



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

February 7, 2024

James C. Foster  
1834 S Charles Street  
Baltimore MD, 21230

RE: WP-24-043, 6205 Waterloo Road

Dear Applicant:

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 February 4, 2024 and pursuant to Section 16.104, the Director of the Department of Planning and Zoning, considered and **approved** your request for alternative compliance with respect to **Section 16.120(b)(6)(v)** of the Subdivision and Land Development Regulations to permit a front to rear orientation for the proposed houses to the existing apartment dwelling.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.120(b)(6)(v) 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):

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

The proposed development plans to retain the existing, legally established non-conforming apartment building. The size and shape of the property combined with the location and orientation of the existing apartment building create a constrained site for subdivision. Strict conformance with the regulations would be a practical difficulty as the arrangement of the two proposed lots in relation to the existing site elements do not allow for many orientation options for the proposed dwellings. Reasonable development of the site would arrange the single family detached homes to front the street. In doing this, they are oriented toward the rear of the existing building. Additionally, screening is provided to help mitigate the front to rear orientation for the new homes. Approving this alternative compliance will allow the proposed development to proceed forward with the design which makes the most efficient use of the available space and mitigates the impact of the orientation.

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 proposed development retains the existing apartment building which is a legally non-conforming building constructed prior to the current Zoning and Subdivision and Land Development regulations. The location of the building

and existing grading on site limits the space for stormwater management and the location of the existing building and a specimen tree limit the access to the property. The size of the property and the arrangement of the lots limit the amount of available space for necessary onsite elements such as vehicular access and stormwater management. Because of the physical constraints of the property the proposed building layout arranges the single family detached homes toward the shared driveway but also faces them toward the rear of the existing building. Additional evergreen screening is proposed along the rear of the existing apartment building to provide screening/buffering from the rear of the existing building.

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

Designing a plan around a legally established non-conforming structure would not be considered a special privilege. In addition, the size of the property and the arrangement of the lots limit the amount of available space for necessary onsite elements such as vehicular access and stormwater management. Approval of the alternative compliance request with the current proposed layout will allow the applicant to proceed with the proposed subdivision layout around the existing structure.

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

Approval of the alternative compliance will not be detrimental to the public health, safety, or welfare or be injurious to other properties. The proposed subdivision will be constructed in conformance with the established Regulations and will locate the proposed homes in line with the neighboring properties. In addition, as a condition of approval, the proposed house on Lot 3 shall be rotated up to or about 45 degrees south to lessen the front to rear orientation from the existing apartment and to open the front views for the future residents. The house rotation will also help to alleviate future orientation issues should the apartment building be eventually replaced with a new future dwelling in Lot 2.

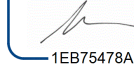
Approval of this Alternative Compliance is subject to the following conditions:

1. Compliance with all comments generated with the review of the subdivision plat, F-20-070.
2. The proposed evergreen landscape screening provided on the alternative compliance exhibit shall be included as part of the landscape plan on the associated site development plan.
3. The proposed house on Lot 3 shall be rotated south towards the shared driveway entrance to reduce the front to rear orientation conflict with the existing apartment building.
4. Future redevelopment of Lot 2 will be required to provide screening plantings to adequately screen the view from Lot 3.
5. Add a general note on the final plat and all subsequent plans describing this alternative compliance petition and the conditions of its decision.

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 Nicholas Haines at (410) 313-2350 or email at [nhaines@howardcountymd.gov](mailto:nhaines@howardcountymd.gov).

Sincerely, DocuSigned by:



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Anthony Cataldo, AICP, Chief  
Division of Land Development

AC/NH

cc: Research  
DLD - Julia Sauer  
Real Estate Services  
Kimley Horn



**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

Section Reference No.	Brief Summary of Request