

CA 0412-06
SUB

Dowell, William Bradley
MSD 06-11-44

MSA-S-1829-5647

Comments 7/11/06-Ked

Revised 12/21/06-Ked

Revised 7/19/07-Ked

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Margaret G. McHale
Chair

Ren Serey
Executive Director

STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS

1804 West Street, Suite 100, Annapolis, Maryland 21401
(410) 260-3460 Fax: (410) 974-5338
www.dnr.state.md.us/criticalarea/

July 3, 2007

Ms. Olivia Vidotto
Calvert County Department of Planning and Zoning
150 Main Street
Prince Frederick, Maryland 20678

Re: MSD-06-11-44 Dowell
Final Plat Review

Dear Ms. Vidotto:

This letter is in regard to our continuing review of the above referenced subdivision. Based on the revised plat received on July 2, 2007, we provide the following comments:

It appears that the applicant has adequately addressed our previous comments and that the subdivision is now compliant with all Critical Area criteria as described within the County's zoning ordinance. Therefore, we have no further comments to offer.

Thank you for the opportunity to provide comments for this revised subdivision request. Please contact me at (410) 260-3482 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Kerrie Gallo".

Kerrie L. Gallo
Natural Resource Planner
CA412-06

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

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December 21, 2006

Ms. Olivia Vidotto
Calvert County Department of Planning and Zoning
150 Main Street
Prince Frederick, Maryland 20678

Re: MSD-06-11-44 Dowell
Final Plat Review

Dear Ms. Vidotto:

This letter is in regard to our continuing review of the above referenced subdivision. The comments below are identical to those provided on July 16, 2006 as it does not appear that the applicant has incorporated the necessary changes on the current plat. As a side note, please advise the applicant that the referenced sections of the County's ordinance are not applicable at this time as the County's proposed changes to the Critical Area Program and zoning ordinance have not been formally approved by the Commission.

The impervious surface area information listed on the plat is not accurate. Specifically, the provision within State and County Critical Area Law which permits lots under one-half acre in size to increase imperviousness to 31.25% applies only to grandfathered lots of record. The process of subdivision, as proposed by the applicant, results in the creation of two new, non-grandfathered lots. Therefore, the impervious surface area on proposed Lots 1 and 2 is limited as follows:

"If an individual lot 1 acre or less in size is part of a subdivision approved after December 1, 1985 in the Chesapeake Bay Critical Area or after June 1, 2002 in the Atlantic Coastal Bays Critical Area, then man-made impervious surfaces of the lot may not exceed 25% of the lot. However, the total of the impervious surfaces over the entire subdivision may not exceed 15%" (Natural Resources Article §8-1808.3).

- Proposed Lot 1= 0.285 acres x 25% = 3,108 square feet
- Proposed Lot 2= 0.210 acres x 25% = 2,285 square feet
- Total property acreage= 0.52 acres x 15% = **3,397 square feet**

Based on the information provided above, the 15% limit for the entire subdivision restricts the lots to less than 25% coverage for each lot. Alternatively, the applicant may choose to abide by the 15% limit for each lot (1,862 square feet for Lot 1 and 1,372 square feet for Lot 2). Please provide Commission

Olivia Vidotto
Dowell Subdivision
December 21, 2006
Page 2

staff with a revised plat which demonstrates that compliance with impervious surface area limits can be achieved in conjunction with the proposed subdivision.

Thank you for the opportunity to provide comments for this subdivision request. Please contact me at (410) 260-3482 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Kerrie L. Gallo".

Kerrie L. Gallo
Natural Resource Planner
CA412-06

Robert L. Ehrlich, Jr.
Governor



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July 18, 2006

Ms. Olivia Vidotto
Calvert County Department of Planning and Zoning
150 Main Street
Prince Frederick, Maryland 20678

Re: MSD-06-11-44 Dowell
(Tax Map 44, Parcel 499)

Dear Ms. Vidotto:

Thank you for providing information on the above referenced subdivision. The applicant is proposing to subdivide a 0.52-acre property to create two new residential lots within the Critical Area. The property is designated a Limited Development Area (LDA) and is currently developed with a primary dwelling and a shed structure.

