

Howard County Department of Planning and Zoning
 Division of Land Development
WAIVER PETITION APPLICATION
[Waiver from Subdivision and Land Development Regulations]

Date Submitted/Accepted 7/10/15 DPZ File Number WP-16-004

I. **Site Description**

Subdivision Name/Property Identification: Holiday Hills, Lots 117 & 118

Location of property: 10614 Hunting Lane
 (Street Address and/or Road Name)

Residential
 (Existing Use)

Residential
 (Proposed Use)

41
 (Tax Map No.)

6
 (Grid/Block No.)

174 (Lot 10)
 (Parcel No.)

Fifth
 (Election District)

R-20
 (Zoning District)

1.03
 (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.)

ECP-15-073; F-15-099

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>16.132(a)(2)(i)</u>	Where Owner owns land on only one side of a local or minor collector road, the owner shall construct one side of the road up to one-half of the full designated pavement width
2. <u>16.134 (a)</u>	Sidewalks Required. The developer shall provide for the construction of sidewalks pursuant to this section and the Design Manual
3. <u>16.135</u>	Unless DPZ, after consultation with the DPW, determines that adequate street lighting already exists, the developer of subdivisions and site developments shall provide street lighting in accordance with the Design Manual...
4. <u>16.136</u>	The developer shall provide street trees and landscaping in accordance with Section 16.124 and the Landscape Manual.
5. _____	_____

Holiday Hills, Lots 117 & 118 Waiver Petition Justification

On behalf of our client, MG Renovations, LLC, owner of the property at 10614 Hunting Lane, Columbia, Maryland, 21044, also known as Holiday Hills, Lot 10, we are requesting a waiver from the following Sections of the Howard County Subdivision and Land Development Regulations (Regulations) related to road improvements:

Section 16.132(a)(2) Local or minor collector roads

(i) *Owner owns land on only one side of road.*

Where the property owner owns land on only one side of a local or minor collector road, the owner shall:

Section 16.134(a) Sidewalks Required.

The developer shall provide for the construction of sidewalks pursuant to this section and the Design Manual.

Section 16.135 Street Lighting.

Unless the Department of Planning and Zoning, after consultation with the Director of Public Works, determines that adequate street lighting already exists, the developer of subdivisions and site developments shall provide street lighting in accordance with the Design Manual and in locations approved by the Director of Planning and Zoning, after consultation with the Director of Public Works. Street lighting is not required in RC, RR and BR zoning districts.

Section 16.136 Street Trees.

The developer shall provide street trees and landscaping in accordance with Section 16.124 and the Landscape Manual.

Background

Holiday Hills, Lots 117 & 118 is a resubdivision containing two (2) lots. There is an existing house located on proposed Lot 117, which fronts Hunting Lane. The existing house was built around 1958 and is known as 10614 Hunting Lane. A separate driveway will be utilized for the proposed Lot 118. The proposed driveway has adequate sight distance (analysis was submitted under F-05-099).

No sidewalk or curb exist along this section of Hunting Lane (between Long View Road and Newberry Drive). Hunting Lane is classified as a local public road. Beyond this portion of Hunting Lane (east of Newberry Drive), there are isolated sections of the road with asphalt curb. No portions of sidewalk exist along Hunting Lane. There are three mature trees that exist along the frontage of this property, see attached pictures.

Justification for the waiver from **Section 16.132(a)(2) Road Construction, Section 16.134(a) Sidewalks Required, Section 16.135 Street Lighting, and 16.136 Street Trees** is as follows:

a. “Summarize any extraordinary hardships or practical difficulties which may result from strict compliance with the Regulations.”

Although asphalt curb does exist further down Hunting Lane past the intersection with Newberry Drive, no improvements exist along this section of Hunting Lane between Long View Road and Newberry Drive. To create improvements along the property frontage would not provide a connection to any existing improvements. The nearest curb is at Newberry Drive approximately 1,300 feet west of the property and no sidewalk exists along Hunting Lane. Having only 166 foot of curb and sidewalk with no other improvements in the near vicinity would put the pedestrian in a very unsafe situation. It would put pedestrians back onto the road.

