



Bureau of Environmental Health
8930 Stanford Blvd | Columbia, MD 21045
410.313.2640 - Voice/Relay
410.313.2648 - Fax
1.866.313.6300 - Toll Free

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

APPLICATION FOR WAIVER

To Howard Co Code Subtitle 8: Onsite Sewage Disposal Systems and Subtitle 9: Individual Potable Water Supply Systems

Date Submitted: 9/1/23

Property Address: 1212 Cartley Ct

Subdivision Lot Tax Map Grid Parcel Tax Account #

Provide a brief site history including previously submitted and active plans with the Health Department or the County (subdivision plans, perc test applications, Building Permit applications):

B23003538, proposed detached garage

In the area below, list the specific section of the Howard Co Code to which a waiver is being requested and provide a brief summary of the regulation and an explanation of why the waiver is being requested (Attach a separate sheet if necessary).

Table with 2 columns: Regulation Section, Summary and Explanation. Row 1: 3.805, Perc Certification plan requirement. Property does not have a valid perc cert plan on file.

Property Owner's Signature

Health Department Use Only

Reviewed by Hank Oswald HCHD Staff Date

Comments/Conditions:

Approved by: [Signature] BEH Deputy Director Date: 9/14/23

approved
HOS
9/14/23

WAIVER TO REQUIREMENT FOR A PERCOLATION CERTIFICATION PLAN

DAVID EASH
1212 CARTLEY COURT
WOODBIND, MD 21797

BACKGROUND:

The property was originally recorded in 1976 as lot 8 (77,798 square feet) of the Lisbon Acres subdivision. That plat shows a perc reserve area on the east side of the lot near Cartley Court.

The property was re-subdivided in May 1977 to merge lot 8 with lot 9 creating 5.0186 acre lot. The septic reserve was retained in the original location and added dimensions from the adjoining roads. The reserve area is shown as 100' from Old Frederick Road and 25' from Cartley Ct as a rectangle 70' x 145'. A well is shown on the plat at the intersection of Cartley Court and Old Frederick Road. Exhibit 1

The house was constructed in 1977 and was located 71.2' from Old Frederick Road and 88.1 feet from Cartley Court. The house is 40' deep so the original house was located in the septic reserve shown on the 1977 plat. A pool, deck and pool house was constructed in the late 1980's directly behind the house and it is also located in the septic reserve.

There is clear evidence in the Health Department records that the original house was approved at the current location and that the septic system and drain field are at a location outside of the septic reserve shown on the 1977 plat. Attached is a plan sheet from the Health Department records. Exhibit 2

PROPOSED CONSTRUCTION

The construction of a detached garage 30' x40' is proposed southwest of the existing house and pool. It will not have water or sewer service. Exhibit 3.

JUSTIFICATION FOR WAIVER TO PERCOLATION TESTING AND ESTABLISHMENT OF A NEW SEPTICRESERVE AREA

It is clear that the Health Department was aware that the original house construction was in the reserve area and that the septic field approved for that house was also located outside of the reserve area.

Health Department records from that time as well as the late 1980's when the pool was constructed do not exist as far as we know and Hank Oswald confirmed that is likely the case in a field meeting on August 31, 2023.

The topography of the 5 acre parcel is relatively flat and there is sufficient area for replacement fields west of the existing house as well as numerous other locations on the lot.

At the recommendation of Hank Oswald we confirmed the location of the well on the adjacent lot 7. The house is located at the intersection of Old Frederick Road and Adgate Court fronting

on Adgate Court. The well is located near a large tree approximately 30' in front of the house and 20' from the existing driveway. It is about 240' from the property line with the subject lot.

HARDSHIP

Requiring disturbance of the established front and side lawn of the house to conduct percolation testing is not warranted based on the following:

- The proposed garage will not add to the water and septic demand.
- There are no limitations on this 5 acre lot that would indicate a problem in constructing a replacement septic drain field.
- The permit records indicate that something was changed in 1977 but records have not been retained by the health Department or the owner.
- The owner purchased the property in 1977 and has resided there ever since.
- The lack of historic records is not a self-created hardship.

Your consideration of this request will allow the construction of the garage to move forward in a timely way so it is completed before winter.

