

HOWARD COUNTY  
DEPARTMENT OF INSPECTIONS, LICENSES, AND PERMITS  
Inspections and Enforcement Division  
3485 S. Chevrolet Drive  
Ellicott City, Maryland 21042

LP104-894

**NOTICE TO CORRECT**

FIELD ISSUE

NOTICE DATE

6/2/98

- BUILDING CODE
- SIGN CODE
- ELECTRICAL CODE
- HOUSING CODE
- SEDIMENT CONTROL
- PLUMBING CODE

Subject Location 8551 Murphy Rd.  
Fulton Dmd 20759

Permit No. \_\_\_\_\_ SubDiv. \_\_\_\_\_

Contractor/Owner Name Anthony & Peter Kelly

Address \_\_\_\_\_

An inspection of the subject location revealed the item(s) listed below not in compliance with the applicable Howard County Code, regulation; or approved plans:

- ① Complete Clean up
- ② Replace Broken Window
- ③ Paint Exterior -
- ④ Replace Missing Smoke Detector Before Re-occupying

POSTING OF THIS NOTICE SHALL BE DEEMED THE EQUIVALENT OF A PERSONAL NOTICE

You are hereby directed to take necessary action to correct the above listed deficiencies within 30 DAYS of the date of this notice **OR**

**AN OFFICIAL NOTICE OF VIOLATION WILL BE ISSUED IMMEDIATELY AND WORK SHALL BE STOPPED UNTIL THE VIOLATION IS ABATED.**

Person Served Anthony W. Kelly, Owner Date 6-2-98

Inspector Chapp Phone No. 410-313-1834

Print Name Charles J. Chapp

Sign and Return When Corrected/Abated: \_\_\_\_\_

WHITE: Dept/Legal    YELLOW: Person Notified    PINK: Inspector    GOLD: Notification File

Scott Norton

2071

HOWARD COUNTY  
DEPARTMENT OF INSPECTIONS, LICENSES, AND PERMITS  
Inspections and Enforcement Division  
3485 S. Chevrolet Drive  
Ellicott City, Maryland 21042

LP104-894

### NOTICE TO CORRECT

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Subject Location 8551 Murphy Rd.  
Fulton Md. 20759

Permit No. \_\_\_\_\_ SubDiv. \_\_\_\_\_

~~Contractor~~  
Owner Name Anthony & Patsy Kelly  
Address 8555 Murphy Rd.  
Fulton Md. 20759

An Inspection of the subject location revealed the Item(s) listed below not in compliance with the applicable Howard County Code, regulation; or approved plans:

⑤ Reported By Oca Mrs. Sue Jones -  
tile not drained properly -  
Reminder of letter from Howard Co.  
Health Dept. dated - 8/21/97  
See attached

POSTING OF THIS NOTICE SHALL BE DEEMED  
THE EQUIVALENT OF A PERSONAL NOTICE

You are hereby directed to take necessary action to  
correct the above listed deficiencies within 30 DAYS  
of the date of this notice **OR**

**AN OFFICIAL NOTICE OF VIOLATION WILL BE ISSUED  
IMMEDIATELY AND WORK SHALL BE STOPPED UNTIL THE  
VIOLATION IS ABATED.**

Person Served owner 6-29-98  
Anthony Kelly  
Inspector Greg S. Shupe Phone No. 410 313-1834  
Print Name Greg S. Shupe

Sign and Return When Corrected/Abated: \_\_\_\_\_

7 191 146 062



**Receipt for Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)



Print your name, address  
Water and R.F.I.Y.  
Bureau and  
3525

PS Form 3800, March 1993

Sent to <b>Mr. Anthony Kelly</b>	
Street and No. <b>8555 Murhpy Road</b>	
P.O., State and ZIP Code <b>Fulton, Maryland 20759</b>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date  <b>Mark Rifkin 08/21/97</b>	

**HOWARD COUNTY HEALTH DEPARTMENT**

*Wayne M. Boyd, M.D., County Health Officer*

August 21, 1997

1997 AUG 21 7:41

RE: **NOTICE OF VIOLATION**  
8551 Murphy Road  
Tax Map 46. Parcel 137

Dear Mr. Kelly:

On August 22, 1997, Ron Pinkley, a sanitarian from this office, conducted an inspection at your property at the above referenced address in response to a report of an overflowing septic system. On that date, Mr. Pinkley observed sewage surfacing on the low side of the drywell.

