



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: Geoff Goins
Division of Zoning Administration and Public Service

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

RE: **BA-18-029V**

DATE: January 28, 2019

The Health Department has reviewed the above referenced petition and has the following comments.

1. There is no objection to the petition as described. The Health Department is able to approve the small addition of non-living space in that area of the home. The property is limited to a 4 bedroom home with no additional living space due to no onsite sewage disposal replacement area and no public sewer availability.

TO

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

Date: January 22, 2019

Hearing Examiner 03/13/19

Planning Board _____ Board of Appeals _____ Zoning Board _____

Petition No. BA-18-029V Map No. _____ Block _____ Parcel _____ Lot _____

Petitioner: _____ Chaudary Gill _____

Petitioner's Address: _____

Address of Property: _____ SEE PETITION _____

Return Comments by 02/08/19 to Public Service and Zoning Administration

Owner: (if other than applicant) _____

Owner's Address: _____

Petition: _____ SEE APPLICATION _____

To: _____ MD Department of Education – Office of Child Care
3300 N. Ridge Road, Ste. 190, EC, MD 21043 (Louis Valenti)

~~_____~~

- _____ 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
- _____ Office on Aging, Terri Hansen (senior assisted living)
- _____ Police Dept., Animal Control, Deborah Baracco, (kennels)
- _____ Susan Fitzpatrick, Health Dept. (Nursing & Res. Care)
- _____ Land Development - (Religious Facility & Age-Restricted Adult Housing)
- _____ Housing and Community Development
- _____ Resource Conservation Division – Beth Burgess
- _____ Route 1 Cases – DCCP – Kristen O'Connor
- _____ Telecommunication Towers – (Comm. Dept.)
- _____ Division of Transportation – Dave Cookson

COMMENTS: PLEASE REVIEW FOR CONDITIONAL USE CRITERIA FOUND IN SECTION 131.0 IN THE ZONING REGULATIONS.

See memo





DPZ Office use only:

CASE NO. BA-18-029 V

DATE FILED 11/27/18

**RESIDENTIAL DISTRICT VARIANCE PETITION
TO THE HOWARD COUNTY HEARING EXAMINER**

1. VARIANCE REQUEST

SECTION 107.0.4.D.d(1)(e) of the Zoning Regulations (describe)
(SEE ATTACHED DESCRIPTION)

2. PETITIONER'S NAME CHAUDARY GILL

TRADING AS (IF APPLICABLE) _____

ADDRESS 9 CALVIN SPRING CT CATONSVILLE MD 21228.

PHONE NO. (W) 443-379-9569 (H) 443-756-0726.

EMAIL CHAUDARYGILL@AOL.COM.

3. COUNSEL FOR PETITIONER _____

COUNSEL'S ADDRESS _____

COUNSEL'S PHONE NO. _____

EMAIL _____

4. PROPERTY IDENTIFICATION

ADDRESS OF SUBJECT PROPERTY 4398 COLLEGE AVE
ELLCOTT CITY MD 21043.

ELECTION DISTRICT 2ND ZONING DISTRICT R-ED. ACREAGE 1.6

TAX MAP # 25 GRID # 21 PARCEL # 105 LOT # _____

SUBDIVISION NAME (if applicable) _____

PLAT NUMBER AND DATE _____

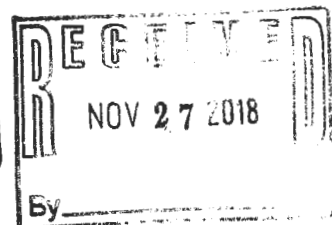
5. PETITIONER'S INTEREST IN SUBJECT PROPERTY

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.

REVISED



**PLEASE READ CAREFULLY
DATA TO ACCOMPANY PETITION**

6. 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 ½ 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) Location of all building and use restriction lines
- (h) Same as (a) through (g) above, of any adjoining, confronting and vicinal properties as necessary for proper examination of the petition, or, if applicable, a copy of the subdivision plat for the community
- (i) Location of well and private sewerage easement area, if property is to be served by private water and sewer
- (j) Election District in which the subject property is located
- (k) Tax Map and parcel number on which the subject property is located
- (l) Name of local community in which the subject property is located or name of nearby community
- (m) Name, mailing address, telephone number (and e-mail address if any) of the petitioner
- (n) Name, mailing address, telephone number (and e-mail address if any) of attorney, if any
- (o) Name and mailing address of property owner
- (p) Floor area and height of structures, setback distances from property lines, and other numerical values necessary for the examination of the petition
- (q) Location of subject property in relation, by approximate dimension, to the center line of nearest intersection of two public roads
- (r) Ownership of affected roads
- (s) A detailed description of all exterior building materials for all proposed structures
- (t) Any other information as may be necessary for full and proper consideration of the petition

