



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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November 24, 2010

Lorie Ann Hatton
9257 Gross Avenue
Laurel, MD 20723

Richard L. Hatton
9301 Old Scaggsville Road
Laurel, MD 20720

RE: WP-11-051, 9257 Gross Avenue
Lots 151 & 152

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 Final Subdivision Plan and Final Plat to allow a lot line adjustment between Lots 151 & 152 through the adjoinder deed process subject to the following conditions:

Approval is subject to the following conditions:

1. The "Adjoinder Deed" shall be recorded in the Land Records Office of Howard County, MD within 120-Days of the date of this waiver approval (on or before **March 24, 2011**).
2. Recorded copies of the Adjoinder Deed shall be submitted to this Department for file retention purposes within 120 days of the date of this waiver approval (on or before **March 24, 2011**).
3. The "Adjoinder Deed" shall reference this waiver petition file number.
4. In accordance with the Zoning Regulations, the two buildable lots shall comply with the minimum bulk requirements, including the building setbacks, for the R-SC zoning district.
5. Compliance with the Development Engineering Division comments dated October 6, 2010.
6. Approval of this waiver is for the resubdivision of Lots 151 and 152 to adjust their common lot line. No other lots are being legally endorsed, no additional lots will be created and no new development, construction or improvements are permitted under this request.
7. Compliance with all applicable County and State regulations and obtain all necessary permits from the Department of Inspections, Licenses and Permits prior to initiating construction on-site.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

Extraordinary hardship would result from the applicant filing a final plan application for approval and recordation with the Division of Land Development to make a minor lot line adjustment for the property. If this waiver were not granted the applicant would be subject to the formal subdivision process and all of the applicable Regulations. This process would be very costly and time consuming. See the applicant's justification statement.

Alternative Proposal

The alternative proposal would require the applicant to file a subdivision plat to adjust the property line between Lots 151 & 152, on Parcel 413. The two lots already exist per recorded plat book 3, Page 53A and there will be no net gain of buildable entities by granting the requested waiver nor does granting the waiver circumvent or negate the intent of the Regulations. See the applicant's justification statement.

Not Detrimental to the Public Interest

The waiver request will not be detrimental to the public interest since they have a recorded record plat (High Ridge Park, Plat Book 3, Page 53A) that shows that the two lots currently exist within said boundaries. Therefore, by allowing Lot 151 & 152 to adjust their common property line allows the existing house located on lot 152 to be in compliance with the Howard County Zoning Regulations. See the applicant's justification statement.

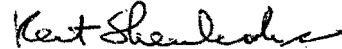
Will not nullify the intent or purpose of the regulations

Approval of this waiver request will not nullify the Intent or Purpose of the Regulation because the applicants will be adjusting the lot line between lots 151 & 152 to bring Lot 152 into compliance with the Howard County Zoning Regulations. Therefore, approval of this waiver request will satisfy the Intent of the Regulations by permitting fairness and consistency in the application of the plan processing procedures. See the applicant's justification statement.

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 above.

If you have any questions, please contact Jennifer Wellen at (410) 313-2350 or email at jwellen@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Acting Chief
Division of Land Development

KS/jw

cc: Research
DED
WP-11-051
Survey Associates, Gary Lane