This condition is in violation of Section 12.110 of the Howard County Code.

As the sewage discharge creates a condition which is, or may be, hazardous to the public health you are hereby ordered to effect repairs within fifteen (15) days of receipt of this letter. If any new septic tank or drainfields are necessary, then you must also apply to this office for a septic system repair permit, the fee for which is \$25.00. You must immediately (within 48 hours) provide documentation to this office that the septic tank contents have been pumped by a licensed sewage scavenger. Until repairs are completed, you must continue pumping, as often as necessary, to prevent future sewage overflows.

If you believe that the condition described above is not and could not be a hazard to health, or that the Health Department is not acting in compliance with pertinent laws and regulations, you may request a formal hearing before the Board of Health within ten (10) days of receipt of this letter. If you wish to discuss the evidence, the regulations, or your individual circumstances, you are encouraged to request a meeting with us by calling 313-2640 and scheduling an appointment.

Mr. Kelly

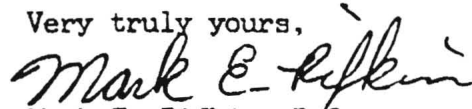
Page Two

August 22, 1997

The investigation of this complaint and the enforcement powers of the Health Department are set forth in Section 12 of the Howard County Code, a copy of which is available for your investigation at this office.

If you have any questions, please contact me at 313-2640.

Very truly yours,



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

MR

cc: File

Z 191 346 062



## Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, March 1993

Sent to

**Mr. Anthony Kelly**

Street and No.

**8555 Murhpy Road**

P.O., State and ZIP Code

**Fulton, Maryland 20759**

Postage

\$

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing  
to Whom & Date Delivered

Return Receipt Showing to Whom,  
Date, and Addressee's Address

TOTAL Postage  
& Fees

\$

Postmark or Date

**Mark Rifkin**  
**08/21/97**

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,  
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

105603-93-B-0218

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address
2.  Restricted Delivery

Consult postmaster for fee.

**3. Article Addressed to:**

Mr. Anthony Kelly  
 8555 Murphy Road  
~~Fulton~~, Maryland ~~20759~~  
 Laurel 20723

**4a. Article Number**

Z 191 146 062

**4b. Service Type**

- |   |                                    |
|---|------------------------------------|
| <input type="checkbox"/> Registered                     | <input type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail                   | <input type="checkbox"/> Insured   |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD       |

**7. Date of Delivery**

DEC 5 1997

**5. Received By: (Print Name)**

**8. Addressee's Address (Only if requested and fee is paid)**

**6. Signature (Addressee or Agent)**

X

*Anthony Kelly*

DELAY DUE TO  
INCORRECT ZIP CODE

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

- Print your name, address, and ZIP Code in this box ●

Mr. Mark Rifkin, R.S.  
Water and Sewerage Program  
Bureau of Environmental Health  
3525 Ellicott Mills Drive - Suite H  
Ellicott City, Maryland 21043

1997 AUG 29 P 2:11  
ENVIRONMENTAL HEALTH  
DEPT.





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## HOWARD COUNTY HEALTH DEPARTMENT

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*Joyce M. Boyd, M.D., County Health Officer*

August 21, 1997

Mr. Anthony Kelly  
8555 Murphy Road  
Fulton, MD 20759  
*Laurel 20723*

RE: **NOTICE OF VIOLATION**  
8551 Murphy Road  
Tax Map 46, Parcel 137

Dear Mr. Kelly:

On August 22, 1997, Ron Pinkley, a sanitarian from this office, conducted an inspection at your property at the above referenced address in response to a report of an overflowing septic system. On that date, Mr. Pinkley observed sewage surfacing on the low side of the drywell.

**This condition is in violation of Section 12.110 of the Howard County Code.**

As the sewage discharge creates a condition which is, or may be, hazardous to the public health you are hereby ordered to effect repairs within fifteen (15) days of receipt of this letter. If any new septic tank or drainfields are necessary, then you must also apply to this office for a septic system repair permit, the fee for which is \$25.00. **You must immediately (within 48 hours) provide documentation to this office that the septic tank contents have been pumped by a licensed sewage scavenger. Until repairs are completed, you must continue pumping, as often as necessary, to prevent future sewage overflows.**

If you believe that the condition described above is not and could not be a hazard to health, or that the Health Department is not acting in compliance with pertinent laws and regulations, you may request a formal hearing before the Board of Health within ten (10) days of receipt of this letter. If you wish to discuss the evidence, the regulations, or your individual circumstances, you are encouraged to request a meeting with us by calling 313-2640 and scheduling an appointment.

