



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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January 26, 2015

Tom & Kim Monroe  
12671 Lime Kiln Road  
Fulton, MD 20759

RE: WP-15-078, 12671 Lime Kiln Road  
Monroe Property

Dear Mr. & Mrs. Monroe:

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 16.102 – Applicability** – which requires the application of the Subdivision Regulations for all divisions of land in Howard County and **Section 16.147(a) Final Subdivision Plan and Final Plat, Purpose:** requiring the submission and approval of a final subdivision plat by DPZ to allow for the reconfiguration of two existing deeded parcels utilizing the recording of a deed of adjoiner transfer.

Approval is subject to the following conditions:

1. Approval of this waiver is only for the reconfiguration of two existing deeded parcels (Parcel 244, Parcels 1 and 2). No other parcels are being endorsed, no additional parcels shall be created and no new construction or site improvements are permitted under this waiver request.
2. The "Adjoinder Deeds" to reconfigure Parcels 1 and 2 shall be recorded in the Land Records of the Howard County within 120 days of the date of this waiver petition approval (on or before May 26, 2015).
3. Recorded copies of the "Adjoinder Deeds" shall be submitted to this Department for the file retention purposes within 125 days of the date of this waiver petition approval (on or before May 31, 2015).
4. The parcel reconfiguration for the two deeded parcels shall not create a violation of the zoning regulations, except that conveyances are permitted between existing parcels which do not comply with current zoning regulations regarding the minimum lot size requirement provided neither parcel becomes less complying. The existing 1.3 acre deeded parcel must maintain its current lot size or be increased in area; its lot size cannot be decreased.
5. The "Adjoinder Deeds" shall reference this waiver petition file number, WP-15-078.
6. On any future Subdivision or building permit a note shall be added that references this waiver petition file number and approval date.

Our decision was made based on the following:

*Extraordinary Hardships or Practical Difficulties:*

Extraordinary hardship would result if the applicant is required to prepare and process a new subdivision plat for the subject property to reconfigure the two existing parcels since no additional lots will be created with this lot line adjustment. The requested lot line adjustment will maintain the 1.3 acre parcel's compliance with zoning regulation requirements and not encumber the reconfigured parcel with environmental features. This reconfiguration will provide a useable buildable area for a proposed dwelling along with meeting current Health Department requirements by providing three alternate well sites and a 10,000 square foot septic area.

*Not Detrimental to the Public Interest*

The waiver request will not be detrimental to the public interest because the two parcels exist and no new lots are being created. The two parcels are being reconfigured so that stream and stream buffers will not be impacted with new house construction. The stream & stream buffers will remain on the larger 8.542 acre parcel. This proposal will maintain the 1.3 acre parcel's compliance with the Zoning Regulations. Also, it will meet the current Health Department requirements for by providing three alternative well sites and a 10,000 square foot septic area.

*Will not nullify the intent or purpose of the regulations*

Approval of this waiver request will not nullify the intent or purpose of the Regulations. The adjointer deed transfer will only serve to reconfigure the two existing parcels to provide a usable buildable area for the parcels by not impacting environmental features and buffer. 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.

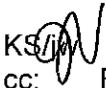
This requested waiver will remain valid for the time period specified in the conditions of approval.

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

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development



cc: Research  
DED  
Real Estate Services