7. VARIANCE

A) Describe why the application of the Zoning Regulations in question to your particular property would result in practical difficulties or unnecessary hardships in complying strictly with the bulk requirements:

1. The physical character of the property is different from the character of the surrounding properties because of its narrowness, shallowness, shape, topography,

other; explain: POOR SOILS & HIGH WATER TABLE

2. The uniqueness of the property prevents me from making a reasonable use of the property because:

THE ONLY POSSIBLE LOCATION FOR THE DWELLING IS IN THE REAR CORNER OF THE PROPERTY OVER THE 25' SETBACK LINE

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

C) Any other factors which the Petitioner desires to have considered:

D) Explain why the requested variance is the minimum necessary to afford relief: HCHD SEPTIC RESTRICTIONS TO LIMIT CONSTRUCTION TO 4 BEDROOMS AND EXISTING SQFOOTAGE. ADDITIONAL AREA TO BE USED FOR

E) Is the property connected to: public water?: Y N ; public sewer?: Y N NEW UTILITIES

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

G) If the variance is granted, would it increase the intensity of uses on the site? Y N if yes,

explain:

H) If the requested variance is granted, would it increase traffic to or from the site? Y N if yes,

explain:

I) Describe in detail all means of vehicular access onto the site (i.e. width, type of paving, etc.):

SITE IS ACCESSED BY AN EXISTING PAVED DRIVEWAY WIDTH = 12' (±)

J) Describe the topography of the site: STEEP SLOPES WITH ROCKY SOIL AND HIGH WATER TABLE DUE TO SPRINGS ON SITE

K) Will the existing or proposed structure be visible from adjacent properties? Y_ N if yes, describe any proposed buffering or landscaping: SITE IS BUFFERED FROM ADJOINING PROPERTIES BY EXISTING TREES.

L) Describe any existing buffering or landscaping: EXISTING TREES AND BRUSH.

8. PRIOR PETITIONS

Has any petition for the same variance, or substantially the same variance as contained herein, for the same property as the subject of this petition been disapproved by the Hearing Examiner 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:
- *If the subject property adjoins a State road- original and 19 copies (application & plans)*
 - *If the subject property adjoins a County road- original and 16 copies (application & plans)*
- 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 Hearing Examiner in connection with the filing of this petition.
- c) The undersigned agrees to pay all costs in accordance with the current schedule of fees.
- d) The undersigned 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.
- e) The undersigned 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. PLANNING BOARD REVIEW

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

11. 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.

CHAUDHARY A. GILL
Petitioners Name (please print)

Rahman Luce 11/1/18
Petitioner's Signature Date

Counsel's Name (please print)

Counsel's Signature Date

**For DPZ office use only: (Filing fee is \$300.00 plus \$25.00 per poster.)
(Make checks payable to "Director of Finance")**

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

Receipt No. _____

PLEASE CALL 410-313-2350 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION

County Website: www.howardcountymd.gov

Revised: 07/12

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CHARLES R. CROCKEN & ASSOCIATES, INC.

Civil Engineering and Land Planning
902 Lee Avenue Sykesville, MD 21784
Tel. 410-549-2708 Fax. 410-549-9063
crcengr2@comcast.net

4398 COLLEGE AVENUE ATTACHMENT TO VARIANCE APPLICATION

ITEM 1.

A VARIANCE IS REQUESTED FROM SECTION 107.D.4.d.(1)(c) OF THE ZONING REGULATIONS TO PERMIT REAR YARD SETBACK OF 18.20' IN LIEU OF THE REQUIRED MINIMUM OF 25' AS SHOWN ON THE ACCOMPANYING PLAN.

ITEM 3.

MR. AUSIM KHAN, BUILDER, IS THE REPRESENTATIVE OF THE PROPERTY OWNER AS NOTED ON THE ATTACHED DOCUMENTS.

ITEM 6(h)

SEE THE ATTACHED PLOT PLAN/VARIANCE PLAN WHICH SHOWS THE PROPOSED SITE IMPROVEMENTS AND SETBACKS ON THE SUBJECT PROPERTY.

ITEM 7(A)

1. THE SUBJECT PROPERTY IS VERY UNIQUE IN THAT IS 1.6 ACRE NARROW, DAGGER SHAPED PARCEL CHARACTERIZED BY STEEP SLOPES, SHALLOW ROCKY SOILS, WITH A SHALLOW DEPTH TO THE WATER TABLE WHICH RESTRICTS THE LOCATION OF LOCATION OF THE DWELLING TO THE UPPER REAR PORTION OF THE PROPERTY.