Mr. Kelly

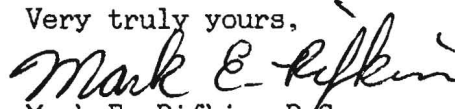
Page Two

August 22, 1997

The investigation of this complaint and the enforcement powers of the Health Department are set forth in Section 12 of the Howard County Code, a copy of which is available for your investigation at this office.

If you have any questions, please contact me at 313-2640.

Very truly yours,

A handwritten signature in cursive script that reads "Mark E. Rifkin".

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

MR

cc: File

(7/26/93 Recall)

REGION \_\_\_\_\_

AREA \_\_\_\_\_ RATING \_\_\_\_\_

ACKNOWLEDGMENT AND CONTROLS	DATE
(Referred to NOT Zoning)	
via supervisor	late
6/25/93 C.B.	

Howard County Department of Health  
BUREAU OF ENVIRONMENTAL HEALTH

RECORD OF INVESTIGATION

MAP 46 69 #137

DISPOSITION	DATE
No further calls - turned in to M.R. C.B.	8/4/93

LOCATION 8555 Murphy Road, Fulton, Maryland 20759 ZIP \_\_\_\_\_

OWNER  OCCUPANT  Kelly ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

COMPLAINANT Liz Courbron ADDRESS 8559 Murphy Road PHONE (301)-206-9181

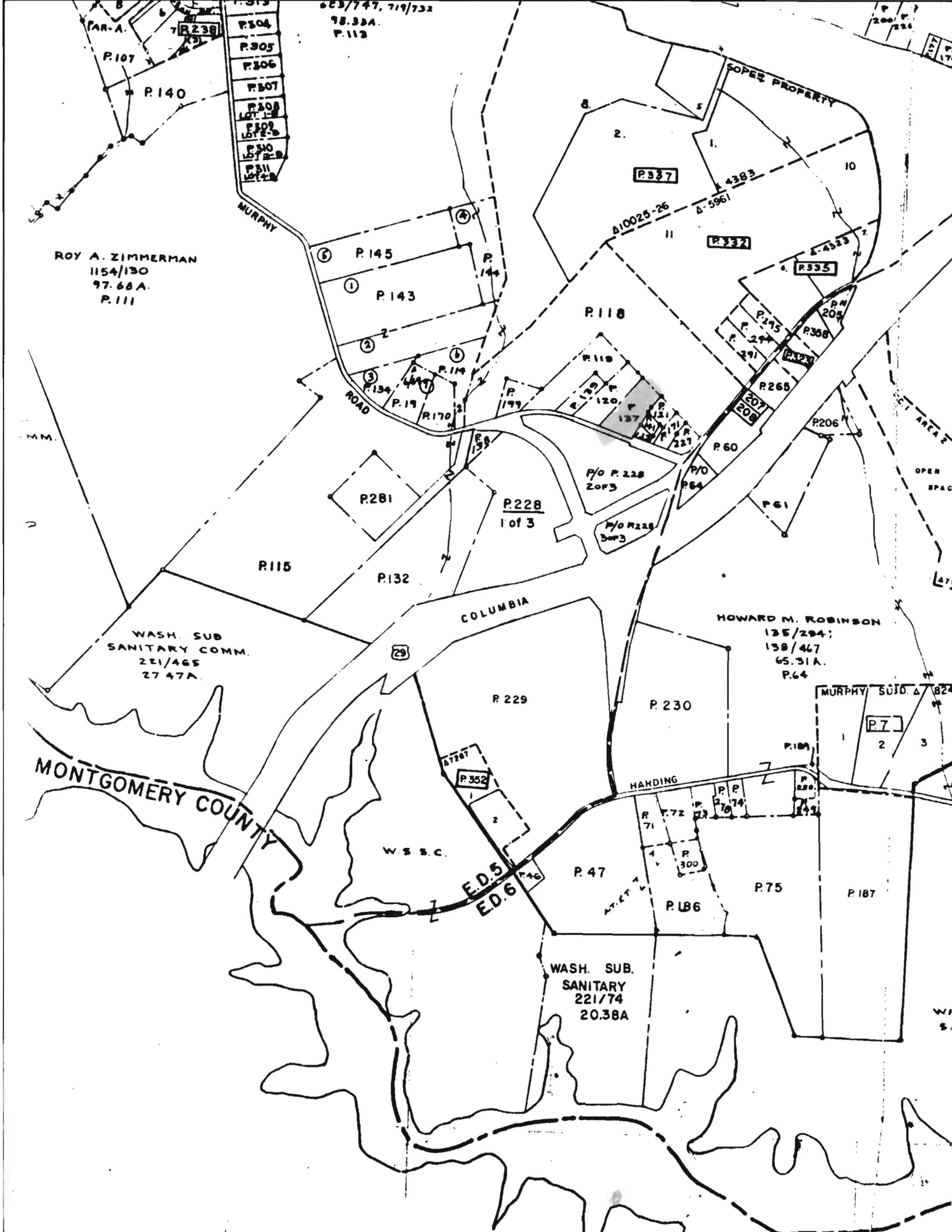
REASON FOR INVESTIGATION Detached garage was made into living quarters sharing same septic system and well. Mr. Streaker investigated this complaint several months ago and told Ms. Courbron to call us when someone was actual living in the garage. (Main home fire damaged)

