



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

March 28, 2018

Trinity Homes  
3675 Park Avenue, #301  
Ellicott City, MD 21043

RE: WP-18-085, Magnolia Manor

Dear Mr. Pfau:

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 16.116(a)** which prohibits grading, removal of vegetative cover and trees, paving and new structures within 100-feet of a perennial streambank, and within 25 feet of a wetland buffer to install a sewer line with a traditional open cut trench.

Approval is subject to the following conditions:

1. Compliance with the Subdivision Review Committee comments issued for P-17-004.
2. The alternative compliance number and its conditions of approval must be added to all subdivision plans.
3. Subject to obtaining all the required wetland permits from MDE and/or the U.S. Army of Corp. of Engineers. Case or Permit numbers must be provided within notes of all subdivision plans for this proposed development.
4. The proposed limit of disturbance within the 25' wetlands buffer for the construction of the sewer line shall be the minimum necessary for the sewer installation.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties: The extraordinary hardship or practical difficulty involved with this sewer extension request would require the developer to not develop a portion of this property if not approved. This would result in financial hardship for the developer and property owner due to the limited development potential. The granting of this alternative compliance petition in addition to WP-17-058, will also facilitate the removal of existing paving located in the wetlands, and stream buffers. The development will also provide for a desired public water loop from High Ridge Meadows to Old Scaggsville Road and a pathway connection to the adjacent Wyndmere development.

Alternative Proposal & Not Detrimental to the Public Interest: The intent of Section 16.116(a) of the Subdivision and Land Development Regulations is to protect streams, wetlands and their buffers from being permanently developed or disturbed. This request is to allow placement of a sewer extension within the environmental features to subdivide the property. No other excavation, grading, paving or permanent structures are being endorsed within the environmental features. Ultimately the subdivision proposes the environmental features to be planted and retained within a permanent forest conservation easement for long term protection. Furthermore, the sewer extension will be constructed in accordance with the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control, and all work will be done in accordance with the Maryland Department of Environment approved permit and a Howard County grading permit.

Will not nullify the intent or purpose of the regulations: The location and configuration of the stream crossing was designed to minimize impacts. The crossing is perpendicular to the stream and located where the stream is narrow. The drainage area to the stream is relatively small. The surface water is a result of a thin decreasing sandy soil layer over top of a clay layer with water eventually at ground level above the clay. The stream buffers, wetland buffers, and stream will be restored. Therefore, the granting of this Alternative Compliance request will not nullify the intent of the Regulations and is the minimum required to provide public sewer service.

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](mailto:jwellen@howardcountymd.gov).

Sincerely,

Handwritten signature of Kent Sheubrooks in cursive, with the initials "KS" at the end.

Kent Sheubrooks, Chief  
Division of Land Development

KS/jw

cc: Research  
DED  
Real Estate Services  
Robert H. Vogel Engineering