Lastly, although it is understood that this resubdivision is considered a major subdivision, only one additional house is being added to the property. As a result, we are requesting a fee-in-lieu of improvements which has been submitted to DED for approval.

b. **“Verify that the intent of the Regulations will be served to a greater extent through the implementation of the alternative proposal.”**

Implementing the regulations in this case, as mentioned above, widening and sidewalk construction would create an island effect with no connections to existing improvements for quite some distance (approximately 1,300 feet for curb and no available sidewalk connection) and therefore would create an unsafe crossing situation for pedestrians.

c. **“Substantiate that approval of the waiver will not be detrimental to the public interests.”**

As discussed above, addition of this sidewalk would be unsafe for pedestrians since it would not connect to existing improvements. It would be in the public’s best interest to not have an unsafe condition. Areas that have been developed on Hunting Lane over the years, have provided only some asphalt curbing and no sidewalk.

d. **“Confirm that approval of the waiver will not nullify the intent of the Regulations.”**

Although the intent of the regulations is to have sidewalk and road improvements, very little of Hunting Lane is improved with curb and no sidewalk exists. Improving this 166 foot section of Hunting Lane would simply create an island effect, as it would be isolated, not to mention that improvements of any kind do not exist for approximately 1,300 feet. Granting the waiver will not be a nullification of the regulations for these reasons and will prevent the creation of a potential unsafe situation for pedestrians since the improvements would not connect to any existing improvements. Since acceptance of a fee-in-lieu of improvements is being requested, we feel this will meet the intent of the regulations.

Please note that no street lights exist along Hunting Lane, therefore it is not anticipated that this short section of Hunting Lane would require street lights. It is worth noting that the nearby road intersections (at Newberry Drive and Long View Road) do not have street lights, at which street lights are typically required. It is also not anticipated that more than one street tree would be required since there are a number of mature trees to remain along the frontage. A waiver to storm drainage has not been requested since drainage structures are not believed to be required along this short section of roadway.

VII. **Owner's/Petitioner's Certification**

I/WE the undersigned fee simple owner(s) hereby make application to the Howard County Department of Planning and Zoning to relax the minimum requirements of the Howard County Subdivision and Land Development Regulations. The undersigned hereby certifies the information supplied herewith is correct and complete, confirms that the regulations and policies as referred to in the attached are understood, and authorizes periodic on-site inspections by the Howard County Subdivision Review Committee agencies. ***If the applicant is the owner's agent, written documentation from owner granting that authority is required at the time of the submission.**

Owner's authorization attached *


(Signature of Property Owner)
(Fee Simple Owner Only)

7/7/15
(Date)


(Signature of Petition Preparer) * (Date)

MG Renovations, LLC

(Name of Property Owner)

6420 Autumn Sky Way

(Address)

Columbia, Maryland 21044

(City, State, Zip Code)

E-Mail jgreenfield@columbiabuildersinc.com

410-707-3366

(Telephone)

(Fax)

Contact Person: Jim Greenfield or John Minutoli
john.minutoli@gmail.com

Fisher, Collins & Carter, Inc.

(Name of Petition Preparer, Surveyor/Engineering/Architect or Agent/Developer)

10272 Baltimore National Pike

(Address)

Ellicott City, Maryland 21042

(City, State, Zip Code)

E-Mail stephanie@fcc-eng.com

410-461-2855 x1833 750-3784

(Telephone)

(Fax)

Contact Person: Stephanie Tuite

MARYLAND DEPARTMENT OF THE ENVIRONMENT, WATER MANAGEMENT ADMINISTRATION
 1800 Washington Blvd., Baltimore, Maryland 21230 (410) 537-3784

 WATER WELL ABANDONMENT - SEALING REPORT FORM

SUBMIT COPIES OF COMPLETED FORM TO:

- * COUNTY ENVIRONMENT AGENCY (contact MDE, WMA if address needed)
- * WELL OWNER
- * MDE, WATER MANAGEMENT ADMINISTRATION, WELL PROGRAM

