

Howard County Department of Planning and Zoning  
Division of Land Development

# WAIVER PETITION APPLICATION

Date Submitted/Accepted 12/6/10 DPZ File Number WP-11-092

**I. Site Description**

Subdivision Name/Property Identification: Shipley's Lodge  
Location of property: 1585 Route 32  
(Street Address and/or Road Name)

<u>Residential</u> (Existing Use)	<u>Residential</u> (Proposed Use)		
<u>9</u>	<u>17</u>	<u>91</u>	<u>Third</u>
(Tax Map No.)	(Grid/Block No.)	(Parcel No.)	(Election District)
<u>RR-DEO</u>	<u>10.58 acres</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.)

F-09-101, WP-10-015, WP-10-116

**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) (iii) (b)</u>	<u>Lots 10 acres or greater may be encumbered by floodplain, wetlands, streams, their buffers and forest conservation easements if the building envelope is no closer than 35 feet from the environmental feature.</u>
2. _____	_____
3. <u>16.144 (p &amp; q)</u>	<u>Requires the final plat to be submitted for signatures and recordation within 180 days of the final plan approval.</u>
4. _____	_____
5. _____	_____

III. **Justification** (if additional space is needed for justification, please attach to the application)

All waiver requests must be fully justified by the petitioner. Incomplete or inadequate justification may result in rejection of the application. Justification must be specific to the subject property. The justification provided by the petitioner should include all factors which rationalize or substantiate the request in accordance with the following criteria:

- a. Summarize any extraordinary hardships or practical difficulties which may result from strict compliance with the Regulations.
- b. Verify that the intent of the Regulations will be served to a greater extent through the implementation of the alternative proposal.
- c. Substantiate that approval of the waiver will not be detrimental to the public interests.
- d. Confirm that approval of the waiver will not nullify the intent of the Regulations.

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~ See Attached ~

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IV. **Pre-Submission Meeting Requirements**

- a. **HDC Meeting Requirement** - A pre-submission advisory meeting with the Historic District Commission is required for new development located within a Historic District or if the site is listed in the Historic Sites Inventory in accordance with Section 16.605 of the Howard County Code. Verify this requirement by checking the Historic Sites Inventory list and maps available at the DPZ public service desk. The property owner/developer must contact the DPZ, Division of Public Service and Zoning Administration for the HCD scheduling process and procedures. **The property owner/developer must submit a copy of the minutes from the HDC Advisory Meeting to DPZ along with the initial subdivision or site development plan application.**
  
- b. **MAA Meeting Requirement** - For all proposed subdivisions or developments located within the BWI Airport Noise Zone or the Airport Zoning District (4 mile radius from the center of the airport), the review and approval by the Maryland Aviation Administration is required prior to signature approval of final plan road and SWM construction drawings, and/or site development plans, or waiver approval of SDP. Please contact the MAA at P.O. Box 8766, BWI Airport, Maryland, 21240-0766, or (410) 859-7100. A copy of the MAA approval letter must accompany the submission of the final road/SWM construction plan original drawings, and/or site development plan original, or waiver petition application.
  
- c. **Design Advisory Panel (DAP)** - For projects requesting a waiver of the SDP requirement for any proposed building or site improvements, a pre-submission advisory meeting with the Design Advisory Panel may be required for new development or redevelopment projects on parcels located in the U.S. Route 1 corridor that are zoned 'CE', 'CAC' or 'TOD' or that adjoin the Route 1 right-of-way and that are subject to the Route 1 Design Manual in accordance with Sections 16.1501 and 16.1504 of the Howard County Code (CB Nos. 24-2008 and 25-2008). The property owner/developer must contact the DPZ, Division of Comprehensive and Community Planning to verify this requirement and for information concerning the DAP meeting scheduling process and procedures. The property owner/developer must submit a copy of the DAP project design recommendation to DPZ along with the waiver petition application submission, if applicable.

V. **Plan Exhibit**

A. **Number of Copies Required**

The waiver petition application must be accompanied by copies of a detailed plot plan, subdivision plat or site development plan (**7 sets of the completed waiver application and plan exhibit if the subject property adjoins a County road; 11 sets for properties adjoining a State road**). In instances where the waiver request concerns an approval extension or if an associated plans in active processing, only 2 sets of plans are required along with 7 or 11 copies of the application form. **Plans must be folded to a size no larger than 7-1/2" x 12". The pre-packaging of plans and supplemental reports by SRC agency will be permitted by DPZ provided that each package contains a cover letter which itemizes all plans, reports and documents included in the package.**

**Please be advised that all plan application submissions are ACCEPTED BY APPOINTMENT ONLY. All plan submission appointments must be scheduled with the Division of Land Development at (410) 313-2350.**

Plan applications are available on the DPZ website at [formsfeesapplications.htm](http://www.co.ho.md.us/DPZ/formsfeesapplications.htm).

<http://www.co.ho.md.us/DPZ/>

B. **Plan Requirement Checklist**

The detailed waiver petition exhibit, plot plan, subdivision plat or site development plan must indicate the following required information relevant to the waiver request to ensure acceptance of the waiver petition application for processing.

Legend:	<u>T</u> Information Provided	<u>X</u> Information Not Provided,
	<u>NA</u> Not Applicable	Justification Attached

- ✓ 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, streams, wetland and forested areas, if applicable, and/or provide a professional certification that environmental features do not exist on the property.
- 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.
- ✓ 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 for waivers of final plat or SDP, a copy of property deeds to confirm legal creation or status of property is needed).
- ✓ 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).
- \* 14. Submit 2 sets of photographs for all existing on-site structures.
- N/A 15. Identify the location of any existing wells and/or private septic systems.

N/A 16. **Route 1 Manual**

Compliance with the Route 1 Manual is required for new development and some alterations or enlargements located in the CE, TOD and CAC zoning districts and for other zoning districts located within the Route 1 corridor. All plan submissions, beginning with the initial subdivision or site development plan, shall show all applicable streetscape, site and building designs responding to the Route 1 Manual's requirements and recommendations. All plan submissions shall provide a written summary of how the proposed design achieves the objectives of the Route 1 Manual. Also, building design and schematic architectural elevation details must be included with the initial subdivision or site development plan submission.

\* 17. **Property Deeds** - Information to confirm the legal creation or status of the property to be improved. (Copy of deeds from Howard County Land Records Office or record plat name and recording reference number). **A complete chronological deed history is required for all deeded residential properties. Provide 2 copies of the recorded deeds for the subject property tracing its history back to 1960.** \* PROVIDED UNDER E-09-101

N/A 18. Please complete the following:

A pre-submission meeting was held with DPZ on \_\_\_\_\_ with \_\_\_\_\_ [date] \_\_\_\_\_ if applicable.  
[DPZ, Director, DLD Division Chief or other SRC representatives]

VI. **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.

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.

Owner =s authorization attached \*

Charles M. Coles, Jr. 12/2/10  
Ruth A. Fisher 12/3/10  
(Signature of Property Owner) (Date) (Signature)  
(Fee Simple Owner Only)

Stephanie Tuite 12/2/10  
of Petition Preparer) \* (Date)

Ruth A. Fisher & Charles M. Coles, Jr.  
(Name of Property Owner)

Stephanie Tuite, Sill, Adcock & Associates, LLC  
(Name of Petition Preparer, Surveyor/Engineering or Agent/Developer)

1585 Route 32  
(Address)

3300 North Ridge Road, Suite 160  
Address)

Sykesville, Maryland 21784-5437  
(City, State, Zip Code)

Ellicott City, Maryland 21043  
(City, State, Zip Code)

E-Mail \_\_\_\_\_  
(Telephone) \_\_\_\_\_ (Fax) \_\_\_\_\_

E-Mail stephanie@saaland.com  
443-325-7682 x29 443-325-7685  
(Telephone) \_\_\_\_\_ (Fax) \_\_\_\_\_

Contact Person: Tim Feaga, Heritage Development  
410-489-7900

Contact Person: Stephanie Tuite

**SHIPLEY'S LODGE  
WAIVER PETITION JUSTIFICATION**

I. Waiver to Section 16.120(b)(4)(iii)(b)

ShipleY's Lodge is a 10.58 acre residential parcel, known as Parcel 91, Tax Map 9, Grid 17 or 1585 Route 32, Sykesville, Maryland. It currently contains one residential building with various out-buildings. The property is approximately two-thirds field used to farm hay and one-third woods. This property has been approved to be subdivided into one 1.3 acre cluster lot with the remainder being a Buildable Preservation Parcel of 9.28 acres in size under F-09-101. The neighboring property to the immediate north of this property, known as Plat #13905, F-99-98, Christian Family Outreach Center Lot 4, shows a stream and wetland system that roughly parallels our property, running easterly, and starting on our property approximately half way down the shared lot line, or approximately 850 feet from the front of our property. As the stream and wetland system meanders easterly, the associated buffers of these features encroach onto our property.

On September 8, 2009, WP-10-015 was approved allowing these environmental features to be located on a lot or buildable parcel less than 10 acres in size. Since ShipleY's Lodge is a subdivision creating one additional lot with no further subdivision potential, this waiver was not expanded to include a forest conservation easement.

The owners of ShipleY's Lodge are also the owners a property known as ShipleY's Choice, which has received approval of an Environmental Concept Plan (ECP-10-004) on December 2, 2010. ShipleY's Choice has no existing forest or environmental features on-site. Since there are no priority areas on-site for reforestation and the owners would prefer to keep as much of Buildable Preservation Parcel A in hay production, the owners have elected to retain off-site forest on ShipleY's Lodge to satisfy the afforestation requirements for ShipleY's Choice. The forest conservation obligation for ShipleY's Choice is 1.48 acres of afforestation. Since off-site forest retention is proposed the obligation becomes 2.96 acres (2:1). A 3.01 acre easement (0.05 acres is non-credited) is being proposed on ShipleY's Lodge to satisfy the forest conservation requirements for ShipleY's Choice.

This proposed Forest Conservation Easement (Retention) on Buildable Preservation Parcel 'A' as shown on the attached exhibit includes a majority of the above referenced environmental features, which makes it a high priority for retention, not to mention that the forest is also of high habitat value, as stated in the Forest Stand Delineation.

As stated on the previous Waiver Petition (WP-10-015), "enclosing these features in a non-buildable preservation parcel presents a practical difficulty due to the fact that to gain the required access to the parcel would require a parcel configured one of two ways. Either the non-buildable parcel would have a pipe stem running up the

northern property line. This would interfere with the existing house's septic field that has been determined by the Health Department to be in the only viable location. The other option would be to run a pipe stem between Lot 1 and Buildable Preservation Parcel 'A' which would require the removal of several trees for the access and create a fragmented lot layout." This was recognized as an extraordinary hardship or practical difficulty.