RECEIVED BY Jane Reeves DATE June 25, 1993 ASSIGNED TO C.B. DATE 6-25-93 1:30 P.M.

DATE OF INVESTIGATION 6/25/93 TIME 2:30-3:30 P.M. WEATHER Clear - "HOT"

REPORT 6/25 Main house has had a fire recently; house posted - Unsafe etc. Red card - Fire Dept. C.B.  
No one answered @ small home behind new red shed. No well or septic problems seen today  
Recall in 30 days. 8/4 No further calls - turned in to Mr. Mark Riptin. C.B.

DATE SUBMITTED 8/4/93 SANITARIAN Charles E. Ryan Streaker



65/747, 719/732  
78.38A.  
P.112

- P.304
- P.305
- P.306
- P.307
- P.308
- LOT 1-B
- P.309
- LOT 2-B
- P.310
- LOT 3-B
- P.311
- LOT 4-B

ROY A. ZIMMERMAN  
1154/130  
97.68A.  
P.111

HOWARD M. ROBINSON  
135/294;  
138/467  
65.31A.  
P.64

WASH. SUB  
SANITARY COMM.  
221/465  
27.47A.

WASH. SUB.  
SANITARY  
221/74  
20.38A

MONTGOMERY COUNTY

MURPHY SUBD. Δ 824

ED.5  
ED.6

HARDING

P.352

P.72  
P.74  
P.76  
P.77  
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P.187

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P.132

P.115

P.281

P.228  
1 of 3

P/O P.228  
2 of 3

P/O P.228  
3 of 3

P.61

P.60

P.118

P.143

P.145

P.337

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P.365

P.367

P.369

SOPEZ PROPERTY

MURPHY

ROAD

COLUMBIA

29

W.S.S.C.

HARDING

MET

OPEN  
SPACE

LOT

W.S.S.C.

REGION \_\_\_\_\_

AREA \_\_\_\_\_ RATING \_\_\_\_\_

ACKNOWLEDGMENT AND CONTROLS	DATE

Howard County Department of Health  
BUREAU OF ENVIRONMENTAL HEALTH

RECORD OF INVESTIGATION

DISPOSITION	DATE

8551/8555

LOCATION ~~8545~~ Murphy Rd, Fulton, Md ZIP \_\_\_\_\_

OWNER  Anthony Kelly ADDRESS 8555 Murphy Rd PHONE \_\_\_\_\_

OCCUPANT  neighbor ADDRESS 8545 Murphy Rd PHONE \_\_\_\_\_

REASON FOR INVESTIGATION rec'd on unknown date 6/1/98<sup>±</sup>; neighbor in

field reports human feces/urine deposition in vehicles;

~~repeat~~ prev. complaint re: D/W disch on some property CODES \_\_\_\_\_

RECEIVED BY M-R DATE 6/1<sup>±</sup> + 6/12/98 ASSIGNED TO M-R DATE 6/12

DATE OF INVESTIGATION 6/12 TIME 4:30 WEATHER cool, humid drizzly

REPORT 6/12/98 ~~OR NEIGHBOR IN FIELD WHO REPORTED~~

~~ABOUT THE~~ NO ENTRY MADE ONTO PRIMARY HOUSE

PROPERTY IN REAR; INSPECTION OF TENANT HOUSE IN

FRONT REVEALED NO DISCHARGE; PROPERTY APPEARS TO

BE IN STATE OF SEMI-VACANCY, AUCTION SIGN IN FRONT

FOR EACH HOUSE;