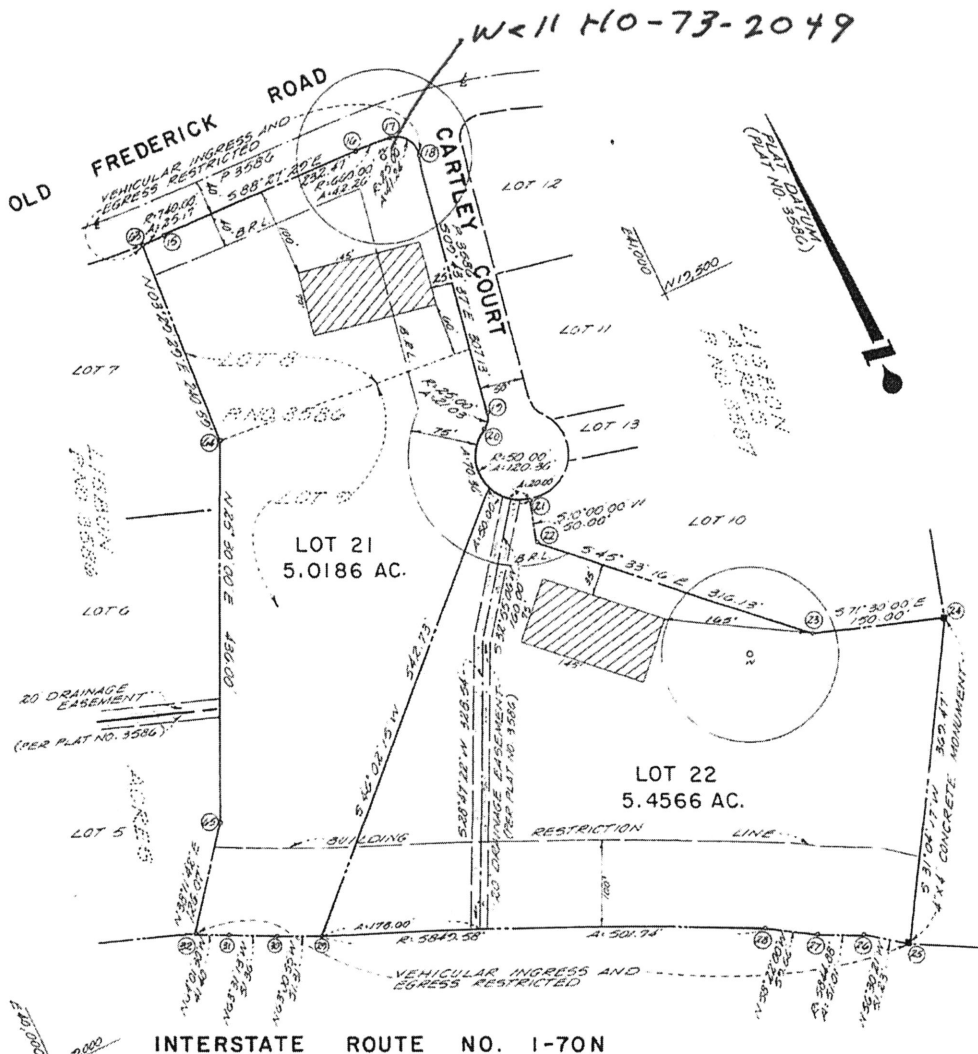
If additional information is needed please let us know.

David Eash
DAIVD EASH, OWNER

9-1-23
DATE

CURVE DATA					
NO.	RADIUS	ARC	TANGENT	DELTA	CHORD
63-15	740.00	25.17	12.59	01°56'57"	587°29'01" E 25.17
16-17	560.00	42.26	21.14	03°40'08"	586°37'21" E 42.25
17-18	25.00	41.24	21.05	04°30'58"	537°31'09" E 36.72
19-20	25.00	21.03	11.18	48°11'25"	533°50'17" W 20.41
20-21	50.00	120.36	129.99	137°55'21"	511°02'42" W 93.33
22-23	5849.58	501.74	251.02	04°54'52"	NG5°54'00" W 501.57

COORDINATES					
NO.	NORTH	EAST	NO.	NORTH	EAST
15	17,803.01	40,315.42	26	18,747.48	40,892.83
16	17,796.75	40,747.80	27	18,770.75	40,847.55
17	17,794.26	40,789.99	28	18,802.24	40,796.75
18	17,765.14	40,812.35	29	19,007.05	40,338.88
19	17,462.43	40,760.47	30	19,030.34	40,293.16
20	17,145.47	40,749.10	31	19,059.24	40,247.19
21	17,353.87	40,766.98	32	19,075.75	40,200.78
22	17,304.03	40,758.30	33	19,101.45	40,287.92
23	17,083.27	40,983.98	34	19,263.97	40,475.02
24	17,035.67	41,126.23	35	19,804.11	40,493.27
25	18,719.21	40,935.35			