Therefore, this waiver is being requested to allow a forest conservation easement to be placed on the 9.28 acre Buildable Preservation Parcel 'A' in the same general area that the stream, stream buffer, and wetland buffer were approved to exist on a parcel less than 10 acres in size. It is understood that a 35 foot setback from the easement and or stream buffer will be required, as shown on the attached exhibit.

Approval of this waiver is not detrimental to the public interests, as there will be no difference from the current use of the property in the Forest Conservation Easement. Buildable Preservation Parcel 'A' will be further protected by a preservation easement per the regulations laid out in the Howard County Subdivision and Land Development Regulations.

This waiver request will not nullify the intent of the regulations, as the proposed development and existing house are far enough away from the Forest Conservation Easement as to have no impact on them.

Waiver to Section 16.144(p & q)

The deadline for developer of Shipley's Lodge to pay fees and submit the original Final Plat for signature approval is December 27, 2010. Shipley's Choice has only received Environmental Concept Plan approval, but will shortly be processed as a Final Plat. Since we are requesting the above waiver to Section 16.120(b)(4)(iii)(b) to allow the creation of a Forest Conservation Easement on Buildable Preservation Parcel 'A' that will meet the forest conservation obligations for Shipley's Choice, both Final Plats will be required to be recorded simultaneously. Due to these reasons, we are requesting a minimum of 180-day time extension be granted in order to have enough time to receive Final Plat approval and process Final Water and Sewer Plans for Shipley's Choice.

- III. Waiver of these sections of the regulations will not nullify the intent or purpose of the regulations nor have an adverse impact on adjacent properties. The Forest Conservation Easement will be providing protection of the property's environmental features since the majority of the existing forest will be placed within an easement that is not permitted to be disturbed without Howard County approval. The time extension will only slightly delay recordation of an approved subdivision and allow the creation of the referenced protective easement.

2010 DE - 7 PH 12:43

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
Division of Land Development

DATE: July 30, 2009

DPZ File No. F-09-101

Department of Planning and Zoning

- Transportation Planning
- Resource Conservation (Historic/Ag Pres)
- Public Service and Zoning Administration
- Research - Return to Pat Britt-Fendlay
- Address Coordinator

- Comprehensive & Community Planning
- Development Engineering Division- **Courtesy Copy**
- Other
- File

Related File: **WP-10-015**

Agencies

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

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

Revised:  
**JUL 30 2009**  
DPZ - Land Dev

RE: Shipleys Lodge, Lot 1 & Buildable Preservation Parcel 'A'

ENCLOSED FOR YOUR =  Signature Approval  Review & Comments  Files

THE ENCLOSED =  Original  Pre-Packaged Plan Set

Plans	# of Sheets
<input type="checkbox"/> Sketch Plan	_____
<input type="checkbox"/> Prel Equiv Sketch Plan	_____
<input type="checkbox"/> Preliminary Plan	_____
<input checked="" type="checkbox"/> 5 Final Plat/Plat of Easement/RE Plat	1
<input type="checkbox"/> Final Constr Plans (RDS)	_____
<input type="checkbox"/> Final Development Plan	_____
<input type="checkbox"/> Site Development Plan	_____
<input checked="" type="checkbox"/> 5 Landscape Plan/Supplemental Plan	1
<input type="checkbox"/> Grading Plan	_____
<input type="checkbox"/> House Type Revision/Walk-Thru Red-Line	_____
<input type="checkbox"/> Water and Sewer Plan	_____

- Supplemental Documents
- Wetlands Report
  - Soils/Topo Map/Drain Area Map
  - FSD/FCP/Worksheet and Application
  - Declaration of Intent (Forest Cons)
  - Drainage and/or Computation/Pond Safety Comps
  - Preliminary Road Profiles
  - APFO Roads Test/Mitigation Plan/Traffic Study
  - Noise Study
  - Sight Distance Analysis/Speed Flow Study
  - Floodplain Study
  - Stormwater Management Comps/Geo-Tech Report
  - Industrial Waste Survey (DPW)
  - Road Poster Form Letter
  - Response Letter
  - Perc Plat
  - Scenic Road Exhibits
  - Deeds
  - Photographs
  - Retaining Wall Comps/Details
  - Poster/Community or HDC Meeting Information
  - Route 1 Details/Summary

Applications

- Waiver Petition Applic/Exhibit
- Planning Board Application
- ASDP/CSDP Application
- DED Application/Checklist
- DED Fee Receipt/Deeds/Cost Estimate

WAS:  Received  Tentatively Approved  Recorded  
 Received and Revised  Approved On July 30, 2009

COMMENTS: Proposed Final Plat is approvable Due-12 Working Days: **August 17, 2009**

Minor Edit, Note 25 on Supplemental Plan  
Several conditions concerning wells must be met prior to submittal  
Check, initial and return to the Department of Planning and Zoning if plan is approved with no comments. of record Plat

DPZ STAFF INITIALS: JB



Bureau of Environmental Health  
7178 Columbia Gateway Drive, Columbia, MD 21046-2147  
(410) 313-2640 Fax (410) 313-2648  
TDD (410) 313-2323 Toll Free 1-866-313-6300  
website: www.hchealth.org

Peter L. Beilenson, M.D., M.P.H., Health Officer

8/17/2009

TO: Cindy Hamilton, Chief  
Division of Land Development

FROM: Robert Bricker, R.S.  
Environmental Sanitarian  
Well and Septic Program

RE: File Number: F-09-101  
Title: Shipley's Lodge Lot 1 & Buildable Preservation Parcel 'A'

The Subdivision Plat of Shipley's Lodge Lot 1 & Buildable Preservation Parcel 'A' is approvable by the Health Department.

Please notice that a minor edit is required on the Supplemental Plan; I believe Note 25 is in reference to improvements on Parcel A rather than Lot 1 as stated.

Conditions for signature approval of F-09-101 by the Approving Authority do remain and need to be completed prior to submittal of the Record Plat.

- a) A water sample from the existing well is to be analyzed for total dissolved solids (TDS) prior to its abandonment.
- b) New wells must be drilled on Lot 1 and on Parcel 'A'.
- c) The house connection for the new well on Parcel 'A' must be inspected and approved by an Environmental Sanitarian.
- d) The existing well (HO-73-4326) must be sealed by a Licensed Well Driller.
- e) After connection of the new well on Parcel 'A', a water quality sample from the existing house must meet Health Department standards for bacteriology.
- f) Water samples from the two new wells are to be analyzed for TDS.

RB  
Copy: file

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
Division of Land Development

DATE: July 30, 2009

DPZ File No. WP-10-015

Department of Planning and Zoning

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

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

See: F-09-101

Agencies

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

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

RE: Shipley's Lodge, Lot 1 & Buildable Preservation Parcel 'A'

ENCLOSED FOR YOUR =  Signature Approval  Review & Comments  Files

THE ENCLOSED =  Original  Pre-Packaged Plan Set

Plans	# of Plans	Supplemental Documents
<input type="checkbox"/> Sketch Plan	_____	<input type="checkbox"/> Wetlands Report
<input type="checkbox"/> Prel Equiv Sketch Plan	_____	<input type="checkbox"/> Soils/Topo Map/Drain Area Map
<input type="checkbox"/> Preliminary Plan	_____	<input type="checkbox"/> FSD/FCP/Worksheet and Application
<input type="checkbox"/> Final Plat/Plat of Easement/RE Plat	_____	<input type="checkbox"/> Declaration of Intent (Forest Cons)
<input type="checkbox"/> Final Constr Plans (RDS)	_____	<input type="checkbox"/> Drainage and/or Computation/Pond Safety Comps
<input type="checkbox"/> Final Development Plan	_____	<input type="checkbox"/> Preliminary Road Profiles
<input type="checkbox"/> Site Development Plan	_____	<input type="checkbox"/> APFO Roads Test/Mitigation Plan/Traffic Study
<input type="checkbox"/> Landscape Plan/Supplemental Plan	_____	<input type="checkbox"/> Noise Study
<input type="checkbox"/> Grading Plan	_____	<input type="checkbox"/> Sight Distance Analysis/Speed Flow Study
<input type="checkbox"/> House Type Revision/Walk-Thru Red-Line	_____	<input type="checkbox"/> Floodplain Study
<input type="checkbox"/> Water and Sewer Plan	_____	<input type="checkbox"/> Stormwater Management Comps/Geo-Tech Report
<b>Applications</b>		<input type="checkbox"/> Industrial Waste Survey (DPW)
<input checked="" type="checkbox"/> 6 Waiver Petition Applic/Exhibit	2	<input type="checkbox"/> Road Poster Form Letter
<input type="checkbox"/> Planning Board Application	_____	<input checked="" type="checkbox"/> Justification Letter
<input type="checkbox"/> ASDP/CSDP Application	_____	<input type="checkbox"/> Perc Plat
<input type="checkbox"/> DED Application/Checklist	_____	<input type="checkbox"/> Scenic Road Exhibits
<input type="checkbox"/> DED Fee Receipt/Deeds/Cost Estimate	_____	<input type="checkbox"/> Deeds
<input type="checkbox"/> Overall Scaled Composite	_____	<input type="checkbox"/> Photographs
<input type="checkbox"/> Water & Sewer Plans	_____	<input type="checkbox"/> Retaining Wall Comps/Details
<input type="checkbox"/> List of Street Names	_____	<input type="checkbox"/> Poster/Community or HDC Meeting Information
		<input checked="" type="checkbox"/> Route 1 Details/Summary

WAS:  Received  Tentatively Approved  Recorded

Received and Revised  Approved On July 30, 2009

COMMENTS: \_\_\_\_\_ Due- 17 Working Days: **August 24, 2009**

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

*The Health Department does not oppose the Applicant's proposal.*

DPZ STAFF INITIALS: **JB**

July 26, 2009

**Mrs. Cindy Hamilton, Chief  
Division of Land Development  
Howard County Department of  
Planning and Zoning**  
3430 Courthouse Drive  
Ellicott City, Maryland 21043  
Attn: Mrs. Pat Britt-Fendlay

Re: Shipley's Lodge  
F-09-101  
Waiver Request

Dear Mrs. Britt-Fendlay:

Please accept this request to waive Section 16.120.b.(4).(iii).b of the Howard County Subdivision and Land Development Regulations. This section states: *For a lot or buildable preservation parcel of 10 acres or greater in size floodplains, wetlands, streams, their buffers, and forest conservation easements for afforestation, reforestation, or retention may be located on the lot or parcel if the building envelope is no closer than 35 feet from these environmental features, provided that a deck may project 10 feet beyond the building envelope.* We request this waiver on behalf of our client, Heritage Land Development, whom is developing this parcel for Ruth A. Fisher and Charles M. Cole Jr., the owners.