Based on our review of the plat, it appears that the impervious surface area information listed on the plat is not accurate. Specifically, the provision within State and County Critical Area Law which permits lots under one-half acre in size to increase imperviousness to 31.25% applies only to grandfathered lots of record. The process of subdivision, as proposed by the applicant, results in the creation of two new, non-grandfathered lots. Therefore, the impervious surface area on proposed Lots 1 and 2 is limited as follows:

"If an individual lot 1 acre or less in size is part of a subdivision approved after December 1, 1985 in the Chesapeake Bay Critical Area or after June 1, 2002 in the Atlantic Coastal Bays Critical Area, then man-made impervious surfaces of the lot may not exceed 25% of the lot. However, the total of the impervious surfaces over the entire subdivision may not exceed 15%" (Natural Resources Article §8-1808.3).

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- Total property acreage = 0.52 acres x 15% = **3,397 square feet**

Based on the information provided above, the 15% limit for the entire subdivision restricts the lots to less than 25% coverage for each lot. Alternatively, the applicant may choose to abide by the 15% limit for each lot (1,862 square feet for Lot 1 and 1,372 square feet for Lot 2). Please provide Commission

Olivia Vidotto
Dowell Subdivision
July 18, 2006
Page 2

staff with a revised plat which demonstrates that compliance with impervious surface area limits can be achieved in conjunction with the proposed subdivision.

Thank you for the opportunity to provide comments for this subdivision request. Please contact me at (410) 260-3482 if you have any questions.

Sincerely,



Kerrie L. Gallo
Natural Resource Planner
CA412-06

NOTES:

1. A perpetual easement is provided for the widening, future widening and/or construction and maintenance of the area adjacent to the right-of-way lines of the public roadways shown hereon in accordance with the RD-4, typical road sections per the Calvert County Road Ordinance and Design Standards as currently amended and in effect at the time of approval for recordation of this plat. This easement shall include all storm drainage structures and appurtenances, excavation and construction of driveway entrances and approach roads, street intersections, gutters, swale ditches, berm ditches, flumes and any other construction applicable to said widening, all as shown on the plat of subdivision.
2. Parcel 499 consists of 0.52 Acres (22,625 Sq.Ft.) and is located within the Solomon's Town Center, Subdistrict E-1. The conventional density within the Town Center equals one unit/acre. The density may be increased via Receiving Area with the use of Transfer Development Rights (TDR's). There is no minimum lot size requirement within the Solomon's Town Center; however, with a maximum permitted density of 7 units per acre, the lot size average for this subdivision must be equal to or greater than 6,223 Sq.Ft. Therefore, 22,625 Sq.Ft. / 6,223 Sq.Ft. = 3.6 rounded down equals 3 units/lots, which is the maximum number of units permitted from Parcel 499 without exceeding the 7 unit/acre density limit. However, the Critical Area LDA zone, only permits up 4 units/acre. Three lots would equate to 5.7 units/acre. Consequently, the Critical Area zoning supersedes the County Zoning. The two lots proposed hereon, equate to 3.8 units per acre which is within the permitted Critical Area LDA zone density.
3. Parcel 499 was created by deed (August 30, 1972) and a house was subsequently built on the parcel in 1973. The 0.52 Acre parcel was grandfathered from obtaining subdivision approval prior to pulling a building permit for the existing house. Consequently, the parcel has one new base density unit. This plat of subdivision proposes two lots, Lot 1 shall be deemed the new base density lot, and Lot 2 shall be deemed the Receiving Area Lot which requires the purchase of five (5) TDR's. The 5 TDR's for this plat were acquired under the Development Option Agreement recorded among the land records of Calvert County, Maryland in Liber _____ Folio _____.
4. This plat of subdivision is located completely within the Critical Area, LDA zone and site development of the lots are subject to meeting the Critical Area Regulations.
5. All houses shall be located so that the front of one house does not face the rear of another house.
6. Within the Solomon's TC, Subdistrict E-1, the height of structures is limited to 3 Stories plus a habitable roof, but not to exceed 50' in total height.
7. All proposed structures on the lot including but not necessarily limited to dwellings, accessory structures, signage, lighting and fencing are subject to review and approval by the Solomon's Architectural Committee prior to the issuance of building permits.
8. Lots 1 & 2 use first and second of 3 lot exemptions permitted under the Adequate Public Facilities Ordinance (APFO).
9. If archaeological materials are discovered during site work, the contractor or developer shall contact the Dept. of Planning and Zoning, HDC office immediately, so that the materials may be evaluated and the information recorded in the interest of documenting the heritage of Calvert County.
10. No non-tidal, zoned wetlands, buffers, conservation areas, or floodplain areas (as per FEMA panel 240011-0031B) exist on site, or directly adjacent to this plat of subdivision.
11. As per Article 8-3.02.B: this site is exempt from Calvert County Forest Conservation Requirements. This site meets the 15% Forest Cover Requirements of the Critical Area Regulations.
12. As per Article 8-1.01.G.8 the Forest Preservation Areas established hereon shall remain undisturbed for water quality benefits and to provide habitat for wildlife. No clearing or removal of vegetation shall be allowed in the Forest Preservation Area unless a habitat protection plan is developed and approved by the Department of Planning & Zoning and a grading permit or grading exemption is also approved.
13. This plat prepared without benefit of a title report.
14. Lots 1 & 2 shall share a common driveway, recorded Shared Access and Maintenance Agreements shall be submitted with the recording package.
15. A Stormwater Management Study for Lots 1 & 2 has been submitted with this plat of subdivision. Lots 1 & 2 qualify for the disconnection of rooftop and non-rooftop credits.
16. As per Article 8-1.03.G.c.iv, The total allowable amount of clearing of forest or developed woodland is 6,000 Sq.Ft. or 30%, whichever is greater.

