



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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FAX 410-313-3467
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January 26, 2011

Thomas Burke
2614 Orchard Avenue
Ellicott City, Maryland 21043

RE: WP-11-116/Wilton Farm Acres, Sec. A, Lot 20

Dear Mr. Burke:

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

As of the date of this letter, the Planning Director **approved** your request for waiver to Section 16.155(a)(2)(ii) requiring the submission of a site development plan for residential development, subject to the following conditions:

1. In accordance with the enclosed comments from the Development Engineering Division, an Environmental Concept Plan (ECP) is required. A site distance analysis for the new driveway shall be made a part of the ECP submission.
2. All new construction shall be in accordance with the R-20 Bulk Requirements of the Zoning Regulations and per the recorded building setbacks as shown on the plat for Wilton Farm Acres, Section A, PB 4/Folio 60.
3. The property owner is advised that a new address from Wilton Avenue shall be assigned to Lot 20 due to relocation of the driveway. Please contact John Hartner of the Division of Land Development at (410) 313-2350 or email: jehartner@howardcountymd.gov to process assignment of a new house address for Lot 20.
4. The property owner must apply for any necessary permits with the Department of Inspections, Licenses and Permits for the proposed residential structure.

JUSTIFICATION FOR APPROVAL:

1. Extraordinary hardships or practical difficulties will result from strict compliance with the Regulations. The owner intends to demolish a 1959 one-story, two car-garage brick rancher and construct a more energy efficient, active solar home on Lot 20. The new house will be a one-story ranch style model which will be approximately 72' long by 30' wide with a two-car garage that is attached by an enclosed breezeway. The new house will be erected approximately 3,200 sq. ft. over the previously constructed foundation. The applicant has presented an exhibit (Plan #3) which shows that 6,700 sq. ft. of disturbance will occur within the northwest area of Lot 20 during construction of a portion of the new house, garage and relocated driveway. Lot 20 is located in the Wilton Farm Acres subdivision recorded in 1955 and is 30,099 sq. ft. in size. The subject lot is square in shape, consists of flat topography and is serviced by public water and sewer. No environmental features, steep slopes or forest, exist on the

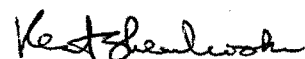
property. This site is exempt from forest conservation since the lot was recorded prior to 1976, and is less than 40,000 sq. ft. in area. To require a site development plan at this time would cause considerable expense to the property owner and delay in the intended spring construction. All relevant information can be adequately shown on a plot plan and environmental concept plan and which will be suitable substitutes to the site development plan submission.

2. The intent of the Regulations will still be served to a greater extent through implementation of an alternative proposal and approval of the waiver request(s) will not nullify the intent of the Regulations. The property owner has given great consideration in the location of the proposed home. All alternatives were considered and the final location represent the best solution for minimizing disturbance on the lot. With an overlap of approximately 3,200 sq. ft. across the existing house foundation as shown on Plan #2, no other grading will be necessary within this area. The existing driveway will be covered over and replanted with vegetation. The area of impervious to pervious as shown on Plan #4 will be about 2,000 sq. ft. and will be applied as credit against the area of new disturbance which will occur within the northwestern portion of the lot. This area of new disturbance will be about 4,700 sq. ft. which is below the 5,000 sq. ft. threshold requiring a site development plan. Credit for converting impervious back to pervious is considered for storm water management purposes. Although a 30" tree will be removed for construction of the garage, this Division has determined that removal of specimen trees is permitted when forest conservation obligations are not required. No landscaping is required between lots within the same subdivision. Adequate screening along the rear property line has been previously installed and now consists of mature evergreens.

3. Approval of this waiver request will not be detrimental to the interests of the public. The owner is not circumventing the intent of the regulations. An Environmental Concept Plan (ECP) shall be submitted and approved prior to application of a building permit. The ECP will show basic information as would be required on a site development plan. A site distance analysis for the new driveway based on requirements of the Design Manual shall also be required as part of the ECP submission. In addition, the new construction will be fully reviewed under current residential building codes, and the house shall be installed with a sprinkler system. A new street address shall be assigned to this residence. Lot 20 contains a single-family home and is situated in an established neighborhood. Re-construction on the lot will have no detrimental affect to surrounding properties which are developed with single-family homes. Review and approval of all plans and permits for construction of a new house on Lot 20 will be in compliance with the Zoning Regulations, Design Manual Requirements and applicable Subdivision and Land Development Regulations.

Indicate this waiver petition file number, request, section of the regulations, action taken, date and conditions of approval on all related plats, site development plans and building permits. This requested waiver will remain valid for one year from the date of this letter or as long as a building permit remains active. Should you have any questions regarding this matter, please contact Brenda Barth at (410) 313-2350 or email: bbarth@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development



:btb/attachment

cc: Research/DED/Annette Merson