | Finished Basement Area | | Property Land Area | | County Use | |
| 1893 | | 1,808 SF | | | | 16,335 SF | | | |
| Stories | Basement | Type | Exterior | Full/Half Bath | Garage | Last Major Renovation | | | |
| 2 | NO | STANDARD UNIT | FRAME | 2 full | | | | | |
| Value Information | | | | | | | | | |
| | | Base Value | | Value As of 01/01/2014 | | Phase-in Assessments As of 07/01/2014 | | As of 07/01/2015 | |
| Land: | | 168,000 | | 195,000 | | | | | |
| Improvements | | 115,100 | | 102,100 | | | | | |
| Total: | | 283,100 | | 297,100 | | 287,767 | | 292,433 | |
| Preferential Land: | | 0 | | | | | | 0 | |
| Transfer Information | | | | | | | | | |
| Seller: LAING BRENDA L TRUSTEE | | | | Date: 06/05/2014 | | Price: \$100,000 | | | |
| Type: ARMS LENGTH IMPROVED | | | | Deed1: /15617/ 00164 | | Deed2: | | | |
| Seller: LAING ROBERT J | | | | Date: 06/07/2010 | | Price: \$0 | | | |
| Type: NON-ARMS LENGTH OTHER | | | | Deed1: /12494/ 00454 | | Deed2: | | | |
| Seller: | | | | Date: | | Price: | | | |
| Type: | | | | Deed1: | | Deed2: | | | |
| Exemption Information | | | | | | | | | |
| Partial Exempt Assessments: | | Class | | 07/01/2014 | | 07/01/2015 | | | |
| County: | | 000 | | 0.00 | | | | | |
| State: | | 000 | | 0.00 | | | | | |
| Municipal: | | 000 | | 0.00 0.00 | | 0.00 0.00 | | | |
| Tax Exempt: | | | | Special Tax Recapture: | | | | | |
| Exempt Class: | | | | NONE | | | | | |
| Homestead Application Information | | | | | | | | | |
| Homestead Application Status: No Application | | | | | | | | | |

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.



Data Environment from 01/01/2000 to 04/01/2015

Connection Object: 7101058866 SAVAGE, BALTIMORE ST 8876

- Device location: 6101058028 OUTSIDE
 - Device: 03/22/04-**-**.**. 19150286 6030000 Water Meter - 5/8" ICCF4N
 - Device: 03/22/04-10/04/11 25577790 6040000 ERT - 5/8" ICCF4D
 - Device: 10/05/11-**-**.**. 84142519 6040019 ERT - 5/8" WE ICCF4D
- Premise: 5347501580 BALTIMORE ST 8876, SAVAGE
 - Utility Installation 4101104176 Water 4004750 1
 - Utility contract: 3101191569 06/16/2010 12/31/9999 03/23/2015
 - Move-out document: 00/00/0000
 - Move-In Document: 1000191569 06/16/2010 X
 - UTIL ACCOUNT: 211010652215 REST
 - Business Partner: 1101027398 MITCHELL YOUNG
 - Device: 06/05/09-**-**.**. 19150286 Water Meter - 5/8" ICCF4N
 - Device: 06/05/09-10/04/11 25577790 ERT - 5/8" ICCF4D
 - Device: 10/05/11-**-**.**. 84142519 ERT - 5/8" WE ICCF4D
 - Utility Installation 4101104186 Sewer 4004750 1
 - Utility contract: 3101191573 06/16/2010 12/31/9999 03/23/2015
 - Move-out document: 00/00/0000
 - Move-In Document: 1000191573 06/16/2010 X
 - UTIL ACCOUNT: 211010652215 REST
 - Business Partner: 1101027398 MITCHELL YOUNG
 - Device: 06/05/09-**-**.**. 19150286 Water Meter - 5/8" ICCF4N
 - Device: 06/05/09-10/04/11 25577790 ERT - 5/8" ICCF4D
 - Device: 10/05/11-**-**.**. 84142519 ERT - 5/8" WE ICCF4D
 - Utility Installation 4101104196 Bay Fees 4004750 7