DATE WELL ABANDONED: 8/3/13 (month/day/year)

* PERMIT NUMBER OF ABANDONED WELL (if any) _____

* PERMIT NUMBER OF REPLACEMENT WELL _____

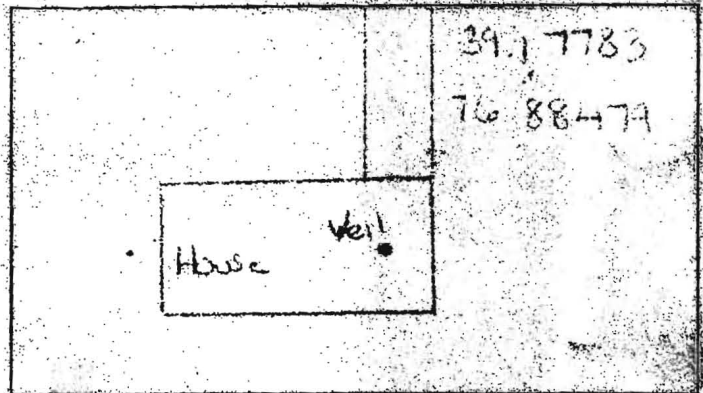
* PERSON ABANDONING WELL: Michael Tom

WELL DRILLERS LICENSE NUMBER: 162

CIRCLE MWD/MSD/MGD

* OWNER'S NAME: Dae Lee

SITE LOCATION MAP



* WELL LOCATION:
 COUNTY: Howard
 NEAREST TOWN: Columbia
 TAX MAP 41 BLOCK 6 PARCEL 252
 SUBDIVISION: Hollyon Hill
 SECTION: _____ LOT 48
 NEAREST ROAD: 10717 Hunting Lane

* TYPE OF WELL BEING ABANDONED:

- DRILLED TESTED
- BORED/AUGERED HAND DUG
- OTHER (specify) _____

* USE CODE:

- DOMESTIC MUNICIPAL/PUBLIC
- IRRIGATION INDUSTRIAL
- TEST/OBSERVATION GEOTHERMAL

* TYPE OF CASING:

- STEEL PLASTIC
- CONCRETE OTHER (specify) _____

* SIZE OF CASING: 6 INCHES IN DIAMETER

* DEPTH OF WELL: 80 FEET DEEP

* WAS ANY CASING REMOVED? YES NO

If yes, length removed, in feet: _____

* WAS CASING RIPPED OR PERFORATED? YES NO

LOG OF SEALING MATERIAL

MATERIAL	FEET	
	FROM	TO
Bentonite Clay	80	0
VOLUME OF MATERIAL USED		
500 lbs		

SIGNATURE MASTER WELL DRILLER OR SUPERVISING SANITARIAN _____

LICENSE # 162

MWD/MSD/MGD
 CIRCLE ONE

DATE 8/5/13

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
Division of Land Development

DATE: July 10, 2015

DPZ File No. WP-16-004

Department of Planning and Zoning

- 1 Transportation Planning
- 1 Resource Conservation (Historic/Ag Pres)
- 1 Public Service and Zoning Administration
- 1 Research
- Address Coordinator

- 1 Comprehensive & Community Planning
- 2 Development Engineering Division
- Other
- 2 File

See: F-15-099

Agencies

- Soil Conservation District
- 1 Department of Inspections, Licenses & Permits
- 1 Department of Fire and Rescue Services
- 1 State Highway Administration
- 1 Health Department
- 1 Public School System
- 1 Recreation and Parks
- WSSC (Non-Residential Only)
- MD Aviation Administration

- Tax Assessment
- Verizon
- BGE
- Cable TV
- Police
- MTA
- Finance
- 1 DPW, Real Estate Services
- DPW, Construction and Inspection
- DPW, Bureau of Utilities

