



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

Marsha S. McLaughlin, Director

www.howardcountymd.gov
FAX 410-313-3467
TDD 410-313-2323

May 3, 2010

Nicholas Liparini
8835-P Columbia 100 Parkway
Columbia, MD 21045

RE: WP-10-134, Harwood Park, Lots 283 - 286

Dear Mr. Liparini:

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 16.102(c)(2)** – Plat to cover entire parcel: Submissions shall cover the entire parcel being subdivided, except for agricultural preservation subdivision or parcels of 50 acres or more that have not been previously included on a recorded plat and **Section 16.147(a)** Final Subdivision Plan and Final Plat, Purpose: requiring the submission and approval of a final subdivision plat by DPZ to allow for the reconfiguration and merger of four (4) existing lots to two (2) lots with the recording of a deed of adjointer.

Approval is subject to the following conditions:

1. The applicant must record the new adjointer deeds of conveyance in the Land Records Office of Howard County, MD within 90 days from the date of this approval letter (on or before **August 1, 2010**). A copy of the consolidation deeds shall be submitted to this Department for file retention within 120 days from the date of the approval letter (on or before **August 31, 2010**) and prior to approval of the site development plan if applicable or a building permit.
2. Approval of a site development plan is required for the subject lots if the proposed LOD for the new dwelling(s) is more than 5,000 square feet in accordance with Section 16.155(a)(2)(ii) of the Howard County Subdivision Regulations.
3. Advisory Comment: Please be advised that the 2007 Stormwater Management Regulations are currently in effect but that new State Regulations will go into effect May 4, 2010. Any projects not having an approved stormwater management plan and sediment and erosion control plan by May 4, 2010 will require revised plans designed to current regulations.

Extraordinary Hardships or Practical Difficulties:

Extraordinary hardship would result if the applicant is required to process a new subdivision plat for the subject property to consolidate the four (4) existing lots into two (2) lots since no additional lots will be created. Requiring a final plan at this time will serve only to show the abandonment of the existing lots which can be accomplished by filing a new deed in the Land Records Office. (See the attached justification statement from the applicant.)

Alternative Proposal

The intent of the Regulations will be served to a greater extent through this implementation of the alternative proposal because they are reducing the number of lots from four (4) to two (2) lots and

improving the non-compliance lots in the "R-12" zoning district closer to lot size compliance by increasing the lot areas. (See the applicant's justification statement.)

Not Detrimental to the Public Interest

The waiver request will not be detrimental to the public interest because the applicant will be creating larger lots by reducing the lots from four (4) lots to two (2) lots which will better accommodate new single family homes. See the applicant's justification statement.

Will not nullify the intent or purpose of the regulations

Approval of this waiver request will not nullify the intent or purpose of the Regulations. The completed product will be two (2) buildable lots from four (4) existing lots. It will bring the property into greater compliance with the existing zoning regulations. Therefore, approval of this waiver request will satisfy the intent of the Regulations by permitting fairness and consistency in the application of the plan processing procedures. See the applicant's justification statement.

Indicate this waiver 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 requested waiver will remain valid for the time periods specified above.

If you have any questions, please contact Jennifer Wellen at (410) 313-2350 or email at jwellen@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Acting Division Chief
Division of Land Development

KS/TKM/jm 

cc: Research
DED
WP-10-134