Data environment Edit Goto System Help

Data Environment from 01/01/2000 to 04/01/2015

Connection Object 7101058875 SAVAGE, BALTIMORE ST 8876

| | | | | | |
|-----------------|----------------------------|---------|--------------------|--------|--|
| Device location | 6101058037 OUTSIDE | | | | |
| Device | 09/25/09-07/04/12 89587734 | 6030019 | Water Meter - 5/8" | 1CCF4H | |
| Device | 09/25/09-07/04/12 82032165 | 6040019 | ERT - 5/8" NE | 1CCF4D | |
| Device | 07/05/12-**-**-** 43975687 | 6030019 | Water Meter - 5/8" | 1CCF4H | |
| Device | 07/05/12-**-**-** 84654262 | 6040019 | ERT - 5/8" NE | 1CCF4D | |

Premise 5347501585 BALTIMORE ST 8876 A, SAVAGE

| | | | | | |
|----------------------|----------------------------|--------------------|------------|-------------|--|
| Utility Installation | 4101104206 Water 4004750 1 | | | | |
| Utility contract | 3101191581 06/12/2010 | 12/31/9999 | 03/23/2015 | | |
| Move-out document | 00/00/0000 | | | | |
| Move-In Document | 1000191581 | 06/12/2010 | X | | |
| UTIL ACCOUNT | 211010652285 | RESI | | | |
| Business Partner | 1101027403 MITCHELL YOUNG | | | | |
| Device | 12/04/09-07/04/12 89587734 | Water Meter - 5/8" | 1CCF4H | | |
| Device | 07/05/12-**-**-** 43975687 | Water Meter - 5/8" | 1CCF4H | Water Meter | |
| Device | 12/04/09-07/04/12 82032165 | ERT - 5/8" NE | 1CCF4D | | |
| Device | 07/05/12-**-**-** 84654262 | ERT - 5/8" NE | 1CCF4D | ERT - 5/8" | |

| | | | | | |
|----------------------|----------------------------|--------------------|------------|-------------|--|
| Utility Installation | 4101104216 Sewer 4004750 1 | | | | |
| Utility contract | 3101191585 06/12/2010 | 12/31/9999 | 03/23/2015 | | |
| Move-out document | 00/00/0000 | | | | |
| Move-In Document | 1000191585 | 06/12/2010 | X | | |
| UTIL ACCOUNT | 211010652285 | RESI | | | |
| Business Partner | 1101027403 MITCHELL YOUNG | | | | |
| Device | 12/04/09-07/04/12 89587734 | Water Meter - 5/8" | 1CCF4H | | |
| Device | 07/05/12-**-**-** 43975687 | Water Meter - 5/8" | 1CCF4H | Water Meter | |
| Device | 12/04/09-07/04/12 82032165 | ERT - 5/8" NE | 1CCF4D | | |
| Device | 07/05/12-**-**-** 84654262 | ERT - 5/8" NE | 1CCF4D | ERT - 5/8" | |

Rappaport, Ryan

From: Mitch Young [mitchyoung2002@yahoo.com]
Sent: Friday, May 1, 2015 5:29 PM
To: Rappaport, Ryan
Cc: A.R. Crowell Plumbing
Subject: Re: 8876 Baltimore Street

Ryan

I spoke with Robert from A.R. Crowell plumbing and he asked if you would call him possibly Monday in order to exactly know what your needing from our end.

Robert Crowell 410.724.2900

Thank you for your help in resolving the matter.

Mitch

R. Crowell

Cell = 443-871-2091

Sent from my iPhone

On Apr 27, 2015, at 10:40 AM, "Rappaport, Ryan" <RRappaport@howardcountymd.gov> wrote:

Mr. Young,

Please clarify a few of your response statements so we can make a better determination of the situation at the property. You stated that the clean out next to the cottage is for a drain, please elaborate. What kind of drain? What is being drained from the cottage, all the sewage and gray water? Where does this line run? Is this the connection of the cottage to the main sewer line?

