



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

May 17, 2022

Karen Best
Impus Delectii
4456 Bonnie Branch Road
Ellicott City, MD 21043

RE: WP-22-110, 4456 Bonnie Branch Road

Dear Sir/Madam:

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 May 13, 2022 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)(ii)** of the Subdivision and Land Development Regulations to restore and renovate the historic home on the existing stone foundation, to replace and enlarge an existing wooden deck and to construct a parking area with porous pavers partially within the 75' 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 building permits. This alternative compliance approval will remain valid for one year from the date of this letter.

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

Sincerely,

DocuSigned by:

Anthony Cataldo, AICP, Chief
Division of Land Development

AC/eb

cc: Research
DLD - Julia Sauer
Real Estate Services



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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-22-110, 4456 Bonnie Branch Road**
Request for an alternative compliance to Section 16.116(a)(2)(ii) of the Subdivision and Land Development Regulations.

Applicant: Karen Best
Impus Delectii
4456 Bonnie Branch Road
Ellicott City, MD 21043

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)(ii)** of the Subdivision and Land Development Regulations. The purpose is to restore and renovate the historic home on the existing stone foundation, to replace and enlarge an existing wooden deck and to construct a parking area with porous pavers partially within the 75' stream buffer. The Directors deliberated the application in a meeting on May 13, 2022.

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.

Strict conformance with the regulations would deprive the owners of creating a livable home with safe vehicular access and parking. The parking area and deck are considered reasonable development of the property and there are no other alternatives due to the parcel's location and topography.

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.

The existing site is bisected by Bonnie Branch Road and the 75' stream buffer covers approximately 2/3 of the entire site. The majority of the existing stone foundation walls are also included within the buffer. In addition, the topography of the site severely limits the developable area. The only relatively flat area exists directly adjacent to the roadway. The house renovation will occur on the existing stone foundation. The house is listed as a County historic site and it is important to preserve the stone foundation in its original location to maintain the historic setting. The parking area will be located beneath the deck and will be constructed with porous pavers and the material stockpile area will be located in the grass lawn area adjacent to the road. The remainder of the parcel

consists of steep wooded slopes and the Bonnie Branch stream on the opposite side of the road. With all of these unique site conditions, there is a practical difficulty adhering to the regulations which would limit the viability of this home.

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

The house has existed in this location since 1846. Bonnie Branch road bisects the property and the 75' stream bank buffer encompasses approximately two-thirds of the parcel. The construction of a safe parking area and deck are not considered a special privilege that would be denied to other applicants who were building on an existing foundation within the buffer area.

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

There is no evidence that the proposal will be detrimental to the public health, safety or welfare or would be injurious to other properties. The existing conditions at the site include a small asphalt pull-off area along the roadway for parking. The existing deck and stairs are located directly adjacent to the road. The proposal includes relocating the deck and stairs away from the road and creating a safe parking area beneath the deck. The project will not impact any existing trees and no grading will be required. There will be minimal increased runoff, since the parking area will be constructed with porous pavers with gravel drainage underneath. All disturbed areas will be stabilized and seeded after construction is complete.

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

No grading will be required as part of the home construction because the applicant will be using the existing stone foundation. The parking area and deck will be constructed in a flat area that currently exists as a mowed lawn. The porous pavers will require minor excavation to install a gravel layer for drainage. All disturbed areas will be stabilized and seeded after construction is complete. The owner also plans to plant native vegetation and to construct rain gardens on the property in the future.

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

Mitigation is not necessary in this case since the construction of the deck and parking area will not have adverse impacts to water quality, wildlife or vegetative habitat. The yard consists of maintained lawn and the area will be stabilized after construction. The deck will be constructed above grade on piers and the runoff from the deck will be able to infiltrate into the lawn and porous pavers prior to entering the stream. The gutter downspouts on the house will be equipped with rain barrels, which will help to control runoff if maintained properly. Erosion and sediment control measures will be installed in accordance with building permit requirements. There are no existing trees that will be impacted by the project.

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 deck and parking area. Minor excavation will be required to construct the deck footers and porous pavers. All disturbed areas will be stabilized and seeded after construction is complete. No trees will be removed as part of the project. The applicant will be required to comply with all building and grading permit requirements for erosion and sediment control.

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

1. The proposed deck, stairs and parking area shall be located in the area shown on the alternative compliance plan exhibit. The deck shall not exceed 220 square feet within the 75' stream bank buffer. The parking area shall be constructed of porous pavers, as proposed on the plan exhibit.

2. The renovation of the existing dwelling shall utilize the existing stone foundation. No additions or enlargements to the existing foundation will be permitted within the 75' stream bank buffer.
3. No grading or removal of vegetative cover or trees is permitted within the 75' stream bank buffer.
4. All disturbed areas shall be stabilized and seeded after construction is complete.
5. The applicant shall comply with all building permit requirements from the Department of Inspections, Licenses & Permits and the 'R-ED' Zoning Regulation requirements.

DocuSigned by:

Amy Gowan

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Amy Gowan, Director
Department of Planning and Zoning

DocuSigned by:

Thomas Meunier

977F1202E3D14B4...

Thomas Meunier, Director
Department of Public Works

DocuSigned by:

Joshua Feldmark

3241B974613F4B7...

Joshua Feldmark, Administrator
Office of Community Sustainability

cc: Research
OCS, Joshua Feldmark
DPW, Thomas Meunier

Certificate Of Completion

Envelope Id: C8F4C47CCDAC440AB3FAE5A9DD47E80F	Status: Completed
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Source Envelope:	
Document Pages: 4	Signatures: 1
Certificate Pages: 1	Initials: 0
AutoNav: Disabled	Envelope Originator:
Envelopeld Stamping: Disabled	Anthony Cataldo
Time Zone: (UTC-05:00) Eastern Time (US & Canada)	Ellicott City, MD 21043
	acataldo@howardcountymd.gov
	IP Address: 167.102.191.18

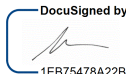
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In Person Signer Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	5/17/2022 12:38:06 PM
Certified Delivered	Security Checked	5/17/2022 12:38:11 PM
Signing Complete	Security Checked	5/17/2022 12:38:22 PM
Completed	Security Checked	5/17/2022 12:38:22 PM
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Howard County Maryland
Department of Planning and Zoning
 3430 Courthouse Drive, Ellicott City, MD 21043

(410) 313-2350

DPZ Office Use only: File No. Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description:

Subdivision Name/Property Identification:

Location of property:

Existing Use:

Proposed Use:

Tax Map:

Grid:

Parcel No:

Election District:

Zoning District:

Total site area:

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:

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 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