2. THE EXISTING DWELLIN TO BE RENOVATED WAS CONSTRUCTED IN 1959. DUE TO THE PRESENCE OF GROUND WATER THE DWELLING WAS CONSTRUCTED ON A CRAWL SPACE. THE ONLY POSSIBLE LOCATION FOR A DWELLING ON THE PROPERTY IS THE UPPER REAR CORNER OF THE SITE DUE TO THE LOCATION OF THE ON-SITE SEWAGE DISPOSAL AREA AND THE HIGHWATER TABLE. AS A RESULT, THE DWELLING IS LOCATED OVER THE REAR SETBACK LINE. TO PROVIDE ADEQUATE ACCESSIBLE SPACE FOR UTILITIES A SMALL ADDITION IS PROPOSED FURTHER ENCROACHING UPON THE REAR SETBACK. (SEE PLAN)

CHARLES R. CROCKEN & ASSOCIATES, INC.

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crcngr2@comcast.net


4398 COLLEGE AVENUE
ATTACHMENT TO VARIANCE APPLICATION

POINT BY POINT SUMMARY

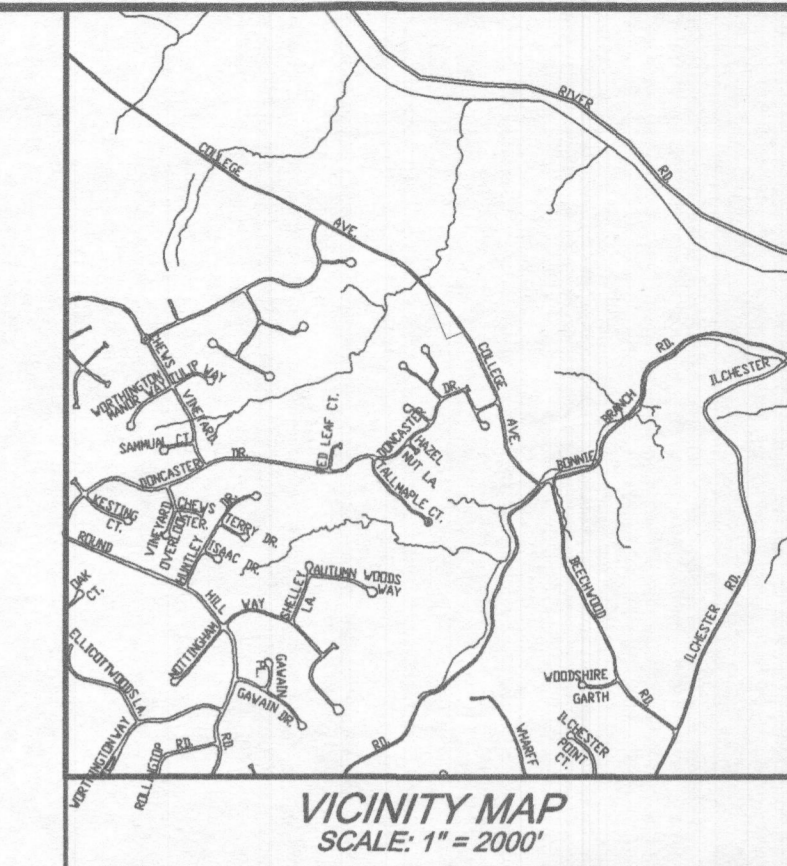
1. THE PROPERTY CONSISTS OF 1.6 +/- ACRES OF LAND OF WHICH 1.2 ACRES CONSISTS OF STEEP WOODED SLOPES DRAINING TO TOWARDS ELLICOTT CITY AND THE PATAPSCO RIVER. THE PROPERTY IS ZONED R-ED SOMETIME AFTER CONSTRUCTION OF THE EXISTING DWELLING, WHICH REQUIRES A SETBACK OF 75' FROM THE RIGHT OF WAY OF COLLEGE AVENUE. THIS ALSO, RESTRICTS THE LOCATION OF THE DWELLING AND ANY PLANNED IMPROVEMENTS TO THE REAR OF THE PROPERTY. THEREFORE, A VARIANCE TO THE REAR SETBACK IS REQUESTED.
2. THE VARIANCE IF GRANTED WILL NOT ALTER THE CHARACTER OF THE NEIGHBORHOOD. THE VARIANCE IF APPROVED WILL NOT IMPACT THE USE OF THE ADJOINING PROPERTIES NOR WILL IT BE DETREMENTAL TO THE PUBLIC WELFARE.
3. THE HARSHIPS AND DIFFICULTIES ENCOUNTERED WITH THE PROJECT HAVE NOT BEEN CREATED BY THE OWNER BUT ARE A RESULT OF THE UNIQUE SHAPE, TOPOGRAPHY OF THE PROPERTY THE POOR SOILS AND LOCATION OF EXISTING SEWAGE DISPOSAL AREA ON THE PROPERTY.
4. THE VARIANCE REQUESTED IS THE MINIMUM NECESSARY TO AFFORD RELIEF AND WILL IN NO WAY HAVE A DETERMENTAL IMPACT ON THE NEIGHBORHOOD OR ON THE ZONING CODE AND ITS FUTURE APPLICATION IN THE DISTRICT.
5. THE PROPOSED VARIANCE IS NOT RELATED TO THE MINIMUM CRITERIA ESTABLISHED IN THE ZONING REGULATION SECTION 131 FOR SPECIAL EXCEPTIONS.

