



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
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Marsha S. McLaughlin, Director

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September 26, 2011

Ms. Betty Williams  
7089 Old Columbia Road  
Columbia, MD 21046

RE: WP-12-031, Property of Emerson Williams &  
Betty Williams (7089 Old Columbia Road)

Dear Ms. Williams:

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 16.155(a)(2)(ii)** Waiver of a site development plan for the Development of single-family detached residential lots and deeded parcels within the Planned Service Area for both public and water and sewer, except that lots in recorded subdivisions created before February 7, 1976 are exempt from site development plan requirements unless more than 5,000 square feet of disturbance is proposed and the lots have not been reconfigured or merged through the recordation of a plat recorded on or after February 7, 1976. The waiver request is to allow for construction of a new dwelling to replace an existing house.

Approval is subject to the following conditions:

The Division of Land Development recommends Approval for a waiver of Section 16.155(a)(2)(ii) of the Subdivision and Land Development Regulations, subject to the following conditions:

1. No disturbance shall be permitted beyond the 4,950 square feet of LOD that is shown on this waiver petition plan exhibit nor should any trees be removed other than the one labeled "to be removed" on the waiver exhibit. All other trees should remain. No disturbance to the floodplain limits is permitted.
2. The attached comments from the Development Engineering Division, dated September 20, 2011.
3. The owner must file a Declaration of Intent (DOI) with the building permit for a single lot clearing less than 20,000 square feet.
4. The applicant shall comply with all permit requirements for the Department of Inspections, License and Permits.

Justification for Recommendation:

Extraordinary Hardship or Practical Difficulty – If the waiver petition is not granted, the applicant will be required to prepare a site development plan. The waiver plan exhibit is a reasonable alternative to a site development plan showing all required site information to properly evaluate this request. In addition, this Department will require that this project comply with all required permits issued by DILP as well as other state/local and utility communication regulations.

Alternative Proposal –The alternate proposal to waive Section 16.155(a)(2)(ii) would be to submit a new site development plan under standard review. The detailed plan exhibit submitted with this waiver petition is a suitable substitute for the SDP requirement showing information necessary to evaluate this request for compliance with the Regulations, especially since the property is already developed with an existing house which is to be removed and the existing driveway and detached garage is to remain.

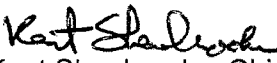
Not Detrimental to the Public Interest –Approval of the waiver request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding residential properties. The proposed residential house would be a major improvement to the existing well maintained neighborhood. The proposed construction work will have no impact on any adjacent properties and tearing down the older existing house and rebuilding in the new location will improve the neighborhood.

Will not Nullify the Intent or Purpose of the Regulations – The waiver petition proposal is an acceptable alternative to submitting a site development plan for standard review because the plan will be presented as part of the building permit application. The site does not initiate the need for stormwater management since it is less than 5,000 square feet a declaration of intent will be provided for the forest conservation requirement and the access to the proposed site is existing.

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 1 year from the date of this letter (on or before **September 26, 2012**) or as long as a building permit remains in active processing.

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

Sincerely,

  
Kent Sheubrooks, Chief  
Division of Land Development

KS/jw

cc: Research  
DED  
LDE  
Annette Merson