



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

October 11, 2016

Mr. Donald Ferron
5864 Deer Ridge Lane
Elkridge, MD 21075

Dear Mr. Ferron:

RE: WP-17-019, Ferron Property (F-16-085)

The Director of the Department of Planning and Zoning considered your request for an alternative compliance from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request for an alternative compliance of **Section 16.127(c)(4)(i)** which requires a shared use-in-common driveway for all proposed residential infill development lots, and from **Section 16.144(r)(3)** which requires the submission of additional information within 45-days of the request.

Approval is subject to the following conditions:

1. The revised plans for F-16-085 must be submitted within 30-days on or before November 10, 2016.
2. On the final plan (F-16-085) and all subsequent plans and/or plats, provide a brief description of alternative compliance, WP-17-019, as a general note to include requests, sections of the regulations, action and date.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - The extraordinary hardship or practical difficulty involved with this alternative compliance request would only permit 2 buildable lots which will share a driveway. Due to the location of the public road extension and the environmental features which bisect the parcel, the parcel cannot be designed so that all proposed lots share a single driveway. The developer is requesting a reactivation and extension of the final plan. The deadline date for the resubmission of the final plat was overlooked by the developer's engineer. Requiring the developer to submit a new final plan will not provide a different design, but would delay the developer from recording the plat.

Not Detrimental to the Public Interest - Approval of the alternative compliance request will not alter the essential character of the neighborhood since the design of the subdivision will not change, but will allow the property owner to record the lots instead of submitting a new final plan. In addition, allowing one lot to be served by an individual driveway will not alter the character of the neighborhood since the existing public road will be extended slightly to serve the subdivision. Given the location of the environmental features and the extension of the existing public road, a design cannot be provided so that all 3 lots share a single use-in-common driveway. One lot will obtain direct access to the public road. The 2 remaining lots will be served by a shared driveway.

Will Not Nullify the Intent or Purpose of the Regulations - Approval of this alternative compliance request will not nullify the intent or purpose of the Regulations. The granting of the requested 30-day extension will allow the property owner to continue with the subdivision process instead of submitting a new final plan. If the alternative compliance request is denied, the property owner would have to forfeit one building lot. Because environmental features bisect the parcel, the site cannot be designed so that all proposed lots share a driveway. In addition, the extension of the existing public road places constraints on the property which further impact the design of the parcel. If a shared driveway served all the proposed lots, disturbance to the environmental features would be required and would create an unusual site design. Allowing one lot to be served by a single driveway has been determined to be an acceptable alternative.

Indicate this alternative compliance 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 alternative compliance will remain valid for the time period specified in the conditions of approval.

If you have any questions, please contact Brenda Luber at (410) 313-2350 or email at Bluber@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/BL

cc: Research
DED
Real Estate Services
F-16-085
Vogel Engineering, Inc.