



# 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

August 4, 2021

Sung G. Kwak  
4606 South Leisure Ct.  
Ellicott City, MD 21043  
Sent via email: [kwak.james@gmail.com](mailto:kwak.james@gmail.com)

RE: WP-21-138 4606 South Leisure Court

Dear Mr. Kwak:

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 August 3, 2021 and pursuant to Section 16.104, the Director of the Department of Planning and Zoning, with advice from the Department of Public Works, considered and **approved** your request for alternative compliance with respect to **Section 16.115(c)(2)** of the Subdivision and Land Development Regulations to construct a deck that is 20ft by 16ft which will exist entirely within the 100-year floodplain.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.115(c)(2) would result in an unreasonable hardship or practical difficulty. This determination is made with consideration of your alternative compliance application and the four (4) items you were required to address, pursuant to Section 16.104(a)(1):

**Justification for Recommendation:**

The Division of Land Development recommends **APPROVAL** of alternative compliance to **Section 16.115(c)(2)** of the Subdivision and Land Development Regulations and find that strict enforcement of the above-cited regulations would result in an unreasonable hardship. Pursuant to Section 16.104(a)(1), this determination was made considering the following:

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

Most of the lot is encumbered with 100-year floodplain. The existing house is currently within the area of floodplain. The request is to add a 16ft by 20ft deck to the rear of the house. Neighboring properties to the east and southeast also have significant encroachment into the 100-year floodplain. Many owners of these adjoining lots have enhanced their properties with decks, patios, and sheds within the limits of the 100-year floodplain. The addition of the open deck is a typical structure found in residential use properties, within all zoning districts. Strict conformance with these requirements would deprive the applicant rights commonly enjoyed by others in this neighborhood and within the County.

- 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;**

The property is almost entirely covered by 100-year floodplain. The property was recorded in August 1964, before subdivisions were required to meet environmental regulations for these environmental features. There are no environmental features shown on the recorded plat for this property. This creates a unique difficulty as the property was not developed with the consideration of environmental features and the current regulations were developed after the creation of the lot.

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

Approval of this alternative compliance would not grant a special privilege that would be denied to other applicants. There are other lots within the surrounding neighborhood with similar encroachment into the floodplain.

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

The approval of this request would not be detrimental to the public health, safety or welfare, or injurious to other properties since the surrounding neighborhood is existing with similar encroachments. In addition, the proposed deck is considered impervious and will not increase runoff from the property.

Approval of this Alternative Compliance is subject to the following conditions:

1. Approval of the alternative compliance is limited to a 20ft by 16ft deck to permitted for construction within the 100-year floodplain. Deviation from the approved exhibit or alteration of the deck will require the approval of another alternative compliance request.
2. No grading, removal of vegetative cover and trees, paving and new structures are permitted within the 100-year floodplain, except as permitted by this alternative compliance. Construction of the deck within the 100-year floodplain must comply with Section 3114.2.1 of the Building Code.
3. The applicant shall obtain all required Federal, State, and Local authorizations for disturbances to environmental features. Reference the applicable permits and tracking numbers on all grading permits.

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 Kathryn Bolton at (410) 313-2350 or email at [kbolton@howardcountymd.gov](mailto:kbolton@howardcountymd.gov).

Sincerely,

DocuSigned by:



Anthony Cataldo, AICP, Chief

Division of Land Development

AC/kb

cc: Research  
DED  
DLD - Julia Sauer  
Real Estate Services  
Richard Shin - [efc305@gmail.com](mailto:efc305@gmail.com)



**Howard County Maryland**  
**Department of Planning and Zoning**  
 3430 Courthouse Drive, Ellicott City, MD 21043

(410) 313-2350

**DPZ Office Use only:**  
 File No. *WP-21-138*  
 Date Filed

**ALTERNATIVE COMPLIANCE APPLICATION**

**Site Description:** 4606 South Leisure Court, Ellicott City, MD 21043

**Subdivision Name/Property Identification:** Columbia Hills, Lot 2

**Location of property:** 4606 South Leisure Court, Ellicott City, MD 21043

**Existing Use:** SFD      **Proposed Use:** SFD

**Tax Map:** 30      **Grid:** 5      **Parcel No:** 218      **Election District:** 02

**Zoning District:** R-20      **Total site area:** 31,581 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:

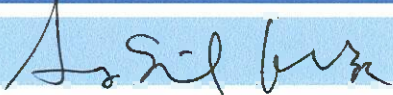
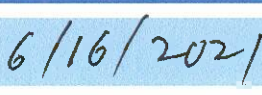
Building permit B21001655

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
16.115	Construction of deck in the floodplain.



Section Reference No.	Brief Summary of Request

Signature of Property Owner:  Date: 

Signature of Petitioner Preparer:  Date: 

Name of Property Owner:  Name of Petition Preparer: 

Address:  Address: 

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

E-Mail:  E-Mail: 

Phone No.:  Phone No.: 

Contact Person:  Contact Person: 

Owner's Authorization Attached