- NOTES:
1. THE LOTS SHOWN HEREON COMPLY WITH MINIMUM OWNERSHIP WIDTH AND LOT AREA AS REQUIRED BY THE MARYLAND STATE DEPARTMENT OF HEALTH REGULATIONS.
 2. THE MAINTENANCE OF ALL STORM DRAINAGE EASEMENTS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS, ITS SUCCESSORS AND ASSIGNS.
 3. THIS AREA DESIGNATES A PRIVATE SEWAGE EASEMENT OF APPROXIMATELY 10,000 SQ. FT. AS REQUIRED BY THE MARYLAND STATE HEALTH DEPARTMENT FOR INDIVIDUAL SEWAGE DISPOSAL IMPROVEMENTS OF ANY NATURE IN THIS AREA ARE RESTRICTED UNTIL PUBLIC SEWERAGE IS AVAILABLE AND SERVICING ANY RESIDENTIAL STRUCTURE CONSTRUCTED ON THESE BUILDING SITES. THIS EASEMENT SHALL BECOME NULL AND VOID UPON CONNECTION TO A PUBLIC SEWAGE SYSTEM.
 4. WELL AND NON-POLLUTION RADIUS SHOWN THUS.

Exhibit 1

OWNERS
 JACIEREDON, INC.
 8003 WOODMONT AVENUE
 BETHESDA, MD. 20014
 TEL. 301-656-4500

Recorded by Transfer
 Notary Public
Henry H. Hume
 Notary Clerk
 Date 5/23/77

FILED MAY 23 1977

LOTS 21 AND 22

A RESUBDIVISION OF LOTS 8 AND 9
LISBON ACRES
 4th ELECTION DISTRICT HOWARD COUNTY, MD.
 MARCH, 1977 SCALE: 1"=100'

NO. OF LOTS ---- 2
 AREA OF LOTS ---- 10.4752 AC.
 AREA OF ROADS ---- NONE
 TOTAL ---- 10.4752 AC.

APPROVED FOR PRIVATE WATER AND PRIVATE SEWAGE SYSTEMS, HOWARD COUNTY HEALTH DEPT.
Palmer F. Wine 5-13-77
 COUNTY HEALTH OFFICER DATE

APPROVED: HOWARD COUNTY OFFICE OF PLANNING AND ZONING
[Signature] 5-17-77
 DIRECTOR DATE

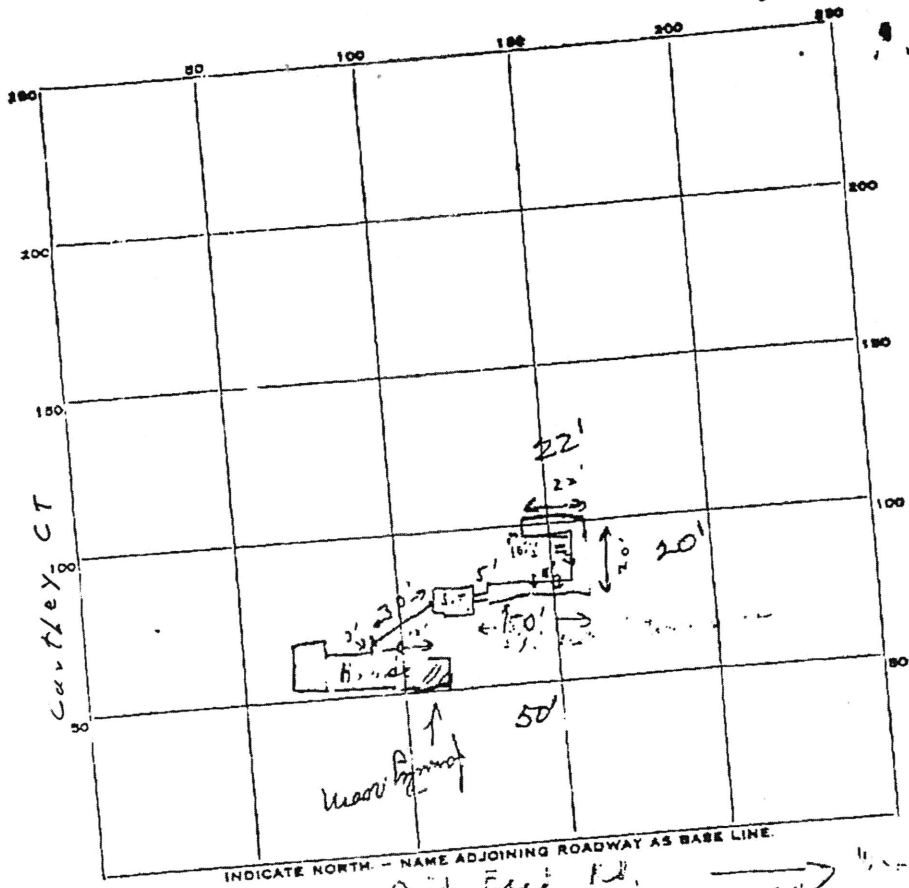
APPROVED FOR STORM DRAINAGE SYSTEMS AND PUBLIC ROADS, HOWARD COUNTY DEPARTMENT OF PUBLIC WORKS
[Signature] 5-11-77
 DIRECTOR DATE

