



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

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October 26, 2010

Roy & Bonnie Taylor
17226 Hardy Road
Mt. Airy, MD 21771

RE: WP-10-080, Taylor Property

Dear Mr. & Mrs. Taylor:

The Director of the Department of Planning and Zoning considered your request for a waiver from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request to waive **Section 16.147** of the Subdivision and Land Development Regulations, which requires that any division of land must be platted and recorded among the Land Records of Howard County in order to establish a legal lot.

Approval is subject to the following conditions:

1. The "Adjoiner Deed" to merge Parcel 275, 1st Parcel and Parcel 275, 2nd Parcel shall be recorded in the Land Records Office of Howard County, Maryland within 120-Days of the date of this waiver approval (**on or before February 23, 2011**).
2. Recorded copies of the "Adjoiner Deed" shall be submitted to this Department for file retention purposes within 120-Days of the date of this waiver approval (**on or before February 23, 2011**).
3. The "Adjoiner Deed" shall reference this waiver petition file.
4. In accordance with the Zoning Regulations, the newly merged Parcel (Parcel 275, 1st Parcel and Parcel 275, 2nd Parcel) shall comply with the minimum bulk requirements including the building setbacks and minimum lot size requirements for the RC-DEO zoning district.
5. Approval of this waiver is to allow the merger for existing Parcel 275, 1st Parcel and Parcel 275, 2nd Parcel back into one buildable parcel containing the existing house. No other parcels are being legally endorsed, no additional lots will be created and no new development, construction or improvements are permitted under this request.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

The property has change owners several times since the lots were illegally created 27 years ago. The expense of employing an engineering firm to prepare the plat and handle the acquisition of the necessary approvals in order to correct a problem created decades ago is an extraordinary hardship for

the Taylor's who were unaware of the deed history and illegal creation when purchasing the lots five years ago.

Not Detrimental to the Public Interest

Approval of the waiver will not be detrimental to the public welfare. According to the deed history three parcels were illegally created from Lot Lettered "L" of the Poplar Heights Subdivision; Parcel 275, 1st Parcel and Parcel 11 (not included in this waiver request) which have existing dwellings, and Parcel 275, 2nd Parcel which is vacant. The applicant is requesting that Parcel 275, 1st Parcel and Parcel 275, 2nd Parcel be merged to create one parcel with one existing dwelling (built in 1966). The parcel cannot be re-subdivided under the current RC-DEO Zoning District density requirements; therefore, it will allow no more or less impact on the traffic patterns or increase in the school enrollment for the area.

Will not Nullify the Intent or Purpose of the Regulations

Approval of the waiver petition will allow the legal recognition of one merged parcel with an existing dwelling from the illegally created parcels, Parcel 275, 1st Parcel and Parcel 275, 2nd Parcel, by deed. No construction, improvements, or new lots will be created, nor will the merged parcel have further subdivision potential. Merging the two illegally created parcels will bring the parcel in compliance with the minimum lot size in accordance with the Zoning Regulations.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This requested waiver will remain valid for the time period specified in the approval conditions.

If you have any questions, please contact Julia Boone at (410) 313-2350 or email at jboone@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Acting Chief
Division of Land Development

KS/jb

cc: Research
DED
FCC, Inc.