PREPARED BY:

CHARLES R. CROCKEN PE.


10-29-18

SOILS LEGEND				
SYMBOL	NAME/DESCRIPTION	SOIL GROUP	K-VALUE	HYDRIC GROUP
LfF	Lagore-Raley gravelly loams, 25 to 65 percent slopes, very stony	C	-	
MoB	Mount Lucas silt loam, 3 to 8 percent slopes, stony	C/D	0.37	
WcB	Watchung silt loam, 3 to 8 percent slopes, stony	C/D	0.43	



GENERAL NOTES

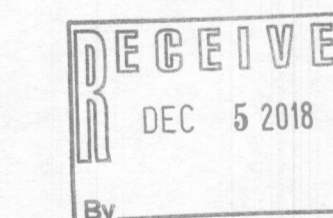
- OWNERS: CHAUDHARY GILL, SHAMALA KANWAL, 4398 COLLEGE AVE, ELLICOTT CITY, MD, 21043
DEED REFERENCE: LIBER 17286, FOLIO 027
DATE: 11/08/2016
GRANTOR: DAVID J. FRANCIAMONE
BUILDER: MR. AUSIM KHAN, RADIANT CONTRACTING, PHONE: 443-529-5595
- TAX MAP 025, GRID 021, PARCEL 105
- THE BOUNDARY SHOWN HEREON IS BASED UPON RECORDED DEED: LIBER 17286, FOLIO 027
- SOILS BASED UPON NRCS - SOIL WEB MAPS
- WATER SERVICE IS PUBLIC, SEWER SERVICE IS PRIVATE
- THERE IS NO 100 YEAR FLOOD PLAIN LOCATED ON THIS PROPERTY BASED ON FEMA INSURANCE RATE MAP COMMUNITY PANEL #24027C0085D ZONE X
- TOPOGRAPHY SHOWN HEREON IS FIELD RUN BASED UPON HOWARD COUNTY GIS DATA NAVD88, CONTOUR INTERVAL = 2 FT. FIELD VERIFIED BY CRC & ASSOC.
- THERE ARE NO WELLS OR SEPTIC SYSTEMS WITHIN 100 FT OF THE SUBJECT PROPERTY UNLESS OTHERWISE SHOWN HEREON.
- SUBJECT PROPERTY IS ZONED R-ED
- TOTAL AREA OF SITE = 1.605 Ac. = 6914 SF
- THERE ARE NO EXISTING EXISTING RESIDENCES, DRIVEWAYS OR DRIVE ENTRANCES WITHIN 200' OF THE SITE ON ADJOINING PROPERTIES UNLESS SHOWN HEREON.
- THERE ARE NO PLANNED IMPROVEMENTS TO THE EXISTING PAVED DRIVEWAY.

HEALTH DEPARTMENT NOTES

- THE LOT SHOWN HEREON COMPLIES WITH THE MINIMUM OWNERSHIP, WIDTH AND AREA REQUIRED BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT.
- THE AREA DESIGNATES A PRIVATE SEWAGE EASEMENT OF 10,000 SQ-FT. AS REQUIRED BY THE MARYLAND DEPARTMENT OF THE ENVIRONMENT FOR INDIVIDUAL SEWAGE DISPOSAL. IMPROVEMENTS OF ANY NATURE IN THIS AREA ARE RESTRICTED UNTIL PUBLIC SEWAGE IS AVAILABLE. THESE EASEMENTS SHALL BECOME NULL AND VOID UPON CONNECTION TO A PUBLIC SEWAGE SYSTEM. THE COUNTY HEALTH OFFICER SHALL HAVE AUTHORITY TO GRANT ADJUSTMENTS TO THE PRIVATE SEWAGE EASEMENTS.
- THERE ARE NO EXISTING WELLS AND SEPTIC SYSTEMS WITHIN 100R. OF THE LOT LINES SHOWN HEREON UNLESS NOTED OTHERWISE.
 - ⊕ DENOTES "PROPOSED" PERCOLATION TEST
 - ⊙ DENOTES "PASSED" PERCOLATION TEST
 - ⊖ DENOTES "FAILED" PERCOLATION TEST
- THE NEAREST WATER INTAKE STRUCTURE IS FOUR MILES +/- AWAY.

