



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

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June 15, 2010

Robert H. Davis  
c/o Heritage Development  
15950 North Avenue, P.O. Box 482  
Lisbon, MD 21765

RE: Davis Property Lots 1-4 & Preservation Parcel A  
(WP-10-121)

Dear Mr. Davis:

The Director of the Department of Planning and Zoning considered your request for a waiver from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request to waive **Section 16.145.(a)** which requires the submission of a Preliminary Equivalent Sketch (PES) Plan for all major subdivisions in the RC Zoning District. Approval is subject to the following conditions:

1. Compliance with the attached comments from the Development Engineering Division (DED) is required at the final plan stage.
2. Compliance with all SRC Agency comments generated with the review of the final subdivision plan.

In addition to the above conditions of approval, this office offers the following as Advisory Comments which must be addressed at the time of submission of the final subdivision plan/plat:

1. Submission and approval of an Environmental Concept Plan (ECP) will be required for this subdivision.
2. The property owner has not yet requested a tenant house of the Howard County Agricultural Land Preservation Board (ALPB). In order for a tenant house to be approved, the property owner must demonstrate a need for a full time tenant to the Howard County ALPB and the Board must approve the location.

Our decision was made based on the following justification:


- Summary of the extraordinary hardship or practical difficulty resulting from strict compliance with the regulations: The extraordinary hardship would be for the applicant to be required to submit a two step process beginning with a Preliminary Equivalent Sketch (PES) Plan. The proposed development does not require construction of a public road. The two driveway access points will be required to comply with all applicable sight distance and space requirements and will separate the farm operation traffic from the traffic from the 4 proposed buildable lots which is desirable from a safety and user standpoint. The final subdivision plan/plat submission will provide a high level of detail and information equal to or greater than that provided with a PES.

- The intent of the regulations will be served through the implementation of the alternative proposal, will not be detrimental to the public interests and will not nullify the intent or purpose of the regulations: The intent of the regulation which requires a PES for all major subdivisions in the RC zoning districts will be satisfied at the time of submission of the final subdivision plan/ plat. The intent and purpose of the regulations to promote the health, safety and general welfare of the residents of the County by requiring a high level of detail and information will be satisfied at the final subdivision plan/plat submission and will uphold the legislative intent for the regulations to require uniform standards for the processing of subdivision plans.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats/plans and building permits. This requested waiver will remain valid for one year from the date of this letter or as long as the subdivision remains in active processing.

If you have any questions, please contact Ms. Pat Britt-Fendlay at 410-313-3371 or via e-mail at [pfendlay@howardcountymd.gov](mailto:pfendlay@howardcountymd.gov).

Sincerely,

  
Kent Sheubrooks, Acting Chief  
Division of Land Development

KS/JMF/MPB  
*gmc* *MPB*

cc: Research  
Development Engineering Division  
Joy Levy – Agricultural Land Preservation Program Administrator  
Stephanie Tuite – Sill, Adcock & Associates