



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 29, 2021

Buthaina Shukri & Jeffrey Boutwell
5489 Ring Dove Lane
Columbia, MD 21044

Sent via email to: bshukri@comcast.net, boutwell@alumni.mit.edu

RE: WP-22-023, 5489 Ring Dove Lane

Dear Owners:


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 27, 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)(iii)** of the Subdivision and Land Development Regulations to replace a 10' x 14' deck with an 11' x 15' aluminum framed four-season sunroom, which is within the 100-foot stream bank buffer from the Little Patuxent River. 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 Julia Sauer at (410) 313-2350 or email at jsauer@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
Zoning – Annette Merson



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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-22-023, 5489 Ring Dove Lane**
Request for an alternative compliance to Section 16.116(a)(2)(iii) of the Subdivision and Land Development Regulations.

Applicant: Buthaina Shukri & Jeffrey Boutwell
5489 Ring Dove Lane
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)(iii)** of the Subdivision and Land Development Regulations. The purpose is to replace a 10' x 14' deck with an 11' x 15' aluminum framed four-season sunroom, which is within the 100-foot stream bank buffer from the Little Patuxent River. The Directors deliberated the application on September 27, 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 other in similar areas.

A perennial stream (Little Patuxent River) is located in a Columbia Association open space lot that is east of Parcel B. The 100-foot stream bank buffer encroaches on a small corner of the parcel and covers the rear yard of seven of the 47 townhouse units. Six of the seven townhouse units impacted by the stream bank buffer have existing elevated structures (deck, porch or sunroom), and most of the townhouse units outside of the buffer also have elevated structures as these are typical features on a townhouse. There is an existing 10' x 14' deck on this townhouse. This proposal would replace that deck which needs repair, with a 11' x 15' sunroom. The new, elevated sunroom will be approximately 1-foot closer to the stream than the existing deck. Strict conformance with this requirement would deprive the applicant of rights commonly enjoyed by others in this neighborhood and within Howard County.

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

Parcel B runs parallel to the Little Patuxent River and juts out closer to the river where the seven townhouse units are located. The parcel was created in 1972 before stream bank buffers were regulated by the Howard County Subdivision and Land Development Regulations; therefore, no stream bank buffer is shown on the recorded plat or site development plan for the parcel. This creates a practical difficulty in complying with the regulations since the parcel was created and planned for development prior to being subject to the stream bank buffer regulations.

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

Approval of this alternative compliance would not confer the applicant a special privilege that would be denied to other applicants. The neighboring townhouses are similarly affected by the 100-foot stream bank buffer and have constructed an elevated structure in their rear yard.

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

There is no evidence that this modification is detrimental to the public health, safety or welfare, or injurious to other properties. The disturbance is minimal and limited to the installation of footers and will not change the grade of the existing lawn.

5. Any area of disturbance is returned to its natural condition to the greatest extent possible.

Approval of the alternative compliance is to permit minimal disturbance to install footers and construct the sunroom. The applicant is not permitted to grade the property or remove vegetation. All disturbed areas will be seeded after construction.

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

The only disturbance is to install the footings for the elevated sunroom. The construction will not result in grading or removal of vegetation and any disturbance will be seeded after construction and returned to planted lawn.

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.

The construction of the sunroom does not require removal of vegetation or trees. The disturbance required for construction is minimal and will not require a grading permit.

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

1. The proposed sunroom shall not exceed 11' x 15' and shall be located in the area shown on the alternative compliance exhibit. Deviation from the approved exhibit or alteration of the sunroom may require the approval of another alternative compliance request.
2. No grading or remove of vegetative cover or trees is permitted within the 100-foot stream bank buffer. Disturbance is limited to that necessary to install footings and construct the sunroom. All disturbed areas shall be seeded after construction is complete.
3. The applicant shall comply with all building permit requirements from the Department of Inspections, Licenses and Permits.

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:

Josh Feldmark

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Joshua Feldmark, Administrator
Office of Community Sustainability

cc: Research
DED
OCS, Joshua Feldmark
DPW, Thomas Meunier



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-22-023*
Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: 5489 Ring Dove Lane, Columbia, MD 21044

Subdivision Name/Property Identification: Ring Dove Community (formerly Woodford Condominium D)

Location of property: 5489 Ring Dove Lane, Columbia, MD 21044

Existing Use: Condo Townhouse with Deck **Proposed Use:** Condo Townhouse with Four-Season Sunroom

Tax Map: 30 **Grid:** 20 **Parcel No:** 324 **Election District:** 4

Zoning District: New Town (NT) **Total site area:** 1938 total finished squared footage (of condo townhouse)

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:

The Ring Dove condominium townhouse community (originally named Woodford Condominium D) was built in 1974. We bought the house in 2006. We would like to replace the 11' x 14' deck with an 11' x 15' x 11' aluminum-framed, four-season sunroom.

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
16.116(a)(2)(iii)	Replace existing deck within 100 ft stream buffer.

Section Reference No.	Brief Summary of Request

Signature of Property Owner: *Buthaina Shukri* *Jeffrey Boutwell* Date: August 30, 2021

Signature of Petitioner Preparer: *Buthaina Shukri* Date: August 30, 2021

Name of Property Owner: *Buthaina Shukri & Jeffrey Boutwell* Name of Petition Preparer: *Buthaina Shukri*

Address: *5489 Ring Dove Lane* Address: *5489 Ring Dove Lane*

City, State, Zip: *Columbia, MD, 21044* City, State, Zip: *Columbia, MD, 21044*

E-Mail: *bshukri@comcast.net, boutwell@alumni.mit.edu* E-Mail: *bshukri@comcast.net*

Phone No.: *410-456-7860, 202-468-3440* Phone No.: *410-456-7860*

Contact Person: *Buthaina Shukri* Contact Person: *Buthaina Shukri*

Owner's Authorization Attached