RE: Holiday Hills- Lots 117 & 118

ENCLOSED FOR YOUR = Signature Approval ✓ Review & Comments Files

THE ENCLOSED = Original Pre-Packaged Plan Set

Plans	# of Plans	Supplemental Documents
<u> </u> Sketch Plan	<u> </u>	<u> </u> Wetlands Report
<u> </u> Prel Equiv Sketch Plan	<u> </u>	<u> </u> Soils/Topo Map/Drain Area Map
<u> </u> Preliminary Plan	<u> </u>	<u> </u> FSD/FCP/Worksheet and Application
<u> </u> Final Plat/Plat of Easement/RE Plat	<u> </u>	<u> </u> Declaration of Intent (Forest Cons)
<u> </u> Final Constr Plans (RDS)	<u> </u>	<u> </u> Drainage and/or Computation/Pond Safety Comps
<u> </u> Final Development Plan	<u> </u>	<u> </u> Preliminary Road Profiles
<u> </u> Site Development Plan	<u> </u>	<u> </u> APFO Roads Test/Mitigation Plan/Traffic Study
<u> </u> Landscape Plan/Supplemental Plan	<u> </u>	<u> </u> Noise Study
<u> </u> Grading Plan	<u> </u>	<u> </u> Sight Distance Analysis/Speed Flow Study
<u> </u> House Type Revision/Walk-Thru Red-Line	<u> </u>	<u> </u> Floodplain Study
<u> </u> Water and Sewer Plan	<u> </u>	<u> </u> Stormwater Management Comps/Geo-Tech Report
<u> </u> Applications		<u> </u> Industrial Waste Survey (DPW)
<u> X </u> Waiver Petition Applic/Exhibit	<u> </u>	<u> </u> Road Poster Form Letter
<u> </u> Planning Board Application	<u> </u>	<u> ✓ </u> Justification Letter
<u> </u> ASDP/CSDP Application	<u> </u>	<u> </u> Perc Plat
<u> </u> DED Application/Checklist	<u> </u>	<u> </u> Scenic Road Exhibits
<u> </u> DED Fee Receipt/Deeds/Cost Estimate	<u> </u>	<u> </u> Deeds
<u> </u> Overall Scaled Composite		<u> </u> Photographs
<u> </u> Water & Sewer Plans		<u> </u> Retaining Wall Comps/Details
<u> </u> List of Street Names		<u> </u> Poster/Community or HDC Meeting Information
		<u> </u> Route 1 Details/Summary

WAS: ✓ Received Tentatively Approved Recorded

 Received and Revised Approved On July 10, 2015

COMMENTS: _____ Due- 17 Working Days: 8/4/15

VRB Check, initial and return to the Department of Planning and Zoning if plan is approved with no comments.

The Health Department does not oppose this proposal.

DPZ STAFF INITIALS: EB

Current Project - Project Markups Listing

F-15-099

File Name	Markup Name	Markup Text	Markup Date	Created by
F-15-099-PLAT 1.dwf	Jeff Williams	Remove general note 34. Existing house must have licensed well driller properly abandon well and submit abandonment report to Health Department and have licensed sewage hauler pump out septic tank/drywell, submit receipt to us and have the tank/drywell crushed and filled with clean fill dirt and submit documentation on company letterhead to the Health Department prior to Health signature of the final record plat.	05/27/2015	Jeff Williams
F-15-099 Support Plan S2.pdf	jkw 5 21 2015	Is there water/sewer associated with this?	05/21/2015	Jeff Welty
F-15-099 Support Plan S2.pdf	bmuldoonOOT	<p>The Howard County Subdivision Regulations in Section 16.134, require sidewalk along public road frontage of developments . Alternatively a fee-in-lieu of sidewalk may meet this requirement if approved by the Development Engineering Division, DPZ. Please note the following from the Regulations:</p> <p>" For minor subdivisions, if a developer chooses not to construct sidewalks along the portion of the development that fronts on a County or State road, the developer shall pay a fee-in-lieu of sidewalk construction. The fee-in-lieu shall be based on the unit prices for the cost to construct the sidewalk, including the associated curb and gutter, and shall be spent on sidewalks in the same general plan planning area as the development. "</p>	05/20/2015	Brian Muldoon
F-15-099 Support Plan S2.pdf	bmuldoonOOT	sidewalk	05/20/2015	Brian Muldoon

FISHER, COLLINS & CARTER, INC.
CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS

CENTRAL SQUARE OFFICE PARK - 10278 BALTIMORE NATIONAL PIKE
DILLICOTT CITY, MARYLAND 21042
(410) 461-2855

Stephanie Tuite
RLA, PE, LEED AP BD&C
office (410) 461-2855 cell (410) 491-5962
Stephanie@fcc-eng.com

Right click this card to add me to your contacts.

