



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

Marsha S. McLaughlin, Director

[www.howardcountymd.gov](http://www.howardcountymd.gov)  
FAX 410-313-3467  
TDD 410-313-2323

September 26, 2012

Ronald Toms and Desiree Bartlett  
6498 Montgomery Road  
Elkridge, MD 21075

RE: WP-12-186, 6498 Montgomery Road  
- RECONSIDERATION

Dear Mr. Toms and Dr. Bartlett:

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

On September 25, 2012, the Planning Director **denied** your request of RECONSIDERATION to our previous denial (dated August 21, 2012) to waive **Section 16.147**, which outlines the requirements for a final plat and plan submission.


Denial of the RECONSIDERATION was based on the following reasons:

1. The Department of Planning and Zoning reaffirms our previous justifications of denial as agreed upon by the Director of Planning and Zoning and listed on the letter dated August 21, 2012.
2. At the time "Parcel 2" was created, it was not recorded as part of the right-of-way of John Calvert Court and therefore the exemption pursuant to Section 16.102(c) of the 4<sup>th</sup> Edition of the Subdivision and Land Development Regulations could not be used and is determined invalid in this case. The acquisition or disposition of road right-of-way or land by a public agency requires it to be as a result of highway, road, street or utility improvement made by the County. The construction of John Calvert Court was a developer initiated improvement and was not tied to a County Capital Project.
3. Even in the event that the exemption of Section 16.102(c) of the 4<sup>th</sup> edition of the Subdivision and Land Development Regulations is determined valid, the exemption states that all remaining lots shall be consistent with the Zoning Regulations. Parcel 2 was not consistent with the minimum lot size and other bulk requirements of the Zoning Regulations at the time of its establishment as a deeded parcel.


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.

If you have any questions, please contact Jill Manion-Farrar at (410) 313-2350 or email at [jfarrar@howardcountymd.gov](mailto:jfarrar@howardcountymd.gov).

Sincerely,

  
Kent Sheubrooks, Chief  
Division of Land Development

KS/JMF

  
cc: Research  
DED  
Sang Oh