



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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FAX 410-313-3467
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February 12, 2013

Main Street Builders
attn: Joseph Snodgrass
5705 Landing Road
Elkridge MD 21075

RE: WP-13-067 Long Corner Road Properties

Dear Mr. Snodgrass:

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 the following section of the Subdivision and Land Development Regulations:

Section 16.147 of the Subdivision and Land Development Regulations (Amended Fifth Edition) – 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 through the final subdivision plat process. The request is to allow reconfiguration of these properties from three parcels to two parcels using the adjointer deed conveyance process.

Approval is subject to the following six (6) conditions:

- 1) The “Adjoinder Deed” shall be recorded in the Land Records of Howard County, Maryland within 120-days of the date of this waiver approval (on or before June 12, 2013).
- 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 petition approval (on or before June 12, 2013).
- 3) The “Adjoinder Deed” shall reference this waiver petition file number.
- 4) Compliance with the Health Department comments dated January 25, 2013.
- 5) Compliance with the Development Engineering Division comments dated January 10, 2013.
- 6) Approval of this waiver is for the reconfiguration of Parcels 83 and 272 from 3 to 2 parcels. No other lots or parcels are being legally endorsed, no additional lots will be created and no new development, construction or improvements are permitted under this request.

The decision of this waiver petition is based on the following justification:***Hardship***

The current configuration of the three existing parcels provides practical difficulties in complying with the RC-DEO bulk requirements in the Zoning Regulations. Also, the establishment of septic areas mandated by COMAR to support residential development cannot be achieved on-site with the current configuration. In order for the new owner to be in compliance with the Zoning and Health Department Regulations they must reconfigure the lots. Strict compliance with the Subdivision Regulations will result in extraordinary hardship on the property owner if required to prepare a final subdivision plat to reconfigure the three existing parcels since no additional new lots or parcels will be created by the proposal to reconfigure the parcels.

Not detrimental to public interest

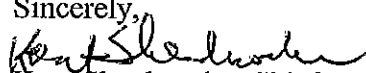
Approval of the waiver request will not be detrimental to the public welfare and will not substantially impair the appropriate use or development of the surrounding properties. The new parcel configuration will utilize the same acreage amount (2.15 acres), but the applicant is proposing to reduce the number of parcels, from three parcels to two parcels, therefore, bringing the two parcels into compliance with the Health Department requirements for on-site private well and septic systems and bringing the existing portion of previous p/o Parcel 83 (Parcel A) closer to compliance from 0.21 acres to 0.55 acres. The parcels 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 the school enrollment for the area.

Not nullify the intent or purpose of the regulations

Approval of the waiver petition will allow the consolidation of the three existing parcels, into two parcels, by deed. Although the proposed two parcels will not be in compliance with the minimum lot size for the RC-DEO Zoning District, Section 16.102(c)(3) of the Subdivision and Land Development Regulations states that the Department of Planning and Zoning may permit resubdivisions which are not in accordance with the minimum lot size requirement if it improves the compliance of existing lots that do not meet current zoning bulk regulations by bringing the non-complying lots as close to zoning compliance as possible. Consolidating the three parcels will provide a better land design for a proposed house that shall be constructed on one of the newly reconfigured parcels. The existing house shall remain on one of the newly reconfigured parcels and a new home is currently under construction on the second reconfigured parcel.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all future DPZ plans that are related to these properties 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 Derrick Jones at (410) 313-2350.

Sincerely,

Kent Sheubrooks, Chief
Division of Land Development

KS/dj

Enc: DED, Health

cc: Research

DED

Health

Vogel Engineering