This project is a 10.58 acre residential parcel, known as Parcel 91, Tax Map 9, Grid 17. It currently contains one residential building with various out-buildings. The property is approximately two-thirds field used to farm hay and one-third woods. We intend to subdivide this parcel into 1-1.3 acre cluster lot with the remainder being a Buildable Preservation Parcel of 9.28 acres in size. The neighboring property to the immediate north of our project, known as Plat #13905, F-99-98, Christian Family Outreach Center Lot 4, shows a stream and wetland system that roughly parallels our property, running easterly, and starting on our property approximately half way down the shared lot line, or approximately 850 feet from the front of our property. As the stream and wetland system meanders easterly, the associated buffers of these features encroach onto our property. The start of these environmental features begins approximately 400 feet from the area of development and the area of the existing house, which is to remain. All environmental features will be located on Buildable Preservation Parcel 'A', which is very close in size to the required minimum size of 10 acres.

Enclosing these features in a non-buildable preservation parcel presents a practical difficulty due to the fact that to gain the required access to the parcel would require a parcel configured one of two ways. Either the non-buildable parcel would have a pipe stem running up the northern property line. This would interfere with the existing house's septic field that has been determined by the Health Department to be in the only viable location. The other option would be to run a pipe stem between Lot 1 and Buildable Preservation Parcel 'A' which would require the removal of several trees for the access and create a fragmented lot layout.

Approval of this waiver is not detrimental to the public interests as there will be no difference from the current use of the property in the area of the environmental features and the future use. The buildable preservation parcel will be further protected by a preservation easement per the regulations laid out in the Howard County Subdivision and Land Development Regulations.

This waiver request will not nullify the intent of the regulations as the proposed development and existing house are far enough away from the environmental features as to have no impact on them.

Should you have any questions or comments regarding this matter, please do not hesitate to contact this office.

Sincerely,  
**Sill, Adcock & Associates, LLC**



Paul M. Sill, PE, LEED AP

Howard County Department of Planning and Zoning  
Division of Land Development

# WAIVER PETITION APPLICATION

Date Submitted/Accepted 7/30/09 DPZ File Number WP-10-015

I. **Site Description**

Subdivision Name/Property Identification: SHIPLEY'S LODGE

Location of property: 1585 ROUTE 32  
(Street Address and/or Road Name)

RESIDENTIAL  
(Existing Use)

RESIDENTIAL  
(Proposed Use)

9  
(Tax Map No.)

17  
(Grid/Block No.)

91  
(Parcel No.)

3RD  
(Election District)

RR-DEO  
(Zoning District)

10.58 Ac±  
(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.)

PROPERTY HAS NOT BEEN PREVIOUSLY SUBDIVIDED AND IS CURRENTLY IN PROCESS TO SUBDIVIDE OFF 1 LOT. F-09-101

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.**

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2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____

III. **Justification** (if additional space is needed for justification, please attach to the application)

**All waiver requests must be fully justified by the petitioner. Incomplete or inadequate justification may result in rejection of the application.** Justification must be specific to the subject property. The justification provided by the petitioner should include all factors which rationalize or substantiate the request in accordance with the following criteria:

- a. Summarize any extraordinary hardships or practical difficulties which may result from strict compliance with the Regulations.
- b. Verify that the intent of the Regulations will be served to a greater extent through the implementation of the alternative proposal.
- c. Substantiate that approval of the waiver will not be detrimental to the public interests.
- d. Confirm that approval of the waiver will not nullify the intent of the Regulations.

*SEE ATTACHED LETTER*

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IV. **Pre-Submission Meeting Requirements**

- ➔➔➔a. **HDC Meeting Requirement** - A pre-submission advisory meeting with the Historic District Commission is required for new development located within a Historic District or if the site is listed in the Historic Sites Inventory in accordance with Section 16.605 of the Howard County Code. Verify this requirement by checking the Historic Sites Inventory list and maps available at the DPZ public service desk. The property owner/developer must contact the DPZ, Division of Public Service and Zoning Administration for the HDC scheduling process and procedures. **The property owner/developer must submit a copy of the minutes from the HDC Advisory Meeting to DPZ along with the initial subdivision or site development plan application.**
  
- ➔➔➔b. **MAA Meeting Requirement** - For all proposed subdivisions or developments located within the BWI Airport Noise Zone or the Airport Zoning District (4 mile radius from the center of the airport), the review and approval by the Maryland Aviation Administration is required prior to signature approval of final plan road and SWM construction drawings, and/or site development plans, or waiver approval of SDP. Please contact the MAA at P.O. Box 8766, BWI Airport, Maryland, 21240-0766, or (410) 859-7100. A copy of the MAA approval letter must accompany the submission of the final road/SWM construction plan original drawings, and/or site development plan original, or waiver petition application.
  
- ➔➔➔c. **Design Advisory Panel (DAP)** – For projects requesting a waiver of the SDP requirement for any proposed building or site improvements, a pre-submission advisory meeting with the Design Advisory Panel may be required for new development or redevelopment projects on parcels located in the U.S. Route 1 corridor that are zoned 'CE', 'CAC' or 'TOD' or that adjoin the Route 1 right-of-way and that are subject to the Route 1 Design Manual in accordance with Sections 16.1501 and 16.1504 of the Howard County Code (CB Nos. 24-2008 and 25-2008). The property owner/developer must contact the DPZ, Division of Comprehensive and Community Planning to verify this requirement and for information concerning the DAP meeting scheduling process and procedures. The property owner/developer must submit a copy of the DAP project design recommendation to DPZ along with the waiver petition application submission, if applicable.

V. **Plan Exhibit**

A. **Number of Copies Required**

The waiver petition application must be accompanied by copies of a detailed plot plan, subdivision plat or site development plan (**15 sets of the completed waiver application and plan exhibit if the subject property adjoins a County road; 19 sets for properties adjoining a State road**). In instances where the waiver request concerns an approval extension or if an associated plan is in active processing, only 2 sets of plans are required along with 15 or 19 copies of the application form. **Plans must be folded to a size no larger than 7-1/2" x 12". The pre-packaging of plans and supplemental reports by SRC agency will be permitted by DPZ provided that each package contains a cover letter which itemizes all plans, reports and documents included in the package.**

**Please be advised that all plan application submissions are ACCEPTED BY APPOINTMENT ONLY. All plan submission appointments must be scheduled with the Division of Land Development at (410) 313-2350.**

Plan applications are available on the DPZ website at <http://www.co.ho.md.us/DPZ/formsfeesapplications.htm>.

B. **Plan Requirement Checklist**

The detailed waiver petition exhibit, plot plan, subdivision plan or site development plan must indicate the following required information relevant to the waiver request to ensure acceptance of the waiver petition application for processing.

Legend:	<u>  </u> T	Information Provided	<u>  </u> X	Information Not Provided,
	<u>  </u> NA	Not Applicable		Justification Attached

- ✓ 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, streams, wetland and forested areas, if applicable, and/or provide a professional certification that environmental features do not exist on the property.
- NA 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.
- ✓ 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, for waivers of final plat or SDP, a copy of property deeds to confirm legal creation or status of property is needed).
- ✓ 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).
- \* 14. Submit 2 sets of photographs for all existing on-site structures.
- ✓ 15. Identify the location of any existing wells and/or private septic systems.

DLD/WP \* SUBMITTED UNDER F.O.I.A. 101

16. **Route 1 Manual**

Compliance with the Route 1 Manual is required for new development and some alterations or enlargements located in the CE, TOD and CAC zoning districts and for other zoning districts located within the Route 1 corridor. All plan submissions, beginning with the initial subdivision or site development plan, shall show all applicable streetscape, site and building designs responding to the Route 1 Manual's requirements and recommendations. All plan submissions shall provide a written summary of how the proposed design achieves the objectives of the Route 1 Manual. Also, building design and schematic architectural elevation details must be included with the initial subdivision or site development plan submission.

17. **Property Deeds** - Information to confirm the legal creation or status of the property to be improved. (Copy of deeds from Howard County Land Records Office or record plat name and recording reference number). **A complete chronological deed history is required for all deeded residential properties. Provide 2 copies of the recorded deeds for the subject property tracing its history back to 1960.**

18. Please complete the following: **PROVIDED UNDER E-09-101**

A pre-submission meeting was held with DPZ on \_\_\_\_\_ with \_\_\_\_\_ [date], if applicable.  
[DPZ, Director, DLD Division Chief or other SRC representatives]

VI. **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.

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.**

Owner=s authorization attached \*

Ruth A. Fisher 7-28-09  
(Signature of Property Owner) (Date)  
(Fee Simple Owner Only)

Paul Sill 7-29-09  
(Signature of Petition Preparer) \* (Date)

Ruth A. Fisher  
(Name of Property Owner)

Sill, Adcox & Associates, LLC  
(Name of Petition Preparer, Surveyor/Engineering or Agent/Developer)

1505 ROUTE 32  
(Address)

3300 NORTH RIDGE ROAD, SUITE 160  
(Address)

SYKESVILLE, MD 21784  
(City, State, Zip Code)

ELLCOTT CITY, MD 21043  
(City, State, Zip Code)

E-Mail \_\_\_\_\_

E-Mail PAUL@SAILAND.COM

(Telephone) \_\_\_\_\_ (Fax) \_\_\_\_\_

(Telephone) 443.325.7682 (Fax) 443.325.7685

Contact Person: \_\_\_\_\_

Contact Person: PAUL SILL

Howard County Department of Planning and Zoning  
Division of Land Development

**INITIAL SUBMISSION  
WAIVER PETITION WORKSHEET  
(For DPZ Use Only)**

Project Name \_\_\_\_\_ DPZ File No. \_\_\_\_\_  
DPZ Plan Reviewer \_\_\_\_\_ Submission Date \_\_\_\_\_  
Plan Consultant Representative \_\_\_\_\_ Time \_\_\_\_\_

- I. **Application Requirements** *Indicate Yes, No or N/A*
- a. Application is complete ..... \_\_\_\_\_
  - b. Required number of plans and applications are provided ..... \_\_\_\_\_
    - \_\_\_ Plans (15 sets on County Road or
    - \_\_\_ Applications 19 sets on State Road)
  - c. Supplemental Information is provided ..... \_\_\_\_\_
  - d. Certification of pre-submission HDC advisory meeting for new projects in  
Historic District or listed in Historic Sites Inventory ..... \_\_\_\_\_
  - e. Photographs of existing structures (for Historic Preservation Review) ..... \_\_\_\_\_
  - f. MAA Approval Letter (if applicable) ..... \_\_\_\_\_
  - g. Written summary of Route 1 manual compliance (if applicable) ..... \_\_\_\_\_
  - h. DAP project design recommendation for Route 1 projects ..... \_\_\_\_\_

- II. **Fee Computation** **Fee**
- Number of waivers requested ..... \_\_\_\_\_
- \* Base Fee for first two waiver sections (**\$450**) ..... \_\_\_\_\_
- Fee for each additional waiver section (\_\_\_ additional waivers x **\$50** each) ..... \_\_\_\_\_
- \* (Maximum fee of **\$350** for Agricultural Preservation parcels)
- TOTAL** \_\_\_\_\_

III. **Certification**

Cash Receipt No. \_\_\_\_\_ Account #011-005-4201 Amount \_\_\_\_\_

Check issued by \_\_\_\_\_

\_\_\_ Waiver petition application is accepted for processing.