17. Total Lot Area = 0.495 Acres
 Widening Strip = 0.024 Acres
 Total Platted Area = 0.519 Acres

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	2485.00	68.67	34.34	68.67	S70°01'00"W	1°35'00"
C2	2475.00	70.38	35.19	70.38	N69°59'37"E	1°37'45"

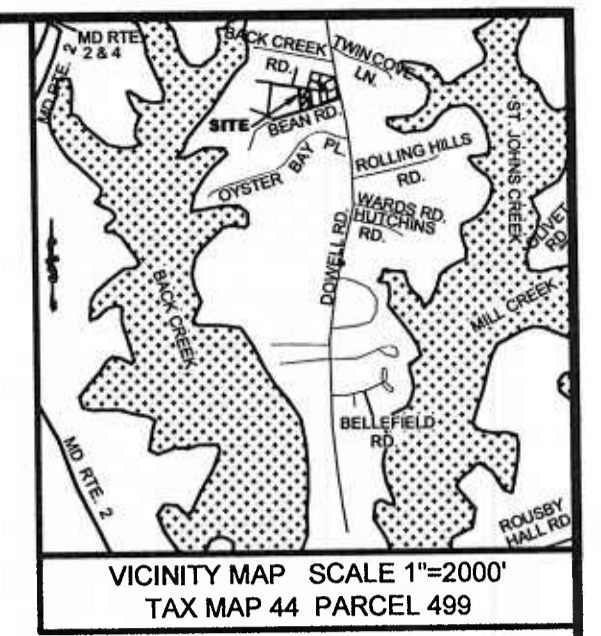
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S70°48'30"W	36.63
L2	N70°48'30"E	34.85

SIGHT DISTANCE CERTIFICATION

I hereby certify that the shared driveway entrance location along the frontage of Lot 1 meets or exceeds the stopping sight distance requirements of the Calvert County Road Ordinance.

6-15-07
 Date
Randy A. Barrett
 Randy A. Barrett

COORDINATES		
No.	NORTH	EAST
1	251111.9861	1470967.7817
2	251076.4524	1470868.7396
3	251306.4108	1470832.0388
4	251296.5513	1470936.6899



VICINITY MAP SCALE 1"=2000'
 TAX MAP 44 PARCEL 499
 TAX I.D.: 01-000241

LEGEND

- Denotes assigned premise address
- Denotes Building Restriction Line
- Denotes Common Access Easement
- Denotes Afforestation Area
- Denotes Forest Preservation Area as Per Article 8-1.01.G.8

