



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

January 25, 2017

Rajdeep Kaur Gill
8111 Chapel Manor Lane
Ellicott City, MD 21043

RE: WP-17-044, Gill Property at Johns Hopkins Road

Dear Mr. Gill:

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 16.120(b)(4)(iii)(b), Section 16.1205(a)(7)&(10) and Section 16.116(a)(1) &(3) subject to the following conditions of approval.

1. Submission of a final plan application for review by the SRC agencies.
2. Submission of a signed percolation certification from the Bureau of Environmental Health showing both lots.
3. Providing the required roadway widening dedication along Johns Hopkin's Road with final plan.
4. The applicant shall obtain all required authorizations and permits from the Maryland Department of Environment and U.S. Army Corps of Engineers for any disturbance within the wetlands and their buffers and any wetlands mitigation required. Reference any applicable MDE or USACOE permits or tracking numbers on the associated plans and building or grading permits.
5. No disturbance is permitted beyond the limit of disturbance as shown on the alternative compliance exhibit unless it can be sufficiently demonstrated by the applicant to be justified. Best management practices for grading and driveway construction shall be used by the contractor to limit the disturbance.
6. Provide mitigation for the requested removal of the 4 specimen trees located within the site, the developer is required to plant four 3" caliper native shade trees on the proposed lots. These trees will be shown on the final supplemental plan.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulties - The extraordinary hardship or practical difficulty associated with creating a usable lot design that separates the environmental features from the buildable lot less than 10 acres would be that the environmental features be on a separate non-buildable preservation parcel or open space lot which would prevent the owner in subdividing into the proposed 3 acre lots. The future transfers of these lots will include a disclosure that these environmental features exist on the lots. The environmental features will appear on the final plat of this property and on all supplemental and construction plans including the environmental concept plan, the supplemental final plans, the grading plan and the building

permit plan. The only frontage for the proposed two lots exists along Johns Hopkins Road. Therefore, the only disturbance to the wetlands buffer would be necessary for driveway access to the lots. The grading required for the driveway and the new SFD lots will impact 4 specimen trees. The existing large pocket of wetlands at the property entrance causes extraordinary hardship in the limited placement of the shared driveway which causes removal of the 4 specimen trees.

Not Detrimental to the Public Interest - Approval of this alternative compliance request will not have any detrimental impacts to public interest, because the development of this parcel will incorporate all necessary protection measures to protect the environmental features on the final plat. The specimen trees being removed will not have any detrimental impact to the public interest because they do not currently have any individual exposure that creates aesthetic value to the neighbors. The applicant will retain 3 acres of forest that will remain including the 325 feet buffer of forest from Johns Hopkins Road. The developer is not proposing any clearing in the wetlands or stream buffers except for the minor necessary disturbance of the well and waterline installation that is shown on the Alternative Compliance exhibit.

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 since the developer will still need to comply with the stormwater management regulations, COMAR, the Zoning Code and the Subdivision Regulations for Howard County. The developer will have to complete an Environmental Concept Plan and a final subdivision plan for this subdivision that shall show the individual houses, driveways and treat the impervious area created by the development. The developer will have to submit building permit plans in order to be able to construct the houses once a final plan has been approved and the building permit plans shall show all the environmental features and the required 35' BRL from the environmental buffer. The subdivision of this parcel will allow for a safe driveway location that is in conformance with the current Subdivision Regulations with regards to the public road frontage.

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 alternative compliance approval will remain valid for one year from the date of this letter or as long as a subdivision or site development plan is being actively processed in accordance with the processing provisions of the Regulations.

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
WP-17-044
Benchmark Engineering