



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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June 22, 2015

Cheryl Wachter
178 Sulgrave Court
Sterling, VA 20165

RE: WP-15-155, Hammond Hills, Lot 152

Dear Ms. Wachter:

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 16.120(b)(9)(i)** from an underground high-volume and pressure-transmission main or high-tension power line, the lots shall allow a 30' minimum distance between the easement and any proposed dwelling units on the lots. However, decks are not subject to this requirement.

Approval is subject to the following conditions:

1. The approved setback reduction from 30' to 19' applies to the existing 20'x22' house addition and not to any other existing structures or future structures.
2. The applicant shall add a detailed description of this waiver petition request, section reference, decision, file number, and date of the approval on any future plans, permits, or documents for this property.

Our decision was made based on the following:

Extraordinary hardship or practical difficulties

Strict compliance with this regulation would require removal of the sunroom addition and the loss of the contract for the sale of the house. The Owner was not aware at the time the building permit was approved that there was a 30' required setback from the utility easement. The Owner is currently in the process of selling the house to close the Estate of the late Ronald Wachter and is relying on the proceeds from the house for her two youngest children college tuition. The sunroom addition has been constructed since 1993 and to require the owner to remove the porch would be creating extraordinary hardship and practical difficulties.

Alternative Proposal

By granting this waiver, it will not have any detrimental impacts to the public interest, will not alter the essential character of the area and will not impair the use or development of the surrounding properties because the sunroom addition has been constructed since 1993 and did receive a building permit and the required inspections from the Department of Inspections, License and Permits.

Not Detrimental to the public interest

Based upon all of the above justification, approval of this waiver request will not nullify the intent of the Regulations which requires a 30' building setback from an underground utility easement because the addition did receive a building permit and it has been constructed since 1993

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

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

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/jw

cc: Research
DED
Real Estate Services
Keith Baldwin
Stephen Lindsay