



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

April 9, 2020

Joshua L. Bjerke
9850 Michaels Way
Ellicott City, MD 21042

RE: WP-20-093 Bethgate- Block G, Section 6, Lot 12

Dear Mr. Bjerke:

This letter is to inform you that your request for alternative compliance to the Howard County Subdivision and Land Development Regulations for the subject project was reviewed.

As of the date of this letter, the Director of the Department of Planning and Zoning, Director of the Department of Public Works and Administrator of the Office of Community Sustainability **approved** your request for an alternative compliance to **Section 16.116(a)(2)(iii)** of the Subdivision and Land Development Regulations to replace an existing shed with a new one at the same location within the 100' stream bank buffer.

The decision makers determine that strict enforcement of the above-cited regulations would constitute a practical difficulty or unreasonable hardship. The following factors were considered in making this determination:

1. Strict conformance with the requirements will deprive the applicant of rights commonly enjoyed by others in similar areas:

The perennial stream runs along the western and southern boundaries of the property and the majority of the lot is located within the 100' stream bank buffer, except for a small portion of the front yard. This location is not ideal for a shed since it would not be practical or aesthetically pleasing to construct a shed in the front yard. Denial of this request would deprive the owner of constructing a shed on his lot, which is a right that is commonly enjoyed by other homeowners for the storage of equipment, supplies, etc.

2. Uniqueness of the property or topographical conditions would result in practical difficulty; other than economic, or unreasonable hardship from strict adherence to the regulations:

Strict adherence to the regulations would not allow the owner to replace the existing shed. Since the majority of the lot is located within the 100' stream buffer, this presents a unique situation and the owner would experience an unreasonable hardship if the replacement of the shed would not be permitted.

3. The Variance will not confer to the applicant a special privilege that would be denied to other applicants:

Approval of this alternative compliance request would not grant a special privilege that would be denied to other applicants, since permits for sheds are routinely approved. The owner does not have a

reasonable location on his lot for the relocation of the existing shed.

4. The modification is not detrimental to the public health; safety or welfare, or injurious to other properties:

The approval of this alternative compliance request would not be detrimental to the public health, safety or welfare, or injurious to other properties since a shed currently exists in the proposed location. The owner has applied for a building permit with the Dept. of Inspections, Licenses and Permits and all other applicable regulations will be reviewed for compliance as part of the permit application. The stream bank buffer currently consists of maintained lawn and the construction of the shed will not result in the removal of any trees or other vegetation.

5. Disturbance is returned to its natural condition to the greatest extent possible:

The construction of the shed will not result in any grading since the topography of the yard is flat in the proposed location of the shed. No trees or other vegetation will be removed as a result of the shed construction. The rear yard currently consists of maintained grass and will remain in its current state after construction.

6. Mitigation is provided to minimize adverse impacts to water quality and fish, wildlife, and vegetative habitat:

Mitigation is not necessary in this situation since the replacement of the shed will not have adverse impacts to water quality, wildlife or vegetative habitat. The yard consists of maintained grass and the area will be stabilized after construction. A shed currently exists in this location and the additional impervious area is not substantial enough to require stormwater management or to have an adverse impact on the stream.

7. Grading, removal of vegetative cover and trees, or construction shall only be the minimum necessary to afford relief and to the extent required to accommodate the necessary improvements.

Grading will not be required to construct the shed since the topography of the existing yard is relatively flat. The construction of the shed will not require the removal of vegetative cover or trees.

Approval of this alternative compliance is subject to the following conditions:

1. The proposed shed shall not exceed 12'x20' and shall be located in the area shown on the alternative compliance plan exhibit.
2. No grading or removal of vegetative cover or trees is permitted within the 100' stream bank buffer.
3. The applicant shall comply with all building permit requirements from the Department of Inspections, Licenses & Permits and the 'R-20' Zoning Regulation requirements.

This alternative compliance approval will remain valid for one year from the date of this letter or as long as a building or grading permit is being actively processed in accordance with the processing provisions of the Regulations.

If you have any questions, please contact Eric Buschman at (410) 313-2350 or email at ebuschman@howardcountymd.gov.

DocuSigned by:

Amy Gowan

Amy Gowan, Director
Department of Planning and Zoning

DocuSigned by:

Jim Irvin

Jim Irvin, Director
Department of Public Works

DocuSigned by:

Josh Feldmark

Joshua Feldmark, Administrator
Office of Community Sustainability

cc: Research
DED
OCS, Joshua Feldmark
DPW, Jim Irvin
DLD, Julia Sauer



DPZ Office Use only:
 File No. WP. 20.093
 Date Filed 3/12/2020

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: _____

Subdivision Name/Property Identification: Lot 12, Block G, Section 6, Bethgate

Location of property: 9850 Michels Way, Ellicott City MD 21042

Existing Use: _____ **Proposed Use:** Replace existing shed

Tax Map: 17 **Grid:** 14 **Parcel No:** 589 **Election District:** 2nd

Zoning District: R20 **Total site area:** 23,348 sq. ft.

Please list all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, alternative compliance petitions, etc.). If no previous plans have been submitted, please provide a brief history of the site and related information to the request:

Plat Book 22, Plat 45 (see attached)

In the area below, the petitioner shall enumerate the specific numerical section(s) from the Subdivision and Land Development Regulations for which an alternative compliance is being requested and provide a brief summary of the request. Please use the additional page if needed.

Section Reference No.	Brief Summary of Request
16.116a-2	Requesting to replace existing shed with new shed. Entire property is within stream buffer. Would like to keep new shed in same place to minimize disturbance to the land. See attached maps indicating trees & land height changes.

Section Reference No.	Brief Summary of Request

Signature of Property Owner: Joshua L. Bjerke Date: 3/12/2020

Signature of Petitioner Preparer: _____ Date: _____

Name of Property Owner: Joshua L. Bjerke Name of Petition Preparer: _____

Address: 9850 Michaels Way Address: _____
Ellicott City MD 21042

City, State, Zip: _____ City, State, Zip: _____

E-Mail: jlbjerke@gmail.com E-Mail: _____

Phone No.: 802-752 7121 Phone No.: _____

Contact Person: Owner Contact Person: _____

Owner's Authorization Attached