MET NEIGHBOR IN FIELD WHO ~~OR~~ REPORTED

WASTE DEPOSITION IN VEHICLES; COMPLAINANT TO

ADVISE H.D. OF ANY DISCHARGE, ETC. (MR)

8/17/98 T/C FROM NEIGHBOR RE: ABOVE; PROPERTY TO GO TO

SETTLEMENT FOR SALE IN TWO DAYS; NEW OWNER REPORTEDLY

INTENDS TO ESTABLISH DAY CARE FACILITY IN TENANT

HOUSE @ 8551; NEIGHBOR ALSO REPORTS EX. S.S. @ MAIN

HOUSE NO LONGER BEING USED, BUT HAD DISCHARGED

PREVIOUSLY; I ADVISED I WILL NOTIFY OUR DAY CARE REVIEWERS,

AND HE WILL NOTIFY US OF ANY RELEVANT DEVELOPMENTS (MR)

DATE SUBMITTED \_\_\_\_\_ SANITARIAN \_\_\_\_\_



REGION \_\_\_\_\_

AREA \_\_\_\_\_ RATING \_\_\_\_\_

ACKNOWLEDGMENT AND CONTROLS	DATE

Howard County Department of Health  
BUREAU OF ENVIRONMENTAL HEALTH

DISPOSITION	DATE

**RECORD OF INVESTIGATION**

LOCATION 8551 Murphy Rd ZIP \_\_\_\_\_

OWNER  Anthony Kelly 8555 Murphy Rd ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

OCCUPANT  Valentine ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

COMPLAINANT Dave S. of CEHS ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

REASON FOR INVESTIGATION sewage overflow suspected, green plume on lawn, possible sewage on surface

RECEIVED BY M-R DATE 8/20/97 ASSIGNED TO R/S DATE 8/21/97

DATE OF INVESTIGATION 8/21/97 TIME 2:50 PM WEATHER Sunny (heavy rain yesterday)

REPORT With Tenant's permission I examined lush unmowed green grassy area downhill and to right of dry well cleanout, septic tank water level appeared Normal but dry well was full of water to just below bottom of access pipe (cleanout) in lid of dry well (only 2-3" of air gap), i.e. dry well is approaching failure. The green grass area begins about 25 ft from drainage ditch parallel to and along Murphy Road (directly in front yard of house (8551) and starts as 4 ft wide gradually widening to 12 ft wide as you progress down slope toward Road side. This green grass area is sodden & squishy (textured coils and clearly evident sewage seepage observed among the green blades of grass, but No stagnant gray dead grass areas yet. The sewage, green grass forms along front of ditch and continues about 15 ft downhill in this ditch along Murphy Road before sewage water is fully absorbed by soil. I observed routine notes of Violation sent on this matter. Owner was identified by Tenant as Mr Kelly who lives next door at 8555 Murphy Road. HP 8/21/97

9/19/97 <sup>MET OWNER</sup> TENANTS EVICTED, SEPTIC <sup>HAD BEEN</sup> OVERTAXED w/ 12-15 PEOPLE, EXCESS LAUNDRY; ADVISED OWNER RE-OCCUPANCY COULD RESULT IN 2ND DISCHG;

DATE SUBMITTED 8/21/97 SANITARIAN David P. Kelly

9/19 CONT'D

NO DISCHARGE EVIDENCE TODAY; OWNER REPORTS HOUSE WAS MOVED HERE ~15-17 YRS AGO BY THEN-OWNER VERNON BROWN; CURRENT OWNER HAD SEPTIC REPAIR TRENCH INSTALLED ~6-7 YRS AGO, BUT HE BELIEVES TRENCH TO NOT BE CONNECTED TO EX. SYSTEM; ADVISED OWNER NO DISCH = NO H.D. CONCERNS; P.S = WELL CAP NOT PROPERLY INSTALLED; ADVISED OWNER TO INSTALL NEW CAP; SAN TO SEND CHLORINATION GUIDELINES (MR)

9/22/97 ORIG ~~W~~ SEPTIC FILE FOUND; NO FILE FOUND FOR "REPAIR" FROM 6-7 YRS AGO —

RECHECK IN 30 DAYS (MR)

10/20/97 FOLLOW-UP: NO DISCHARGE @ SEPTIC (MR)

11/4/97 C. SHIPPE REPORTS NO DISCH; REQUESTS NOTIFICATION OF WHEN I MAKE ONE ADD'L INSP AS A FINAL INSP (MR)

11/19/97 C. SHIPPE REPORTS NO DISCHARGE (MR)



Project Name	Three Dwellings
Address	8551, 8553, 8555 Murphy Road
Parcel No.	137
Block No.	9
Map No.	46
File No.	