PURPOSE NOTE

THE PURPOSE OF THIS PLAN IS TO ACCOMPANY THE APPLICATION FOR A VARIANCE FROM THE HOWARD COUNTY ZONING SETBACK REGULATIONS SECTION 107.D.4.d.(1)(c) TO PERMIT A REAR YARD SETBACK OF 18.2' IN LIEU OF THE 25'. AND TO ACCOMPANY THE APPLICATION FOR BUILDING PERMIT B-18000278 FOR THE RENOVATION OF THE EXISTING DWELLING ALL AS SHOWN HEREON.



PETITIONER
AUSIM KHAN
3112 RICES LANE
WINDSOR MILL, MARYLAND 21244
PHONE: 443-529-5595

LEGEND

- WELL LOCATION
- ALTERNATE WELL LOCATION
- PROPOSED SEPTIC LOCATION
- EXISTING SEPTIC LOCATION
- EX. PROPERTY LINE
- EX. RIGHT-OF-WAY
- PROP. LOT LINES
- EX. EASEMENTS
- EX. CONTOURS
- EX. TREEWOODS LINE
- SOILS LINE
- LIMIT OF DISTURBANCE
- DENOTES SLOPES 25% OR GREATER
- DENOTES SLOPES 15% - 25%

REV. 11/27/18 - PER HC COMMENTS 11/20/18

PLOT PLAN / VARIANCE PLAN
"4398 COLLEGE AVE"

SINGLE FAMILY DETACHED
LIBER 17286 FOLIO 027
ZONED: R-ED
2ND ELECTION DISTRICT TAX MAP #25, GRID 21, PARCEL 105
HOWARD COUNTY, MARYLAND
BUILDING PERMIT # B-18000278

Prepared by:
CHARLES R. CROCKEN AND ASSOCIATES, INC.
902 LEE AVE.
SYKESVILLE, MARYLAND 21157
Tel. (410) 549-2708
Fax. (410) 549-9063

SCALE: 1" = 30' DATE: 11/02/18 SHEET 1 OF 1

REVISED

BUILDING NOTES

- HEIGHT OF BUILDING = 24'-3"
- AREA OF EX. BUILDING = 1623 SF
AREA OF RENOVATED BUILDING = 1744 SF
- EXTERNAL BUILDING MATERIALS
 - ASPHALT SHINGLES
 - LP SMART SIDING
 - DOUBLE PANE WHITE VINYL WINDOWS
 - WHITE VINYL TRIM AND DOWNSPOUTS
 - FIBERGLASS EXTERIOR DOORS
 - STONE VENEER F.F. TO EX. GRD.

SITE ANALYSIS

TOTAL AREA OF SITE = 1.605 Ac. = 6914 SF
 AREA OF DISTURBANCE = 2,478 SF = 4,100 SF
 AREA TO BE ROOFED EXISTING = 1622 SF
 PROPOSED ADDITION = 127 SF
 TOTAL = 1,749 SF
 AREA TO BE PAVED EXISTING = 1890 SF
 AREA TO BE VEGETATIVELY STABILIZED = 2,351 SF
 TOTAL VOLUME OF CUT = 10 C.Y.
 TOTAL VOLUME OF FILL = 10 C.Y.

APPROVED FOR PUBLIC WATER AND PRIVATE SEWERAGE SYSTEMS
HOWARD COUNTY HEALTH DEPARTMENT

HOWARD COUNTY HEALTH OFFICER DATE

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 7803 EXPIRATION DATE 4-22-2019

Charles R. Crocken 10-29-18
CHARLES R. CROCKEN, PE MD, LICENSE REG. NO. 7803 DATE

PERCOLATION CERTIFICATION
I HEREBY CERTIFY THAT THE PERCOLATION TEST LOCATIONS SHOWN HEREON ARE TO THE BEST OF MY KNOWLEDGE ARE CORRECT AS SHOWN.

Charles R. Crocken 10-29-18
CHARLES R. CROCKEN, PE MD, LICENSE REG. NO. 7803 (EXPIRATION DATE 4-22-2019) DATE

