



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

July 14, 2021

Stuart Gilbert
9955 Old Mill Road
Ellicott City, MD 21042

RE: WP-21-092 Old Mill Overlook

Dear Mr. Gilbert:

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.

On July 13, 2021 and pursuant to Section 16.104, the Director of the Department of Planning and Zoning, considered and **denied** your request for alternative compliance with respect to **Section 16.144(r)** of the Subdivision and Land Development Regulations to reinstate a subdivision plat mylar, which was voided by this Department because the applicant failed to address outstanding issues with the Health Department in a timely manner.

The Department of Planning and Zoning finds that strict enforcement of Section 16.144(r) would not result in an unreasonable hardship or practical difficulty. The following factors were considered in making this determination:

The only justification provided by the applicant was based on financial hardship, which generally does not meet the standard of practical difficulty or unreasonable hardship. The applicant was given approximately one year to resolve outstanding Health Department comments and failed to resolve the issues. The applicant did not respond to requests to obtain the final plat mylars and was put on notice that DPZ would void the final plan submission if action was not taken. On October 15, 2013, DPZ voided the final plan and all previous approvals and tentative housing unit allocations assigned to this project were rescinded. Reactivation of the final plat mylar will not be considered for the following reasons:

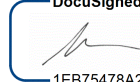
1. Reinstatement of the allocations and test for adequate public facilities cannot occur through reactivation of the final plat mylar. In order to receive housing unit allocations for a subdivision, a new final plan must be submitted for review to DPZ and must be in compliance with all requirements and regulations in effect at that time.
2. Stream and wetland delineations are valid for five (5) years. In order to adequately review the stream, wetland and buffer locations, a new environmental findings report is needed.
3. In accordance with Section 16.1204(c) of the Subdivision and Land Development Regulations and the Forest Conservation Manual, a Forest Stand Delineation (FSD) is valid for 5 years. In order to properly evaluate the forest stand(s) and specimen trees located onsite, a new FSD is needed.
4. The stormwater management practices need to be updated to comply with the Design Manual and be reviewed

by the Development Engineering Division. Environmental Site Design credits are no longer allowed in infill development.

If you have any questions, please contact Justin Schleicher at (410) 313-2350 or email at jschleicher@howardcountymd.gov.

Sincerely,

DocuSigned by:



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Anthony Cataldo, AICP, Chief
Division of Land Development

AC/JS

cc: Research
DED
DLD - Julia Sauer
Real Estate Services



DPZ Office Use only:

File No.

Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: Old Mill Overlook Lots 1-3 and Open Space Lot 4

Subdivision Name/Property Identification: Old Mill Overlook Lots 1-3 and Open Space 4

Location of property: 9955 Old Mill Road

Existing Use: Residentail **Proposed Use:** Residential

Tax Map: 17 **Grid:** 8 **Parcel No:** 233 **Election District:** 2nd

Zoning District: R-20 **Total site area:** 2.96 Ac

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:

ECP-11-004
 F-11-031

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
16.144(m)	Resubmission of Final Plan within 45 days of comments

Section Reference No.	Brief Summary of Request

Signature of Property Owner:



Date:

2/16/2021

Signature of Petitioner Preparer:



Date:

2/16/2021

Name of Property Owner:

STUART D. GILBERT

Name of Petitioner Preparer

VOGEL ENGINEERING +
TIMMONS GROUP

Address:

9955 Old Mill Rd

Address:

3300 N. RIDGE RD.

SUITE 110

City, State, Zip:

ELLICOTT CITY MD 21042

City, State, Zip:

ELLICOTT CITY MD 21043

E-Mail:



E-Mail:

rob.vogel@timmons.com

Phone No.:



Phone No.:

410 461 7666

Contact Person:

Duane Gilbert

Contact Person:

Robert H. Vogel

Owner's Authorization Attached