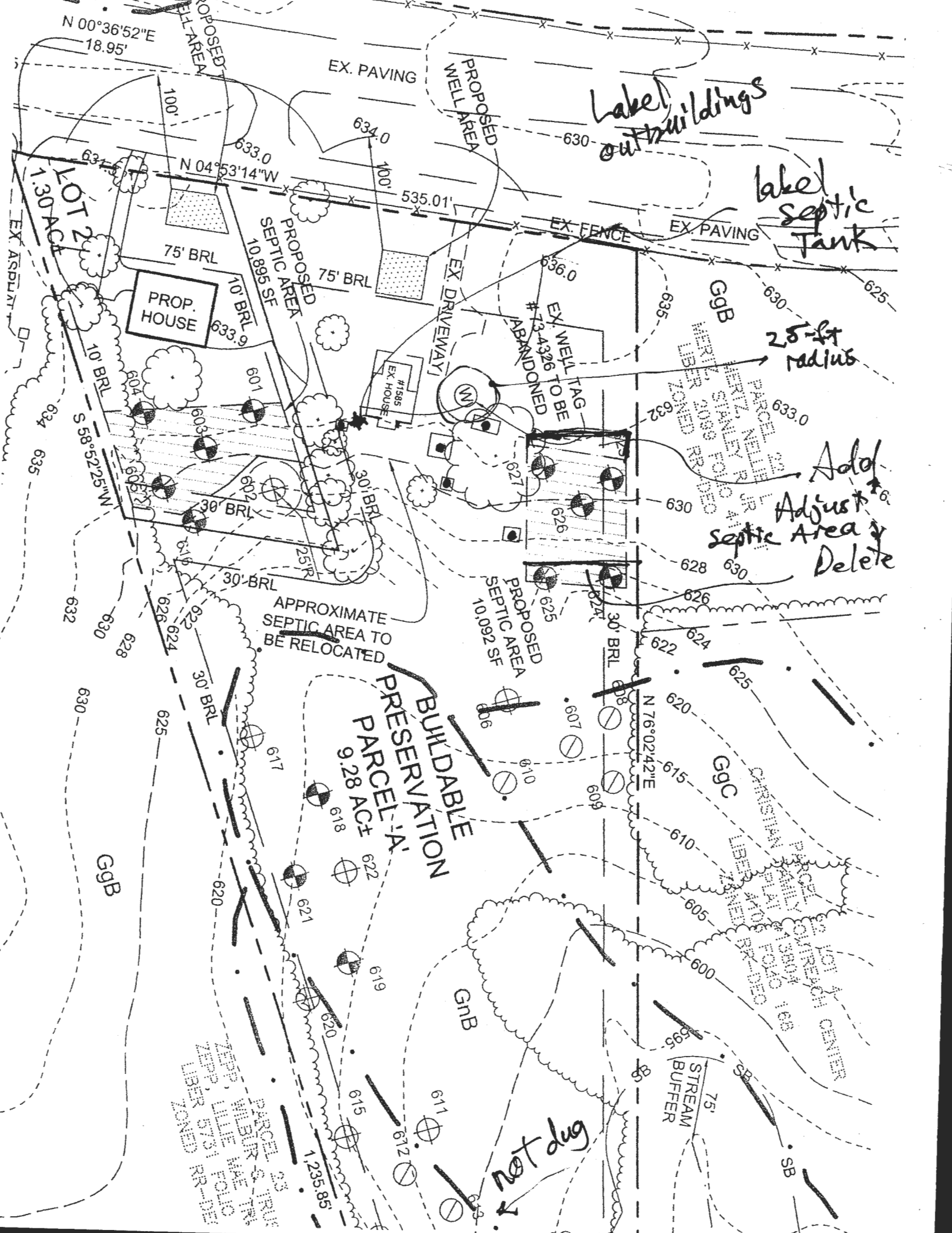
\_\_\_ Scheduled SRC meeting date.

\_\_\_ Waiver petition application is rejected.

Reason: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_ Resubmission is accepted. Date \_\_\_\_\_ Staff initials \_\_\_\_\_

Comments/Notes \_\_\_\_\_  
\_\_\_\_\_



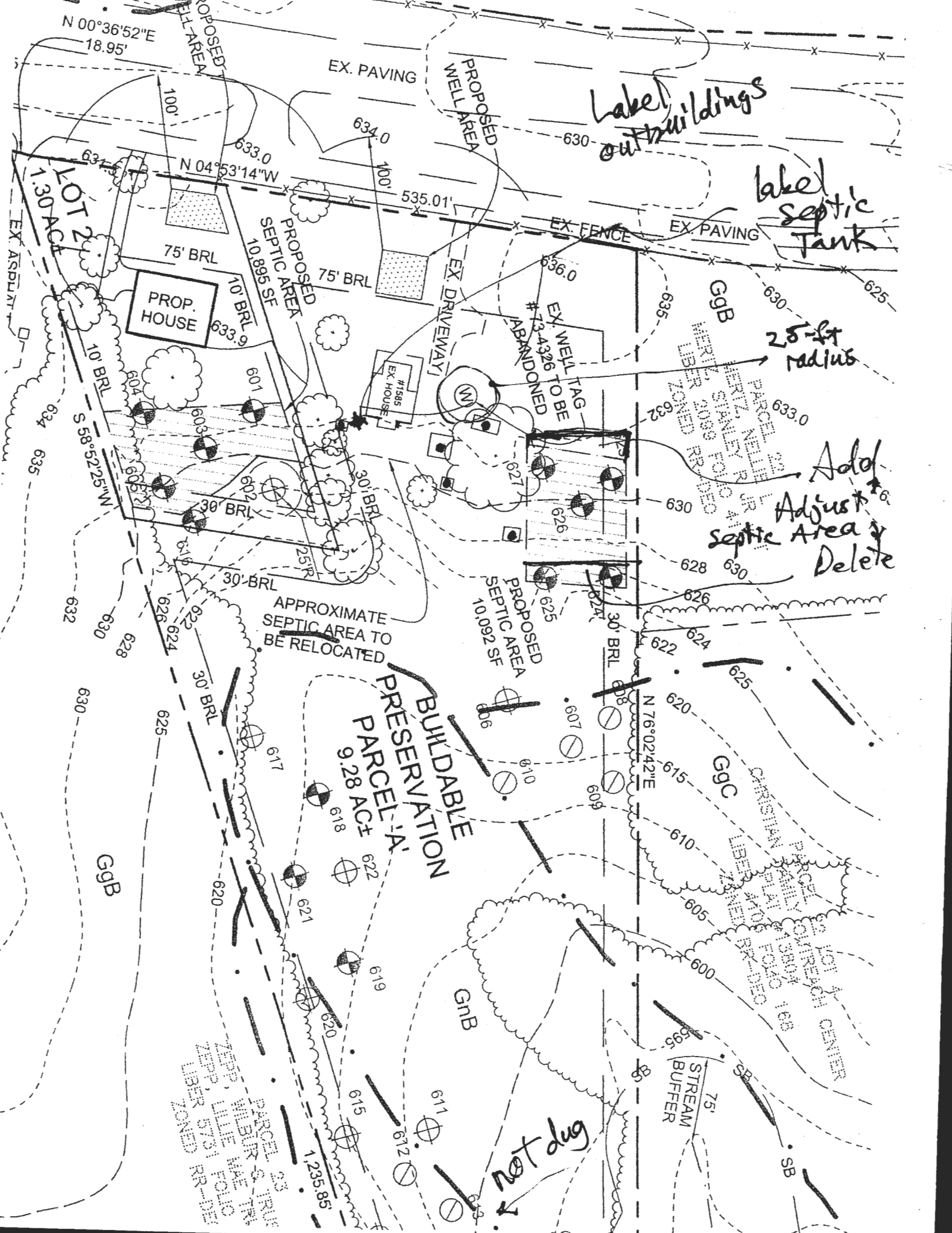
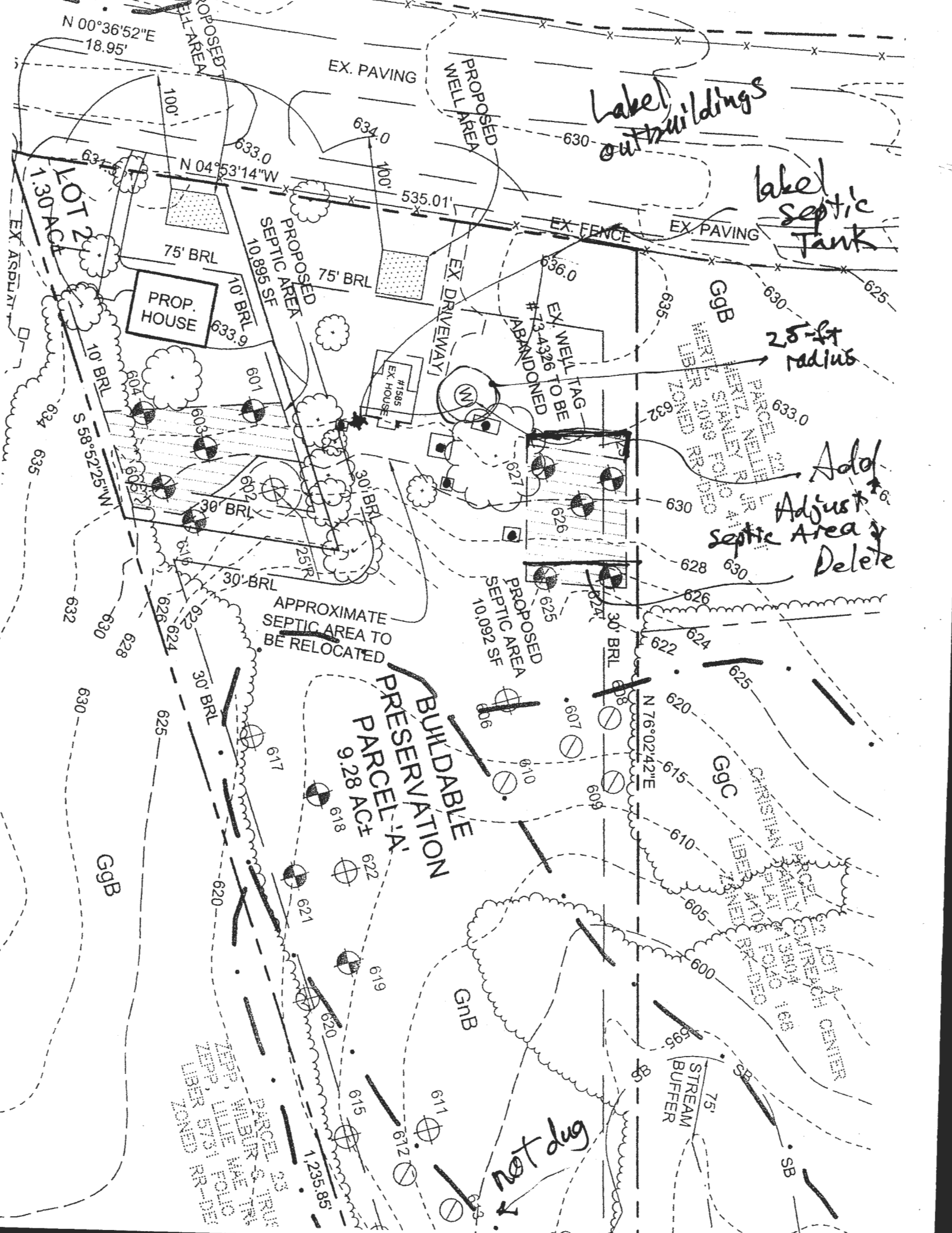
Label buildings