OWNERS CERTIFICATE

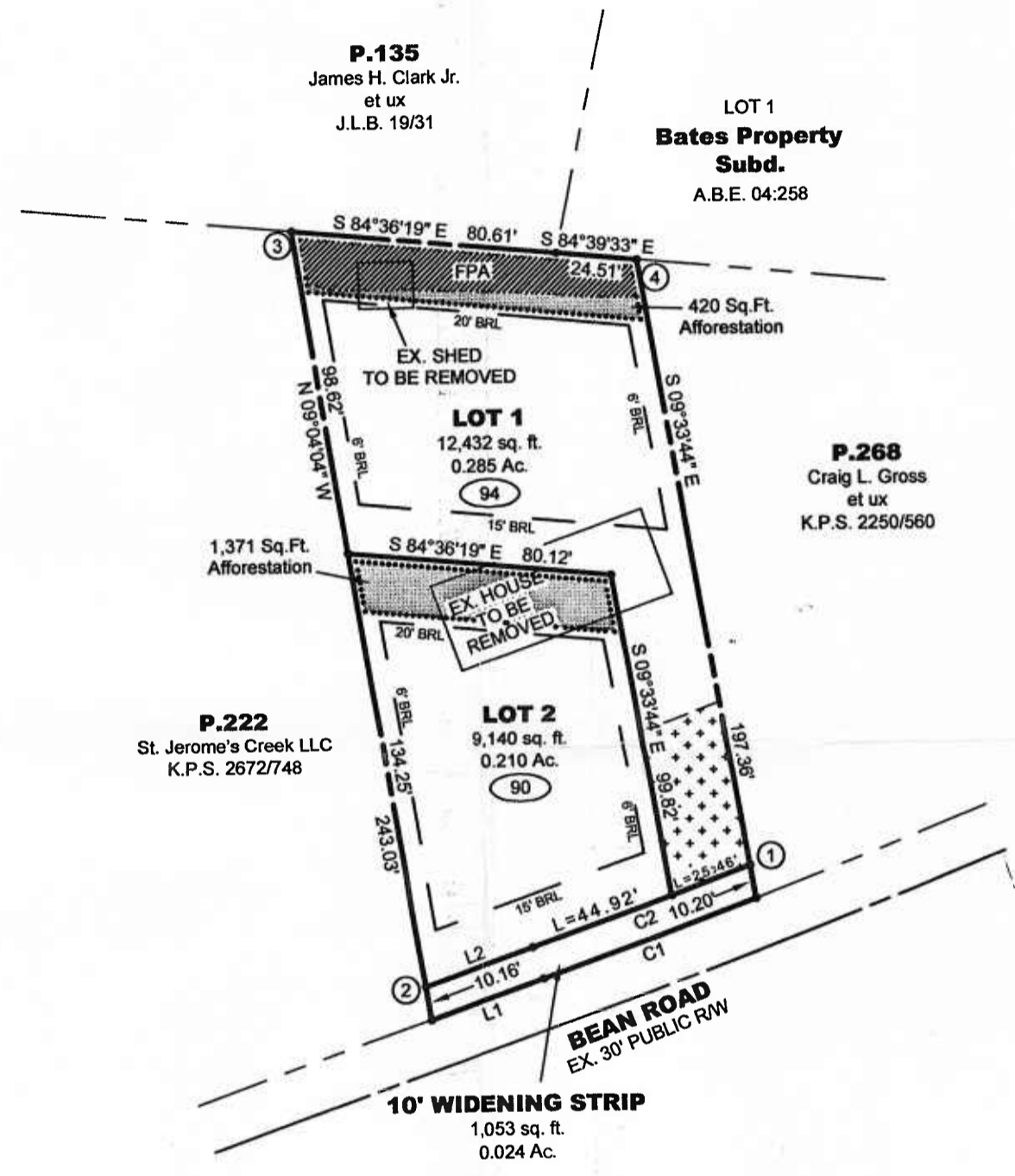
We, the undersigned owners and all parties having proprietary interest in this property hereby adopt this plan of subdivision, establish the minimum building restriction lines and dedicate the streets, alleys, walks, and other areas as specified. The streets, roads, open spaces and public sites shown hereon and the mention thereof in deeds are for the purpose of description only and recording of the Final Plat shall not be deemed to constitute or effect an acceptance by the County Commissioners. Acceptance by the County may be accomplished by a subsequent appropriate act. A utility easement is established 10 feet in width binding on all rights-of-way for the installation and maintenance of public utilities.