In regards to the photos of the sewer line repair at the main house? Is this the line that was connected from the house to the main sewer line?

Finally, we will need the invoice/work order from your plumber which should include a description of the work that was completed.

Ryan Rappaport, LEHS
Howard County Health Department
Bureau of Environmental Health
8930 Stanford Blvd.
Columbia, MD. 21045
Phone 410-313-1781
Fax 410-313-2648
rrappaport@howardcountymd.gov
www.co.ho.md.us

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Rappaport, Ryan

From: Mitch Young [mitchyoung2002@yahoo.com]
Sent: Saturday, April 25, 2015 1:02 PM
To: Rappaport, Ryan
Subject: Re: 8876 Baltimore Street

Ryan

In response to your questions,

1. The "clean out" as you referred to it as, is exactly that, it's just a clean out for the drain from the cottage.
2. The distribution box has been removed and the two pipes connected. This pipe is the sewer pipe from the cottage.
Note: I will send you a picture of the repair.
3. The obsolete pipes only went through the distribution box and then stopped. At some point prior to this, they were discontinued.

Sent from my iPhone

On Apr 17, 2015, at 7:43 AM, "Rappaport, Ryan" <RRappaport@howardcountymd.gov> wrote:

Mr. Young,

I've attached a photo of the cottage designating the cleanout in question. It is next to the vent pipe that your plumber identified. Please have your plumber figure out what it's for and let me know when you can. Also can you please elaborate on the obsolete pipes and the pipe that was not up to code in the distribution box. What were they used for and why was one not up to code and what is it used for?

Ryan

From: Mitch Young [mailto:mitchyoung2002@yahoo.com]
Sent: Thursday, April 16, 2015 6:46 PM
To: Rappaport, Ryan
Subject: Re: 8876 Baltimore Street

Ryan,

I spoke with a Plummer concerning the pictures that you sent me.

After his assessment of the property, he stated that the one pipe that was on the side of the cottage, was just a very old vent.

The clean out Box with the pipes coming into it, had several pipes that were not connected and or functioning, and then there was one pipe that was not up to code.

We are taking steps to rectify the matter.

If it would be of help, I can send you a picture of the corrected measures.

P.S.

Thanks for your patience during my time of loss.

Sent from my iPhone

On Apr 9, 2015, at 8:37 AM, "Rappaport, Ryan" <RRappaport@howardcountymd.gov> wrote:

No problem. I'll wait to hear from you.

From: Mitch Young [<mailto:mitchyoung2002@yahoo.com>]
Sent: Thursday, April 9, 2015 7:55 AM
To: Rappaport, Ryan
Subject: Re: 8876 Baltimore Street

Ryan

Thank you for sending me the pictures that we had spoke about.

I apologize for my delay in my response to you pertaining to your questions.

I had a friend pass away, but as soon as I am able, I will address your concerns

Thank you for your patience in the matter.

Thanks again, Mitch Young

Sent from my iPhone

On Apr 6, 2015, at 9:28 AM, "Rappaport, Ryan" <RRappaport@howardcountymd.gov> wrote:

Mr. Young,

I have attached the site inspection photos that we just discussed on the phone. Take a look at them and please explain what the d-box on the side of the main house is and what the clean out on the side of the cottage is. Thank you.

Ryan Rappaport, LEHS
Howard County Health Department
Bureau of Environmental Health
8930 Stanford Blvd.
Columbia, MD. 21045
Phone 410-313-1781
Fax 410-313-2648
rrappaport@howardcountymd.gov
www.co.ho.md.us

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<IMG_0367.jpg>

<IMG_0366.jpg>

<IMG_0365.jpg>

<8876 Baltimore ST.DOCX>





Stormwater runoff
Sump pump.

mitchyoung, 2002 @
fhd.com