Label Septic Tanks

25-ft radius

Add Adjust Delete Septic Area

not dug



# HP Color LaserJet 2840



HP LASERJET FAX

Sep-22-2008 1:04PM

## Fax Call Report

Job	Date	Time	Type	Identification	Duration	Pages	Result
2190	9/22/2008	1:03:47PM	Send	914433257685	1:01	3	OK



**U.S. EQUIVALENT COORDINATE TABLE**

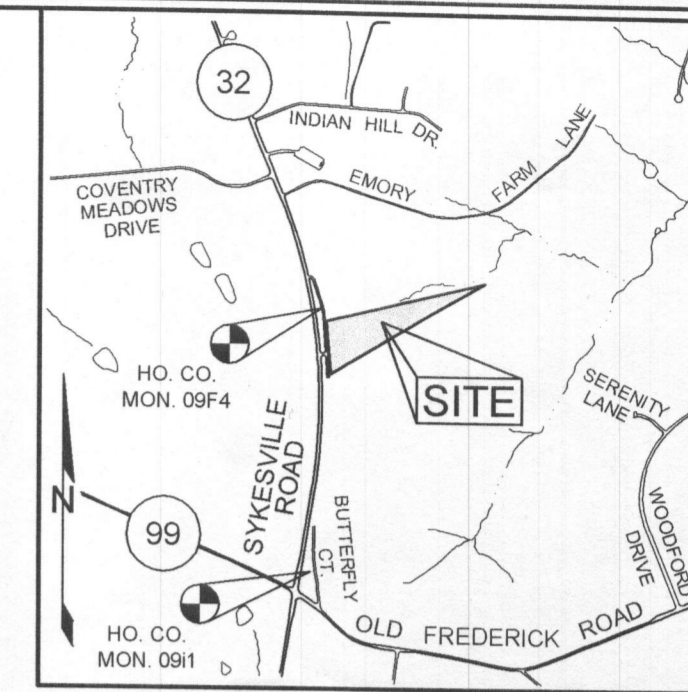
POINT	NORTHING	EASTING
248	605,514.9286	1,328,675.4278
249	605,190.4296	1,328,123.4454
57	604,551.5848	1,327,065.5213
52	604,570.5336	1,327,065.7245
58	605,103.6006	1,327,020.1441

**GENERAL NOTES CONTINUED...**

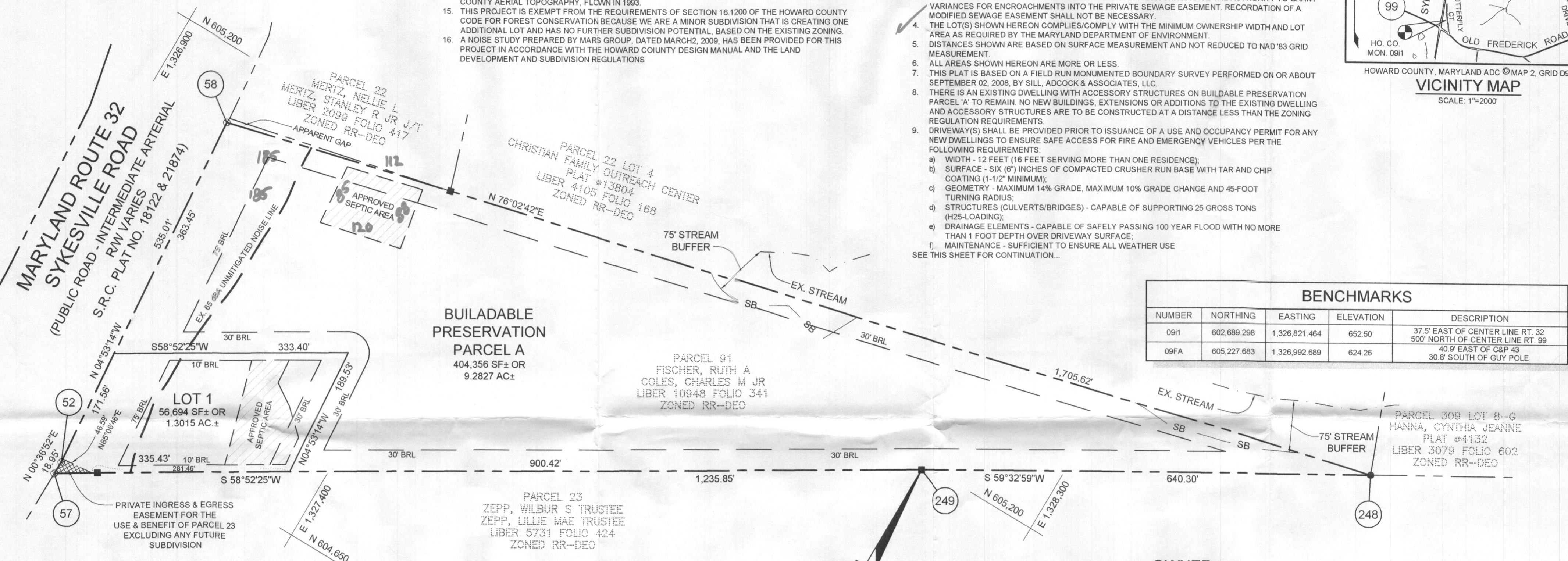
- THIS PLAN COMPLIES WITH THE REQUIREMENTS OF SECTION 16.1200 OF THE HOWARD COUNTY CODE FOR FOREST CONSERVATION BY THE RETENTION OF 1.27 ACRES OF FOREST AND A FEE-IN-LIEU OF 0.72 ACRES OF PLANTING. SURETY IN THE AMOUNT OF \$11,064.20 (1.27 AC = 55,321 SF X \$0.20) AND A FEE-IN-LIEU IN THE AMOUNT OF \$23,522.40 (0.72 AC = 31,363 SF X \$0.75) SHALL BE PAID PRIOR TO PLAT RECORDATION.
- LANDSCAPING FOR LOT 1 IS PROVIDED IN ACCORDANCE WITH A CERTIFIED LANDSCAPE PLAN ON FILE WITH THIS PLAT IN ACCORDANCE WITH SECTION 16.124 OF THE HOWARD COUNTY CODE AND THE LANDSCAPE MANUAL.
- A WETLAND STUDY WAS PERFORMED BY SILL, ADCOCK AND ASSOCIATES, LLC., IN MARCH 2007. NO WETLANDS ARE LOCATED WITHIN OR NEAR THE AREA OF DEVELOPMENT.
- IN ACCORDANCE WITH THE MARYLAND STORMWATER DESIGN MANUAL, PROJECTS SHALL BE EXEMPT FROM STORMWATER MANAGEMENT OBLIGATIONS IF IT HAS LESS THAN 5,000 SQUARE FEET OF LAND COVER CHANGE. THIS PLAN PROPOSES 4,608 SQUARE FEET OF LAND COVER CHANGE AND THEREFORE IS EXEMPT FROM PROVIDING STORMWATER MANAGEMENT. IF AT THE GRADING PERMIT APPLICATION STAGE, THIS AREA INCREASES OVER 5,000 SQUARE FEET, STORMWATER MANAGEMENT WILL BE REQUIRED.
- THERE ARE NO FLOODPLAINS, CEMETERIES, HISTORIC STRUCTURES, WETLANDS OR STREAMS WITHIN OR NEAR THE AREA OF DEVELOPMENT. OFF-SITE STREAM SHOWN IS TAKEN FROM HOWARD COUNTY AERIAL TOPOGRAPHY, FLOWN IN 1993.
- THIS PROJECT IS EXEMPT FROM THE REQUIREMENTS OF SECTION 16.1200 OF THE HOWARD COUNTY CODE FOR FOREST CONSERVATION BECAUSE WE ARE A MINOR SUBDIVISION THAT IS CREATING ONE ADDITIONAL LOT AND HAS NO FURTHER SUBDIVISION POTENTIAL, BASED ON THE EXISTING ZONING. A NOISE STUDY PREPARED BY MARS GROUP, DATED MARCH 2, 2009, HAS BEEN PROVIDED FOR THIS PROJECT IN ACCORDANCE WITH THE HOWARD COUNTY DESIGN MANUAL AND THE LAND DEVELOPMENT AND SUBDIVISION REGULATIONS.