Date _____ Witness _____ James D. Blackwell, Jr.
 Managing Member,
 St. Jerome's Creek, LLC

SURVEYOR'S CERTIFICATE

I hereby certify that the plan shown herein is correct: that it is a subdivision of all of the land conveyed by William Bradley Dowell to St. Jerome's Creek, LLC by deed dated March 26, 2007 and recorded among the land records of Calvert County, Maryland in Liber K.P.S. 2975 at Folio 493. Permanent monuments and metal rods have been set as required by Article VII, Calvert County Subdivision Regulations and Article 21, 3-108, Annotated Code of Maryland. This survey is classified as a Suburban Survey in accordance with the State of Maryland Minimum Standards of Practice, Table 09.13.06.03A, Classifications of Surveys.

6-15-07
 Date
Randy A. Barrett
 Randy A. Barrett



- LDA CRITICAL AREA NOTES**
- 1.) Total Forested Area = 1,856 Sq. Ft. (8%)
 Total Forested Area to be cleared = 0.00 Ac.
 - 2.) Per Section 8-1.03.G.f of the 2003 Zoning Ordinance, for stormwater runoff, man-caused impervious areas shall be limited to 15% of the subdivision to be developed. The total allowable man-caused impervious area for the parcel is 3,394 Sq.Ft. (Total). The impervious area may be increased to 25% per individual lot as long as the total impervious area for the parcel does not exceed 15%.
 - 3.) All existing impervious surfaces shall be removed as part of building permit applications.
 - 4.) Total Impervious surface allowed for Lots 1 & 2:
 (22,625 Sq.Ft. x 15%) = 3,394 Sq.Ft.
 - 5.) Impervious surface area by Lot:
 Lot 1: 1,994 Sq.Ft. (16.04%)
 Lot 2: 1,400 Sq.Ft. (15.32%)
 Total: 3,394 Sq.Ft. (15%)

Finally!
 :)

Approved For Recording By The Planning Commission

DATE _____ David K. Humphreys, Secretary, Planning Commission



HEALTH DEPARTMENT

Date _____

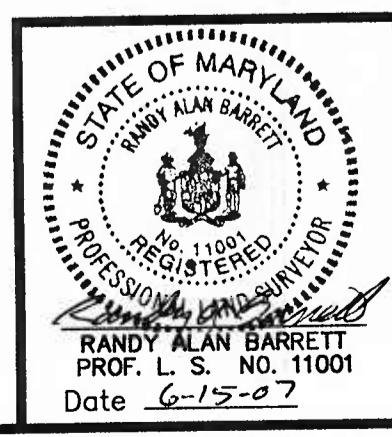
Health Officer _____

Dir. Env. Health _____

Sanitarian _____

HEALTH OFFICER'S CERTIFICATION

This subdivision satisfies the requirements of the Maryland Department Of The Environment regulation 26.04.02 allowing for the construction of community water systems and community sewerage systems for homes and other establishments, and it is in conformance with the current County water and sewerage plan for water planning category W1 and sewerage planning category S1.



R. A. BARRETT & ASSOCIATES, INC.
 ENGINEERS & SURVEYORS
 100 JIBSAIL DR., SUITE 103
 PRINCE FREDERICK, MD 20678
 410-257-2255 301-855-5554 FAX: 410-257-3782

PLANNING & ZONING CASE NO.: MSD 06-11-44

FINAL PLAT
 LOTS 1 & 2, AND 10' WIDENING STRIP
WILLIAM BRADLEY DOWELL PROPERTY
 LOCATED ON BEAN ROAD IN DOWELL
 FIRST ELECTION DISTRICT, CALVERT COUNTY, MARYLAND

DATE	06/15/07
SCALE	1"=50'
DRAWN BY	C.J.M.
DRAWING #	CC2480P499P
FILE #	CC2480
JOB #	09057