



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

Marsha S. McLaughlin, Director

[www.howardcountymd.gov](http://www.howardcountymd.gov)  
FAX 410-313-3467  
TDD 410-313-2323

June 11, 2010

Cornerstone Holdings  
9695 Norfolk Avenue  
Laurel, MD 20723

RE: WP-10-160, High Ridge Park, Waiver Petition  
Request

Dear Sir or Madam:

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(a) and Section 16.102 to allow recording of adjoinder deeds to reconfigure seven existing lots to five existing lots in the High Ridge Park Subdivision.

Approval is subject to the following conditions:

1. Through the adjoinder deed process, Lots 317-319 and Lots 328-331 shall be consolidated from seven lots down to five lots. The applicant shall identify the newly reconfigured lots by numerical order utilizing the next consecutive lot number available in the particular section and area or block number of subdivision in which it is located.
2. The applicant must record the new deed of conveyance in the Land Records Office of Howard County, MD. A copy of the consolidation deed shall be submitted to this Department for file retention purposes within 90 days of the date of this waiver approval (by September 9, 2010) or concurrent with the filing of the Site Development Plan or building permit plot plans (whichever occurs first).
3. Compliance with the attached comments from the Development Engineering Division dated May 27, 2010 is required.
4. The applicant shall establish a 24 foot wide private use-in-common driveway access easement for new Lots 317A and 328A through 330A, centered within the proposed pipestem area for public road access onto Lyon Avenue. A use-in-common driveway shall be constructed in accordance with the minimum standards of the Howard County Design Manual. The applicant shall record a use-in-common driveway maintenance agreement for Lots 317A and 328A through 330A in the Howard County Land Records Office and reference the liber and folio numbers on the future SDP plan submitted, or on the future building permit plot plan.

Our decision was made based on the following:

**Extraordinary Hardship or Practical Difficulty** – The justification letter received on May 16, 2010 from the applicant. Also, requiring a subdivision plat to consolidate lots would require an undue amount of time for preparation, processing and review and would serve no real purpose except to show abandonment and reconfiguration of lot lines, which can be accomplished by the filing of new deeds in the Land Records Office. Therefore, it would be an extraordinary hardship or practical difficulty to require a subdivision plat to consolidate lots.

**Alternative Proposal** - The justification letter received on May 16, 2010 from the applicant. If this waiver is not granted, the applicant will be required to submit a subdivision plat to consolidate lots. The intent of the regulations will be served through this alternative proposal to allow the seven lots to be reconfigured to five lots by the adjoinder deed process since no new lots are being created.

**Not Detrimental to the Public Interest** - The justification letter received on May 16, 2010 from the applicant. Approving this waiver petition does not create a detriment to the public. The applicant's proposal creates fewer lots that are larger in size compared to the existing lots. Additionally, there are no new roadways being proposed which would adversely affect the surrounding properties. The property has existed as seven separate, legally established building lots since 1921.

**Will not Nullify the Intent or Purpose of the Regulations** - The justification letter received on May 16, 2010 from the applicant. Granting this waiver request will not nullify the intent or purpose of the regulations since the Developer is reducing the number of lots from 7 to 5. Therefore, no APFO would be required. Also, there is no public roadway being proposed. The lots contain no steep slopes 25% or greater or other environmentally sensitive areas that would be required to be shown on a new record plat. The lots shall all retain their general shape as previously recorded (with the exception of the flag steam portion) and Lot 317A which is being reconfigured at the behind the rear of the existing house. Furthermore, these lots are exempt from forest conservation and landscaping requirements.

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 above specified time period or as long as a site development plan or building permit remains in active processing.

If you have any questions, please contact J.J. Hartner at (410) 313-2350 or email at [jehartner@howardcountymd.gov](mailto:jehartner@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Acting Chief  
Division of Land Development

KS/TKM/JH

cc: Research  
DED  
File# WP-10-160  
Benchmark Engineering, Inc.