**GENERAL NOTES**

- THE SUBJECT PROPERTY IS ZONED RR-DEO PER THE 02/02/04 COMPREHENSIVE ZONING PLAN AND THE COMP LITE ZONING ADJUSTMENTS EFFECTIVE 07/28/06.
- COORDINATES BASED ON NAD '83, MARYLAND COORDINATE SYSTEM AS PROJECTED BY HOWARD COUNTY GEODETIC CONTROL STATIONS NO. 09H1 AND NO. 09FA.
  - DENOTES APPROXIMATE CONTROL STATION LOCATION (SEE VICINITY MAP).
    - STATION 20CA N 587,916.0761 E 1,287,859.6568
    - STATION 0036 N 585,141.4180 E 1,289,408.7235
  - DENOTES IRON PIPE FOUND.
  - DENOTES REBAR AND CAP FOUND.
  - DENOTES CONCRETE MONUMENT OR STONE FOUND.
  - DENOTES REBAR AND CAP SET.
  - DENOTES CONCRETE MONUMENT SET.
- THIS AREA DESIGNATES A PRIVATE SEWAGE EASEMENT OF AT LEAST 10,000 SF AS REQUIRED BY THE MARYLAND STATE DEPARTMENT OF THE ENVIRONMENT FOR INDIVIDUAL SEWAGE DISPOSAL (COMAR 26.04.03). 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 SEWERAGE SYSTEM. THE COUNTY HEALTH OFFICER SHALL HAVE THE AUTHORITY TO GRANT VARIANCES FOR ENCROACHMENTS INTO THE PRIVATE SEWAGE EASEMENT. RECORDATION OF A MODIFIED SEWAGE EASEMENT SHALL NOT BE NECESSARY.
- THE LOT(S) SHOWN HEREON COMPLY/COMPLY WITH THE MINIMUM OWNERSHIP WIDTH AND LOT AREA AS REQUIRED BY THE MARYLAND DEPARTMENT OF ENVIRONMENT.
- DISTANCES SHOWN ARE BASED ON SURFACE MEASUREMENT AND NOT REDUCED TO NAD '83 GRID MEASUREMENT.
- ALL AREAS SHOWN HEREON ARE MORE OR LESS.
- THIS PLAT IS BASED ON A FIELD RUN MONUMENTED BOUNDARY SURVEY PERFORMED ON OR ABOUT SEPTEMBER 02, 2008, BY SILL, ADCOCK & ASSOCIATES, LLC.
- THERE IS AN EXISTING DWELLING WITH ACCESSORY STRUCTURES ON BUILDABLE PRESERVATION PARCEL 'A' TO REMAIN. NO NEW BUILDINGS, EXTENSIONS OR ADDITIONS TO THE EXISTING DWELLING AND ACCESSORY STRUCTURES ARE TO BE CONSTRUCTED AT A DISTANCE LESS THAN THE ZONING REGULATION REQUIREMENTS.
- DRIVEWAY(S) SHALL BE PROVIDED PRIOR TO ISSUANCE OF A USE AND OCCUPANCY PERMIT FOR ANY NEW DWELLINGS TO ENSURE SAFE ACCESS FOR FIRE AND EMERGENCY VEHICLES PER THE FOLLOWING REQUIREMENTS:
  - WIDTH - 12 FEET (16 FEET SERVING MORE THAN ONE RESIDENCE);
  - SURFACE - SIX (6) INCHES OF COMPACTED CRUSHER RUN BASE WITH TAR AND CHIP COATING (1-1/2" MINIMUM);
  - GEOMETRY - MAXIMUM 14% GRADE, MAXIMUM 10% GRADE CHANGE AND 45-FOOT TURNING RADIUS;
  - STRUCTURES (CULVERTS/BRIDGES) - CAPABLE OF SUPPORTING 25 GROSS TONS (H25-LOADING);
  - DRAINAGE ELEMENTS - CAPABLE OF SAFELY PASSING 100 YEAR FLOOD WITH NO MORE THAN 1 FOOT DEPTH OVER DRIVEWAY SURFACE;
  - MAINTENANCE - SUFFICIENT TO ENSURE ALL WEATHER USE
 SEE THIS SHEET FOR CONTINUATION...



HOWARD COUNTY, MARYLAND ADC MAP 2, GRID D9  
**VICINITY MAP**  
SCALE: 1"=200'



BENCHMARKS				
NUMBER	NORTHING	EASTING	ELEVATION	DESCRIPTION
09H1	602,689.298	1,326,821.464	652.50	37.5' EAST OF CENTER LINE RT. 32 500' NORTH OF CENTER LINE RT. 99
09FA	605,227.683	1,326,992.689	624.26	40.9' EAST OF C&P 43 30.8' SOUTH OF GUY POLE

**AREA TABULATION CHART**

- TOTAL NUMBER OF LOTS AND/OR PARCELS TO BE RECORDED:
  - BUILDABLE: 1
  - NON-BUILDABLE: 0
  - OPEN SPACE: 0
  - PRESERVATION PARCELS: 1
- TOTAL AREA OF LOTS AND/OR PARCELS:
  - BUILDABLE: 1.3015 AC±
  - NON-BUILDABLE: 0.0000 AC±
  - OPEN SPACE: 0.0000 AC±
  - PRESERVATION PARCELS: 9.2827 AC±
- TOTAL AREA OF ROADWAY TO BE RECORDED: 0.0000 AC±
- TOTAL AREA OF SUBDIVISION TO BE RECORDED: 10.5842 AC±

THE REQUIREMENTS §9-108, THE REAL PROPERTY ARTICLE, ANNOTATED CODE OF MARYLAND, 1999 REPLACEMENT VOLUME, (AS SUPPLEMENTED) AS FAR AS THEY RELATE TO THE MAKING OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH.

MICHAEL D. ADCOCK, PROFESSIONAL LAND SURVEYOR	DATE
RUTH A. FISHER	DATE
CHARLES M. COLE, JR.	DATE

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

HOWARD COUNTY HEALTH OFFICER \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED: HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

CHIEF, DEVELOPMENT ENGINEERING DIVISION \_\_\_\_\_ DATE \_\_\_\_\_

DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

**DEDICATION FOR INDIVIDUALS**

WE, RUTH A. FISHER AND CHARLES M. COLE, JR., OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND IN CONSIDERATION OF THE APPROVAL OF THIS FINAL PLAT BY THE DEPARTMENT OF PLANNING AND ZONING, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND GRANT UNTO HOWARD COUNTY, MARYLAND, ITS SUCCESSORS AND ASSIGNS: (1) THE RIGHT TO LAY, CONSTRUCT AND MAINTAIN SEWERS, DRAINS, WATER PIPES AND OTHER MUNICIPAL UTILITIES AND SERVICES IN AND UNDER ALL ROAD AND STREET RIGHTS-OF-WAY AND THE SPECIFIC EASEMENT AREAS SHOWN HEREON; (2) THE RIGHT TO REQUIRE DEDICATION FOR PUBLIC USE THE BEDS OF THE STREETS AND/OR ROADS AND FLOODPLAINS AND OPEN SPACE WHERE APPLICABLE AND FOR GOOD AND OTHER VALUABLE CONSIDERATION HEREBY GRANT THE RIGHT AND OPTION TO HOWARD COUNTY TO ACQUIRE THE FEE SIMPLE TITLE TO THE BEDS OF THE STREETS AND/OR ROADS AND FLOODPLAINS, STORM DRAINAGE FACILITIES AND OPEN SPACE WHERE APPLICABLE; (3) THE RIGHT TO REQUIRE DEDICATION OF WATERWAYS AND DRAINAGE EASEMENTS FOR THE SPECIFIC PURPOSE OF THEIR CONSTRUCTION, REPAIR AND MAINTENANCE; AND (4) THAT NO BUILDING OR SIMILAR STRUCTURE OF ANY KIND SHALL BE ERRECTED ON OR OVER SAID EASEMENTS AND RIGHTS-OF-WAY.

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009.

RUTH A. FISHER \_\_\_\_\_ DATE \_\_\_\_\_ WITNESS \_\_\_\_\_ DATE \_\_\_\_\_  
CHARLES M. COLE, JR. \_\_\_\_\_ DATE \_\_\_\_\_ WITNESS \_\_\_\_\_ DATE \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT; THAT IT IS A SUBDIVISION OF ALL THE LANDS CONVEYED BY RUTH A. FISHER AND CHARLES M. COLES, JR., PERSONAL REPRESENTATIVES OF THE ESTATE OF RUSSELL M. SHIPLEY, DECEASED, TO RUTH A. FISHER AND CHARLES M. COLES, JR. BY DEED DATED THE 28TH DAY OF FEBRUARY, 2007, AND RECORDED IN THE LAND RECORDS OF HOWARD COUNTY IN LIBER 10948, FOLIO 341, AND THAT ALL MONUMENTS ARE IN PLACE OR WILL BE IN PLACE PRIOR TO THE ACCEPTANCE OF THE STREETS IN THE SUBDIVISION BY HOWARD COUNTY AS SHOWN, IN ACCORDANCE WITH THE ANNOTATED CODE OF MARYLAND, AS AMENDED.

MICHAEL D. ADCOCK, PROFESSIONAL LAND SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_  
MD. REG. NO. 21257

RECORDED AS PLAT NUMBER \_\_\_\_\_ ON \_\_\_\_\_  
IN THE LAND RECORDS OF HOWARD COUNTY, MARYLAND.

**SUBDIVISION PLAT OF  
SHIPLEY'S LODGE**

LOT 1 AND BUILDABLE PRESERVATION PARCEL 'A'  
A SUBDIVISION OF PARCEL 91 TAX MAP 9 GRID 17  
3RD ELECTION DISTRICT  
HOWARD COUNTY, MARYLAND

SCALE: 1"=100'  
DATE: APRIL 22, 2009

**OWNER**

RUTH A. FISHER  
CHARLES M. COLE JR.  
1585 ROUTE 32  
SYKESVILLE, MARYLAND 21784-5437

**DEVELOPER**

HERITAGE LAND DEVELOPMENT  
C/O TIMOTHY FEAGA  
P.O. BOX 482  
LISBON, MARYLAND 21785  
410.489.7900

**Sill · Adcock &  
Associates · LLC**

Engineers · Surveyors · Planners  
3300 North Ridge Road, Suite 160  
Ellicott City, Maryland 21043  
Phone: 443.325.7682 Fax: 443.325.7685  
Email: info@saaland.com

GENERAL NOTES CONTINUED...