Williams, Jeffrey

To: Wolf, Kevin
Subject: RE: well/septic abandonment letter

From: Wolf, Kevin
Sent: Tuesday, November 17, 2015 11:59 AM
To: Stephanie Tuite
Cc: Williams, Jeffrey
Subject: RE: well/septic abandonment letter

Holiday Hills. Jeff has this. Ill check with him.

From: Stephanie Tuite [<mailto:Stephanie@fcc-eng.com>]
Sent: Tuesday, November 17, 2015 11:39 AM
To: Wolf, Kevin
Subject: RE: well/septic abandonment letter

No. Just connection to public water and sewer. They abandoned well and septic for the existing house that we are subdividing (F-15-099) and connected to public systems. We need letter that things were properly abandoned to allow mylars to be submitted for recordation.

Steph

Stephanie Tuite, RLA, PE, LEED AP BD&C
Fisher, Collins & Carter, Inc.

From: Wolf, Kevin [<mailto:KWolf@howardcountymd.gov>]
Sent: Tuesday, November 17, 2015 11:08 AM
To: Stephanie Tuite <Stephanie@fcc-eng.com>
Subject: RE: well/septic abandonment letter

Is this in regards to a Demolition request?

From: Stephanie Tuite [<mailto:Stephanie@fcc-eng.com>]
Sent: Tuesday, November 17, 2015 10:49 AM
To: Wolf, Kevin
Subject: well/septic abandonment letter
Importance: High

Kevin,

Hatfield's abandoned well & septic at 10614 Hunting Lane a few weeks ago and submitted documentation to Health. Are you the right person to ask about status of a letter that we can submit with the original plat to DPZ? I wasn't sure if you handled this or not. Thanks.

Stephanie



Bureau of Environmental Health

8930 Stanford Boulevard, Columbia, MD 21045

Main: 410-313-2640 | Fax: 410-313-2648

TDD 410-313-2323 | Toll Free 1-866-313-6300

www.hchealth.org

Facebook: www.facebook.com/hocohealth

Twitter: [HowardCoHealthDep](https://twitter.com/HowardCoHealthDep)

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

MEMORANDUM

TO: Kent Sheubrooks, Chief
Division of Land Development

FROM: Jeff Williams
Program Supervisor, Well & Septic Program
Bureau of Environmental Health

DATE: November 18, 2015

RE: F-15-099

The Health Department has received documentation of proper well/septic abandonment. With this, the Health requirements for approval of F-15-099 have been met and submittal of final record plat should not be held up for any outstanding Health Department concerns.

W.H.Winegar & Son Plumbing & Heating, Inc.
 3005 Winifred Dr.
 Burtonsville, MD 20866
 (301)384-5818

Invoice

Date	Invoice #
11/18/2014	46245

Bill To
Dae Lee 10717 Hunting lane Columbia, MD

Job Location	P.O. Number	Terms

Quantity	Item Code	Description	Price Each	Amount
	SERVICE	<ul style="list-style-type: none"> ~ Excavate yard to locate existing water line to house, tie new water line from new tap to old line in yard. ~ New tap to be supplied by others ~ Pump septic tank, expose tank, break top and fill in with dirt. ~ Excavate yard from existing sewer pipe to new sewer tap in front yard. ~ Supply and install new 4" schedule 40 PVC pipe with required cleanouts from existing line in backyard to new tap. ~ Backfill all excavation to rough grade with no guarantee on trees, grass or shrubs. ~ Spread grass seed and straw. ~ Plumbing permit and inspection included in price. 	6,400.00	6,400.00
			Total	\$6,400.00