



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

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Ellicott City, Maryland 21043

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Voice/Relay

Valdis Lazdins, Director

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August 15, 2016

The Redeemed Christian Church of God  
9110 Bursa Road  
Laurel, Maryland 20723

The Redeemed Christian Church of God  
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Debra Lynn Maier and Cheryl Lynn Maier  
9130 Bursa Road  
Laurel, Maryland 20723

The Redeemed Christian Church of God  
9651 Washington Boulevard  
Laurel, Maryland 20723

Re: Bursa Road – US Route 1 Sewer Protection and Stream Restoration Project  
Alternative Compliance Petition WP-16-130

Ladies and Gentlemen:

The Director of the Department of Planning and Zoning considered your request for alternative compliance from the Howard County Subdivision and Land Development Regulations. As of the date of this letter, the Planning Director approved your request for alternative compliance of Section 16.155(a)(1)(i). Approval is subject to the following conditions:

1. The petitioner shall obtain an approved grading permit to conduct the proposed sewer protection and stream restoration project.
2. The petitioner shall observe the conditions of approval of the DPZ, Development Engineering Division dated May 26, 2016 (see attached).

Our decision to approve the alternative compliance was made based on the following justification:

*"Summarize any extraordinary hardships or practical difficulties which may result from strict compliance with the Regulations."*

The project is needed to address an eroding stream system that is negatively impact County sewer stability and adjacent private properties. Strict compliance with the regulations would require additional time, effort and cost to address a large amount of land that is in no way affect by the proposed project. Full compliance with the regulations and the expenditure of the design team's resources would not improve the final design or construction of the project and would take away valuable funds from the implementation of the project construction. Performing this extra work would also lengthen the schedule for this project.

*"Verify that the intent of the regulations will be served to a greater extent through the implementation of the alternative proposal."*

The County regulations are meant to assure that development occurs per County requirements and that environmental criteria are met. The project has been designed with the environment in mind and best practices for construction. The limit of disturbance will be minimized to only that area necessary for constructing the

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project. Furthermore, the very nature of this project is to protect the environment by reducing erosion and sediment transport downstream and by providing a stable stream system to protect the sanitary sewer below.

*"Substantiate that approval of the alternative compliance will not be detrimental to the public interest."*

The existing stream is currently downcutting, jeopardizing the existing sewer crossing the stream, threatening private property and fences, eroding stream banks and causing a loss of trees and stream buffer vegetation. The loss of the trees further destabilizes the stream banks, thus accelerating the rate and amount of erosion. Doing nothing is not an option, as the erosion problem will not fix itself and threatens to migrate laterally farther onto private properties. Public interests and safety will be improved by the proposed project. The alternative compliance request is not intended to exempt the project from County regulations, but rather to more appropriately match the goals and resources of the project to the overall intent of the regulations.

*"Confirm that approval of the alternative compliance will not nullify the intent of the Regulations."*

As stated above, approval of this alternative compliance request will not nullify the intent of the regulations. The project is being done to protect the County's sewer and stabilize eroding stream banks. Continued erosion and downcutting will jeopardize the sanitary sewer and possibly create a human health and environmental hazard if there is a sewer spill. It is important to public safety and the environment that the project gets done. No work being proposed by this project is in any way counter to County policy or regulation.

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

Should you have any questions, please contact Dave Boellner by telephone at 410-313-3956 or by email at [dboellner@howardcountymd.gov](mailto:dboellner@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/DBB:dbb

C: DPZ, Research  
DPZ, DED  
Joshua Gliptis – DPW, Utilities