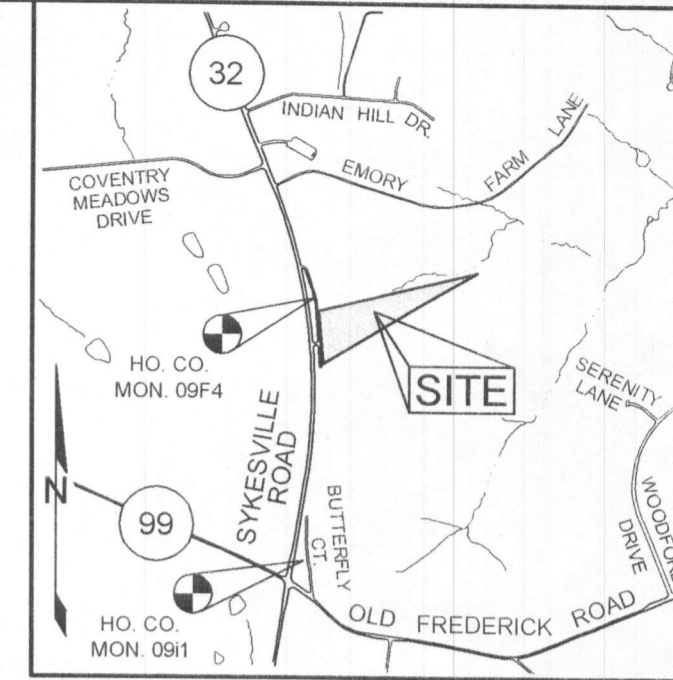
- THIS PLAT IS SUBJECT TO THE AMENDED FIFTH EDITION OF THE SUBDIVISION AND LAND DEVELOPMENT REGULATIONS PER COUNCIL BILL 46-2003 AND THE ZONING REGULATIONS AS AMENDED BY COUNCIL BILL 75-2003. DEVELOPMENT OR CONSTRUCTION ON THESE LOTS MUST COMPLY WITH SETBACK AND BUFFER REGULATIONS IN EFFECT AT THE TIME OF SUBMISSION OF THE SITE DEVELOPMENT PLAN, WAIVER PETITION APPLICATION, OR BUILDING/GRADING PERMIT.
- NO GRADING, OR REMOVAL OF VEGETATIVE COVER OR TREES, PAVING AND NEW STRUCTURES SHALL BE PERMITTED WITHIN THE LIMITS OF WETLANDS, STREAMS OR THEIR REQUIRED BUFFERS, FLOODPLAIN AND FOREST CONSERVATION EASEMENT AREAS.
- THE 65DBA NOISE CONTOUR LINE DRAWN ON THIS SUBDIVISION PLAN IS ADVISORY AS REQUIRED BY THE HOWARD COUNTY DESIGN MANUAL, CHAPTER 5, REVISED FEBRUARY, 1992 AND CANNOT BE CONSIDERED TO EXACTLY LOCATE THE 65DBA NOISE EXPOSURE. THE 65DBA NOISE LINE WAS ESTABLISHED BY HOWARD COUNTY TO ALERT DEVELOPERS, BUILDERS AND FUTURE RESIDENTS THAT AREAS BEYOND THIS THRESHOLD MAY EXCEED GENERALLY ACCEPTED NOISE LEVELS ESTABLISHED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.
- REFUSE AND RECYCLING COLLECTION ARE PROVIDED AT MARYLAND ROUTE 32.
- THE EASEMENT HOLDERS FOR THE EASEMENT ON PRESERVATION PARCEL 'A' WILL BE HOWARD COUNTY AND THE PATUXENT CONSERVATION CORPORATION.

GENERAL NOTES CONTINUED...

- A WETLAND STUDY WAS PERFORMED BY SILL, ADCOCK AND ASSOCIATES, LLC., IN MARCH 2007. NO WETLANDS ARE LOCATED WITHIN OR NEAR THE AREA OF DEVELOPMENT.
- LANDSCAPING FOR LOT 1 IS PROVIDED IN ACCORDANCE WITH A CERTIFIED LANDSCAPE PLAN ON FILE WITH THIS PLAT IN ACCORDANCE WITH SECTION 16.124 OF THE HOWARD COUNTY CODE AND THE LANDSCAPE MANUAL. FINANCIAL SURETY FOR THE REQUIRED 11 PERIMETER SHADE TREES IN THE AMOUNT OF \$3,300.00 WILL BE PAID AT THE TIME OF ISSUANCE OF THE BUILDER'S GRADING PERMIT.
- IN ACCORDANCE WITH THE MARYLAND STORMWATER DESIGN MANUAL, PROJECTS SHALL BE EXEMPT FROM STORMWATER MANAGEMENT OBLIGATIONS IF IT HAS LESS THAN 5,000 SQUARE FEET OF LAND COVER CHANGE. THIS PLAN PROPOSES 4,608 SQUARE FEET OF LAND COVER CHANGE AND THEREFORE IS EXEMPT FROM PROVIDING STORMWATER MANAGEMENT. IF AT THE GRADING PERMIT APPLICATION STAGE, THIS AREA INCREASES OVER 5,000 SQUARE FEET, STORMWATER MANAGEMENT WILL BE REQUIRED.
- THERE ARE NO FLOODPLAINS, CEMETERIES, HISTORIC STRUCTURES, WETLANDS OR STREAMS WITHIN OR NEAR THE AREA OF DEVELOPMENT. STREAM AND WETLANDS SHOWN ARE TAKEN FROM PLAT #13805 / F-99-98-CHRISTIAN FAMILY OUTREACH CENTER LOT 4.
- THIS SUBDIVISION IS EXEMPT FROM THE REQUIREMENTS OF SECTION 16.1200 OF THE HOWARD COUNTY CODE FOR FOREST CONSERVATION BECAUSE IT IS A MINOR SUBDIVISION CREATING ONE ADDITIONAL LOT AND HAS NO FURTHER SUBDIVISION POTENTIAL BASED ON THE MAXIMUM DENSITY REQUIREMENTS UNDER THE CURRENT RR ZONING DISTRICT WHICH ALLOWS ONE DWELLING UNIT PER 4.25 GROSS ACRES.
- A NOISE STUDY PREPARED BY MARS GROUP, DATED MARCH 2, 2009, HAS BEEN PROVIDED FOR THIS PROJECT IN ACCORDANCE WITH THE HOWARD COUNTY DESIGN MANUAL AND THE LAND DEVELOPMENT AND SUBDIVISION REGULATIONS.
- BUILDABLE PRESERVATION PARCEL 'A' IS BEING PROPOSED AS A BUILDABLE PARCEL. ONE (1) HOUSING ALLOCATION ALLOWING ONE (1) BUILDABLE UNIT SHALL BE UTILIZED. IT WILL BE PRIVATELY OWNED. IT IS ENCUMBERED BY AN EASEMENT AGREEMENT WITH AND THIS AGREEMENT PROHIBITS FURTHER SUBDIVISION OF THE PARCEL, OUTLINES THE MAINTENANCE RESPONSIBILITIES OF ITS OWNERS AND ENUMERATES THE USES PERMITTED ON THE PROPERTY. IT SHALL ENCOMPASS ALL THE ENVIRONMENTALLY SENSITIVE AREAS INCLUDING WETLANDS, STREAMS AND THEIR BUFFER, 100 YEAR FLOODPLAIN AND FOREST CONSERVATION, IF APPLICABLE.

GENERAL NOTES

- THE SUBJECT PROPERTY IS ZONED RR-DEO PER THE 02/02/04 COMPREHENSIVE ZONING PLAN AND THE COMP LITE ZONING ADMENTS EFFECTIVE 07/28/06.
- COORDINATES BASED ON NAD '83, MARYLAND COORDINATE SYSTEM AS PROJECTED BY HOWARD COUNTY GEODETIC CONTROL STATIONS NO. 0911 AND NO. 09FA.
  - DENOTES APPROXIMATE CONTROL STATION LOCATION (SEE VICINITY MAP). STATION 20CA N 587,916.0761 E 1,287,859.6568 STATION 0036 N 585,141.4180 E 1,289,408.7235
  - DENOTES IRON PIPE FOUND.
  - ⊗ DENOTES REBAR AND CAP FOUND.
  - ⊠ DENOTES CONCRETE MONUMENT OR STONE FOUND.
  - ⊞ DENOTES REBAR AND CAP SET.
  - ⊟ DENOTES CONCRETE MONUMENT SET.
- THIS AREA DESIGNATES A PRIVATE SEWAGE EASEMENT OF AT LEAST 10,000 SF AS REQUIRED BY THE MARYLAND STATE DEPARTMENT OF THE ENVIRONMENT FOR INDIVIDUAL SEWAGE DISPOSAL (COMAR 26.04.03). 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 SEWERAGE SYSTEM. THE COUNTY HEALTH OFFICER SHALL HAVE THE AUTHORITY TO GRANT VARIANCES FOR ENCROACHMENTS INTO THE PRIVATE SEWAGE EASEMENT. RECORDATION OF A MODIFIED SEWAGE EASEMENT SHALL NOT BE NECESSARY.
- THE LOT(S) SHOWN HEREON COMPLIES/COMPLY WITH THE MINIMUM OWNERSHIP WIDTH AND LOT AREA AS REQUIRED BY THE MARYLAND DEPARTMENT OF ENVIRONMENT.
- DISTANCES SHOWN ARE BASED ON SURFACE MEASUREMENT AND NOT REDUCED TO NAD '83 GRID MEASUREMENT.
- ALL AREAS SHOWN HEREON ARE MORE OR LESS.
- THIS PLAT IS BASED ON A FIELD RUN MONUMENTED BOUNDARY SURVEY PERFORMED ON OR ABOUT SEPTEMBER 02, 2008, BY SILL, ADCOCK & ASSOCIATES, LLC.
- THERE IS AN EXISTING DWELLING WITH ACCESSORY STRUCTURES ON BUILDABLE PRESERVATION PARCEL 'A'. TO REMAIN. NO NEW BUILDINGS, EXTENSIONS OR ADDITIONS TO THE EXISTING DWELLING AND ACCESSORY STRUCTURES ARE TO BE CONSTRUCTED AT A DISTANCE LESS THAN THE ZONING REGULATION REQUIREMENTS.
- DRIVEWAY(S) SHALL BE PROVIDED PRIOR TO ISSUANCE OF A USE AND OCCUPANCY PERMIT FOR ANY NEW DWELLINGS TO ENSURE SAFE ACCESS FOR FIRE AND EMERGENCY VEHICLES PER THE FOLLOWING REQUIREMENTS:
  - WIDTH - 12 FEET (16 FEET SERVING MORE THAN ONE RESIDENCE);
  - SURFACE - SIX (6") INCHES OF COMPACTED CRUSHER RUN BASE WITH TAR AND CHIP COATING (1-1/2" MINIMUM);
  - GEOMETRY - MAXIMUM 14% GRADE, MAXIMUM 10% GRADE CHANGE AND 45-FOOT TURNING RADIUS;
  - STRUCTURES (CULVERTS/BRIDGES) - CAPABLE OF SUPPORTING 25 GROSS TONS (H25-LOADING);
  - DRAINAGE ELEMENTS - CAPABLE OF SAFELY PASSING 100 YEAR FLOOD WITH NO MORE THAN 1 FOOT DEPTH OVER DRIVEWAY SURFACE;
  - MAINTENANCE - SUFFICIENT TO ENSURE ALL WEATHER USE
 SEE THIS SHEET FOR CONTINUATION...

