



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

September 27, 2021

James E. Corbo & Sherri Hall
6058 Watch Chain Way
Columbia, MD 21044

RE: **WP-22-016 Village of Hickory Ridge – Section 3, Area 12, Lot16
6058 Watch Chain Way**

Dear Applicants:

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 September 20, 2021 and pursuant to Section 16.116(d), the Director of the Department of Planning and Zoning, Director of the Department of Public Works and Administrator of the Office of Community Sustainability considered and **approved** your request for alternative compliance with respect to **Section 16.116.(a)(2)(i)** of the Subdivision and Land Development Regulations to expand the footprint of the existing open deck within the 50' intermittent stream buffer. Please see the attached Final Decision Action Report for more information.

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 Donna Despres at (410) 313-3429 or email at ddespres@howardcountymd.gov.

Sincerely,

Anthony Cataldo, AICP, Chief
Division of Land Development

AC/DD

Attachment: Alternative Compliance Final Decision Action Report

cc: Research
DED
DLD - Julia Sauer
Real Estate Services
Carroll Landscaping Inc.



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ALTERNATIVE COMPLIANCE FINAL DECISION ACTION REPORT

DEPARTMENT OF PLANNING AND ZONING
DEPARTMENT OF PUBLIC WORKS
OFFICE OF COMMUNITY SUSTAINABILITY

RE: **WP-22-016 Village of Hickory Ridge – Section 3, Area 12, Lot 16**
6058 Watch Chain Way
*Request for an alternative compliance to **Section 16.116.(a)(2)(i)** of the Subdivision and Land Development Regulations.*

Applicant: James E. Corbo & Sherri Hall
6058 Watch Chain Way
Columbia, MD 21044

Pursuant to Section 16.116(d), the Director of the Department of Planning Zoning, Director of the Department of Public Works and the Administrator of the Office of Community Sustainability considered and **approved** the applicants request for an alternative compliance with respect to **Section 16.116.(a)(2)(i)** of the Subdivision and Land Development Regulations. The purpose is to expand the footprint of the existing open deck within the 50' intermittent stream buffer. The Directors deliberated the application in a meeting on September 20, 2021.

Each Department hereby determines that the applicant has demonstrated to its satisfaction that strict enforcement of the above-cited regulation would result in unreasonable hardship or practical difficulty. This determination is made with consideration of the alternative compliance application and the seven (7) items the applicant was required to address, pursuant to Section 16.104(a)(1) and Section 16.116(d):

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

The homeowner's contractor has determined that the existing deck is unsafe and needs to be demolished. They are proposing to construct a new deck which would meet building codes. The existing footprint is 320 SF and the new proposed deck footprint is 400 SF. The decks on the surrounding homes, which also adjoin the CA owned open space, range in size from 126 SF to 547 SF. It is typical for decks to be located on the rear of the home. The existing deck is already located to the back corner farthest from the stream bank. Strict conformance with the regulations would deny the owner a deck located on the rear of the house similar to the adjacent homes.

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;

Lot 61 is a pie shaped lot on a shared driveway. The home is turned at an angle towards the back corner. The property is unique in shape and proximity to the stream bank. Most of the lot, the existing house and the existing deck are in the 50' buffer. The existing and proposed deck are located on the side not directly facing the boundary of the open space. The existing deck has 3 footers and requires 3

additional footers close to the house foundation to meet code. These additional footers would be necessary to rebuild the deck at the same size. The same 6 total footers are necessary for the proposed deck which would allow for the additional 80 square feet. According to the applicant's contractor, moving the deck footprint out of the buffer would require a modification to the stair layout requiring two additional landings and 6 additional footers. The additional work would present more construction disturbance to the site than adding the necessary 3 footers and allowing the proposed 80 SF expansion to the existing footprint.

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

There is no evidence the variance confers a special privilege to the applicant. Other homes in the area also have portions of the homes and decks that encroach in buffers. The buffers were established after the homes were constructed.

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

The modified footprint represents an increase of 80 SF to the existing deck. The deck is not visible from the road. Existing trees, landscaping and orientation shield the deck area from the surrounding neighbors. The proposed elevated deck does not create additional impervious surface.

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

Demolition of the existing deck and installation of the new deck can be accomplished with limited disturbance. An elevated deck does not create additional impervious surface and the 3 additional footers are the minimum necessary to build a safe and code compliant deck. Any disturbed areas will be returned to the original condition.

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

The applicant's contractor proposes installing silt fence to protect the stream bank from displaced sediment during construction.

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. In these cases, the least damaging designs shall be required, such as bridges, bottomless culverts or retaining walls, as well as environmental remediation, including the planting of the areas where grading or removal of vegetative cover or trees has taken place, utilizing best practices for ecological restoration and water quality enhancement projects.

The applicant's contractor states there is no removal of trees or vegetative cover in the projects scope of work. An elevated deck does not create additional impervious surface and the 3 additional footers are the minimum necessary to build a safe and code compliant deck.

Directors Action: Approval of alternative compliance of Section 16.116.(a)(2)(i) is subject to the following conditions:

1. No powered equipment (trucks, skid steer, mini excavator or similar) is permitted within the 50' intermittent stream buffer. All work within the buffer is to be performed by hand or hand-held power tools.
2. All disturbed areas shall be stabilized during construction and returned to original vegetative condition immediately upon completion of construction.

DocuSigned by:

Amy Gowan

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Amy Gowan, Director
Department of Planning and Zoning

DocuSigned by:

Thomas Meunier

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Thomas Meunier, Director
Department of Public Works

DocuSigned by:

Joshua Feldmark

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Joshua Feldmark, Administrator
Office of Community Sustainability

cc: Research
DED
OCS, Joshua Feldmark
DPW, Thomas Meunier
Carroll Landscaping Inc.



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-22-016*
 Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: Residential plot with intermittent stream

Subdivision Name/Property Identification: Village of Hickory Ridge- Section 3, Area 12, Lot 61

Location of property: 6058 Watch Chain Way Columbia, MD 21044

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

Tax Map: 0035 **Grid:** 0009 **Parcel No:** 0405 **Election District:** 5

Zoning District: NT **Total site area:** 21,335 sf

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:

There is currently a single-family home onsite with a 20x16 open deck. The owners are looking to expand the deck 4 additional feet from the house to a new footprint of 20x20. From what we've been able to measure, the existing deck and the existing house are both within the 50' intermittent stream buffer.

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
Section 16.116.a.2.i	Expand the footprint of an existing open deck within a 50' intermittent stream buffer.

Section Reference No.	Brief Summary of Request

Signature of Property Owner: *Sheryl Corbo* Date: 8/18/21
JK *MB*

Signature of Petitioner Preparer: *Karl Silberzahn* Date: 8/18/21

Name of Property Owner: James E Corbo, Sherri Hall Name of Petition Preparer: Karl Silberzahn

Address: 6058 Watch Chain Way Address: 7720 Ridge Rd
 Unit B

City, State, Zip: Columbia, MD 21044 City, State, Zip: Marriottsville, MD 21104

E-Mail: cobra6058@gmail.com, scuba6058@gmail.com E-Mail: carrollandscapinginc@gmail.com

Phone No.: 667-240-7131 Phone No.: 410-922-2416

Contact Person: Jim Corbo Contact Person: Karl Silberzahn, Kevin Moore

Owner's Authorization Attached