DEPARTMENT OF PLANNING & ZONING

Joseph W. Rutter, Jr., Director  
October 5, 1978

Mr. Martin Finkler  
1745 Eastern Lane  
Highland, Maryland 20771

RE: Three Dwellings; 8551, 8553, 8555 Murphy Road  
Tax Map 46, Block 9, Parcel 137 (the Property)

Dear Mr. Finkler:

In response to your letter dated September 22, 1978, in which you request a determination of the legality of existing dwelling units on the Property. You explain in your letter that these dwellings are three separate buildings, which you state were all established on the Property prior to 1970. You submitted records from the Maryland Department of Assessments and Taxation which indicate the existence of these three dwellings, and a plan which depicts the three dwellings. You ask whether a proposed addition to the 8555 Murphy Road dwelling, which you have indicated on the plan may be permitted, and that you are also seeking an opinion on the legality of the existing dwelling. The Property is zoned RR-DEO (Rural Residential-Density, Exchange and Open Space).

The current zoning regulations permit only one single-family detached dwelling per lot. Based on a review of the deeds submitted with your letter and of other Department records, this Division concludes that there is one lot and one parcel on the Property. However, the records also indicate that the three buildings on the Property were established on October 3, 1977. This is the date that the 1977 Zoning Regulations became effective and the 1977 Zoning Regulations first established the requirement for only one single-family detached dwelling per lot. The 1974 Zoning Regulations, under which the Property was zoned R-10, single-family detached, did not prohibit the existence of three dwellings on the Property and there was no one-per-lot limitation specified. Therefore, if the three dwellings on the Property were established prior to October 3, 1977, the existence of three dwellings on the Property may be considered as lawful. It may be continued under the provisions of Section 129 of the Zoning Regulations, which is attached to this letter for your reference in §129.5.1 of this section, additions to nonconforming uses. Such additions may be permitted as follows:

1. A nonconforming single-family dwelling, located on a lot recorded prior to the effective date of the zoning act or ordinance which made it nonconforming, may be altered, renovated, repaired or replaced under the provisions of the zoning regulations in effect for the lot immediately prior to the date on which the dwelling became nonconforming.

This provision means that if the Property was recorded prior to October 3, 1977, the three dwellings on the Property may be altered, renovated, repaired or replaced under the 1974 Zoning Regulations as amended up to October 3, 1977.


Mr. J. R. Miller  
October 11, 1978  
page 7

It appears that the Property may have been recorded prior to October 3, 1977, based on some of the information provided with your letter. One copy of a plat which is dated September 30, 1951 appears to show the Property in its current configuration, but this copy is somewhat indistinct and there is no definite record of a recorded plat. It may be that the 1978 Deed mentioned in the current Deed as being recorded in the 400, 1st St. 1977, which was not submitted with your letter may prove the existence of the Property as a separate parcel prior to October 3, 1977. If it does, please submit a copy of that Deed with your building permit application for the 8555 Murphy Road addition and the Department will be able to grant zoning authorization for the addition provided that the addition meets the applicable R-40 zoning and setback requirements of the 1967 Zoning Regulations as noted above.

I understand that the dwellings at 8551 and 8553 Murphy Road have current rental permits. There is a zoning regulation which prohibits the renting of a nonconforming single-family dwelling. Therefore, the zoning authorization for a rental license for 8555 Murphy Road is granted, although final approval is subject to a review made by the Department of Inspections, Licenses and Permits.

If you have any questions, please contact J Robert Lajush at (410) 313-2395.

Sincerely,

  
William P. O'Brien, Chief  
Division of Comprehensive Planning  
and Zoning Administration

WFO:JRL/jr

10/11/78

cc: Hamilton, Chief, Division of Land Development  
cc: Craig, Chief, Licenses and Permits Division, DILP