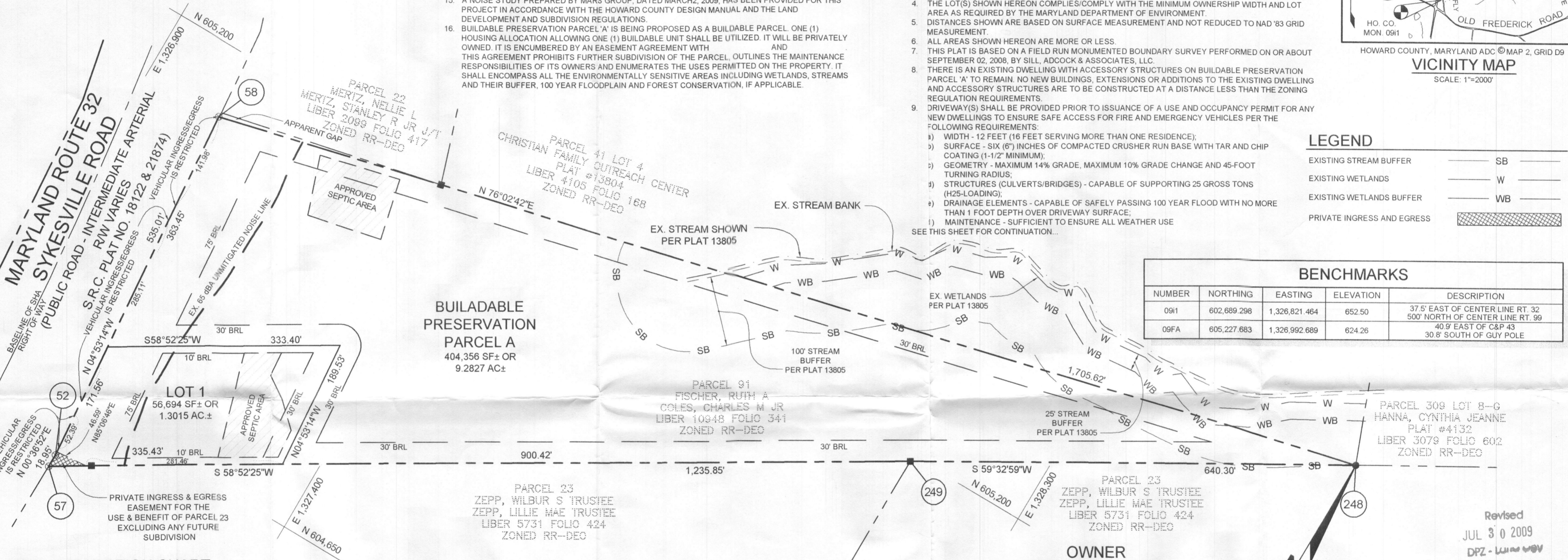


HOWARD COUNTY, MARYLAND ADC MAP 2, GRID D9  
**VICINITY MAP**  
SCALE: 1"=2000'

LEGEND

EXISTING STREAM BUFFER	SB
EXISTING WETLANDS	W
EXISTING WETLANDS BUFFER	WB
PRIVATE INGRESS AND EGRESS	(Hatched pattern)

NUMBER	NORTHING	EASTING	ELEVATION	DESCRIPTION
0911	602,689.298	1,326,821.464	652.50	37.5' EAST OF CENTER LINE RT. 32 500' NORTH OF CENTER LINE RT. 99
09FA	605,227.683	1,326,992.689	624.26	40.9' EAST OF C&P 43 30.8' SOUTH OF GUY POLE



AREA TABULATION CHART

- TOTAL NUMBER OF LOTS AND/OR PARCELS TO BE RECORDED:
  - BUILDABLE: 1
  - NON-BUILDABLE: 0
  - OPEN SPACE: 0
- PRESERVATION PARCELS: 1
- TOTAL AREA OF LOTS AND/OR PARCELS:
  - BUILDABLE: 1.3015 AC±
  - NON-BUILDABLE: 0.0000 AC±
  - OPEN SPACE: 0.0000 AC±
  - PRESERVATION PARCELS: 9.2827 AC±
- TOTAL AREA OF ROADWAY TO BE RECORDED: 0.0000 AC±
- TOTAL AREA OF SUBDIVISION TO BE RECORDED: 10.5842 AC±

THE REQUIREMENTS §3-108, THE REAL PROPERTY ARTICLE, ANNOTATED CODE OF MARYLAND, 1999 REPLACEMENT VOLUME, (AS SUPPLEMENTED) AS FAR AS THEY RELATE TO THE MAKING OF THIS PLAT AND THE SETTING OF MARKERS HAVE BEEN COMPLIED WITH.

MICHAEL D. ADCOCK, PROFESSIONAL LAND SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_

RUTH A. FISHER \_\_\_\_\_ DATE \_\_\_\_\_

CHARLES M. COLE, JR. \_\_\_\_\_ DATE \_\_\_\_\_

U.S. EQUIVALENT COORDINATE TABLE

POINT	NORTHING	EASTING
248	605,514.9286	1,328,675.4278
249	605,190.4296	1,328,123.4454
57	604,551.5848	1,327,065.5213
52	604,570.5336	1,327,065.7245
58	605,103.6006	1,327,020.1441

**OWNER**  
RUTH A. FISHER  
CHARLES M. COLE JR.  
1585 ROUTE 32  
SYKESVILLE, MARYLAND 21784-5437

**DEVELOPER**  
HERITAGE LAND DEVELOPMENT  
C/O TIMOTHY FEAGA  
P.O. BOX 482  
LISBON, MARYLAND 21765  
410.489.7900

**Sill · Adcock & Associates · LLC**  
Engineers · Surveyors · Planners  
3300 North Ridge Road, Suite 160  
Ellicott City, Maryland 21043  
Phone: 443.325.7682 Fax: 443.325.7685  
Email: info@saaland.com

Revised JUL 3 '0 2009  
DPZ - L.L. & W.W.

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

HOWARD COUNTY HEALTH OFFICER \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED: HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

CHIEF, DEVELOPMENT ENGINEERING DIVISION \_\_\_\_\_ DATE \_\_\_\_\_

DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

DEDICATION FOR INDIVIDUALS

WE, RUTH A. FISHER AND CHARLES M. COLE, JR., OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND IN CONSIDERATION OF THE APPROVAL OF THIS FINAL PLAT BY THE DEPARTMENT OF PLANNING AND ZONING, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND GRANT UNTO HOWARD COUNTY, MARYLAND, ITS SUCCESSORS AND ASSIGNS: (1) THE RIGHT TO LAY, CONSTRUCT AND MAINTAIN SEWERS, DRAINS, WATER PIPES AND OTHER MUNICIPAL UTILITIES AND SERVICES IN AND UNDER ALL ROAD AND STREET RIGHTS-OF-WAY AND THE SPECIFIC EASEMENT AREAS SHOWN HEREON; (2) THE RIGHT TO REQUIRE DEDICATION FOR PUBLIC USE THE BEDS OF THE STREETS AND/OR ROADS AND FLOODPLAINS AND OPEN SPACE WHERE APPLICABLE AND FOR GOOD AND OTHER VALUABLE CONSIDERATION HEREBY GRANT THE RIGHT AND OPTION TO HOWARD COUNTY TO ACQUIRE THE FEE SIMPLE TITLE TO THE BEDS OF THE STREETS AND/OR ROADS AND FLOODPLAINS, STORM DRAINAGE FACILITIES AND OPEN SPACE WHERE APPLICABLE; (3) THE RIGHT TO REQUIRE DEDICATION OF WATERWAYS AND DRAINAGE EASEMENTS FOR THE SPECIFIC PURPOSE OF THEIR CONSTRUCTION, REPAIR AND MAINTENANCE; AND (4) THAT NO BUILDING OR SIMILAR STRUCTURE OF ANY KIND SHALL BE ERECTED ON OR OVER SAID EASEMENTS AND RIGHTS-OF-WAY.

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009.

RUTH A. FISHER \_\_\_\_\_ DATE \_\_\_\_\_ WITNESS \_\_\_\_\_ DATE \_\_\_\_\_

CHARLES M. COLE, JR. \_\_\_\_\_ DATE \_\_\_\_\_ WITNESS \_\_\_\_\_ DATE \_\_\_\_\_

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT; THAT IT IS A SUBDIVISION OF ALL THE LANDS CONVEYED BY RUTH A. FISHER AND CHARLES M. COLES, JR., PERSONAL REPRESENTATIVES OF THE ESTATE OF RUSSELL M. SHIPLEY, DECEASED, TO RUTH A. FISHER AND CHARLES M. COLES, JR. BY DEED DATED THE 28TH DAY OF FEBRUARY, 2007, AND RECORDED IN THE LAND RECORDS OF HOWARD COUNTY IN LIBER 10948, FOLIO 341, AND THAT ALL MONUMENTS ARE IN PLACE OR WILL BE IN PLACE PRIOR TO THE ACCEPTANCE OF THE STREETS IN THE SUBDIVISION BY HOWARD COUNTY AS SHOWN, IN ACCORDANCE WITH THE ANNOTATED CODE OF MARYLAND, AS AMENDED.

MICHAEL D. ADCOCK, PROFESSIONAL LAND SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_  
MD. REG. NO. 21257

RECORDED AS PLAT NUMBER \_\_\_\_\_ ON \_\_\_\_\_  
IN THE LAND RECORDS OF HOWARD COUNTY, MARYLAND.

SUBDIVISION PLAT OF  
**SHIPLEY'S LODGE**  
LOT 1 AND BUILDABLE PRESERVATION PARCEL 'A'  
A SUBDIVISION OF PARCEL 91 TAX MAP 9 GRID 17  
3RD ELECTION DISTRICT  
HOWARD COUNTY, MARYLAND  
ZONED: RR-DEO  
SCALE: 1"=100'  
DATE: JULY 27, 2009  
SHEET 1 OF 1