OWNER'S DEDICATION
 I, WE, JACIEREDON, INC., A MARYLAND CORPORATION, BY JOHN R. FOLEY, JR., PRESIDENT, BEHALF OF SAID PRESIDENT, OWNERS OF THE PREMISES SHOWN AND DESCRIBED HEREON, HEREBY DEDICATE THIS PLAN OF SUBDIVISION, AND IN CONSIDERATION OF THE APPROVAL OF THIS PLAN BY THE OFFICE OF PLANNING AND ZONING, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES.
 ALL EASEMENTS OR RIGHTS OF WAY AFFECTING THE PROPERTY ARE INCLUDED IN THIS PLAN OF SUBDIVISION.
 WITNESS OUR HANDS THIS 24 DAY OF MARCH 1977.
 JACIEREDON, INC.
 BY: *John Foley*
 JOHN R. FOLEY, JR. PRESIDENT
 ATTEST
Janet T. Smith
 JACIEREDON, INC. VICE PRESIDENT

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE FINAL PLAT SHOWN HEREON IS CORRECT; THAT IT IS A SUBDIVISION OF PART OF THE LANDS CONVEYED BY FRANCES L. PLAINES TO JACIEREDON, INC. BY DEED DATED DECEMBER 21, 1976, AND RECORDED IN THE LAND RECORDS OF HOWARD COUNTY, MARYLAND IN VOLUME 903 OF PLAT 434 AND THAT THIS PLAT IS ALSO A RESUBDIVISION OF LOTS 8 AND 9 AS SHOWN ON A PLAT OF SUBDIVISION ENTITLED "LISBON ACRES", RECORDED IN SAID LAND RECORDS AS PLAT NO. 3586, AND THAT ALL MONUMENTS ARE IN PLACE AS SHOWN, IN ACCORDANCE WITH THE ANNOTATED CODE OF MARYLAND, AS AMENDED.
 DATE MARCH 21, 1977.
Francis T. Smith
 FRANCIS T. SMITH
 PROFESSIONAL LAND SURVEYOR
 MD. REG. NO. 7162

ELDON E. SNIDER AND ASSOC.
 LAND SURVEYORS AND LAND PLANNING CONSULTANTS
 2 PROFESSIONAL DR. SURVEYORS
 GAITHERSBURG, MD.
 TEL. 301-248-2100
 COMPLETED BY: J.F. SHAW
 SUBMITTED BY: E.S.H.

20716



INDICATE NORTH -- NAME ADJOINING ROADWAY AS BASE LINE.

PERMIT CARD G. J. ...
 SEPTIC TANK, LEVEL ok

CLEANOUTS S.T. 1/4" 1/4"

DISTRIBUTION BOX, LEVEL —
 TILE FIELD, DEPTH 10 1/2' FT. TRENCH WIDTH 2 FT. 55'
 GRAVEL DEPTH 6 1/2' FT. TOTAL LENGTH 92 FT. 41'
 NUMBER OF TRENCHES 1 TOTAL BOTTOM AREA —
 SEEPAGE PITS, INSIDE DIAMETER 18" FT. DEPTH BELOW INLET 4 FT.

REMARKS 18" Trench ok has gravel at 4' to 6' to cover the trench
and 6" water table. 5' to 6' to cover the trench
C 15-1

DATE SYSTEM APPROVED _____ INSPECTOR _____

