



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

■ Ellicott City, Maryland 21043

■ 410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

March 1, 2018

Ms. Kathleen Gilliece
13111 Linden Church Road
Clarksville, MD 21029

Dear Ms. Gilliece:

RE: WP-16-133, Walker Meadows (F-17-045),

The Director of the Department of Planning and Zoning reconsidered your request for an 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 an alternative compliance of **Section 16.116(a)** which prohibits grading, removal of vegetative cover and trees, paving and new structures within 100-feet of a perennial streambank, and within 25 feet of a wetland. The developer is requesting reconsideration of condition number 6 of previously approved alternative compliance application which required the developer to install a bottomless arch culvert for the construction of a single driveway crossing to serve Buildable Preservation Parcel "A".

Approval is subject to the following conditions:

1. In accordance with email comments dated November 4, 2016 from MDE, the existing culvert may remain if there are no alternations being made to the culvert. Therefore, previous condition number 6 is not required (installation of a bottomless arch culvert).
2. Compliance with previous WP-16-133 conditions 1, 2, 3, 4 and 5 from the Department of Planning and Zoning's Decision and Order letter dated September 8, 2016.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty – The extraordinary hardship or practical difficulty involved with this alternative compliance request would require the developer to forfeit a buildable parcel, and the proposed equestrian trail would be eliminated along with DNR receiving an access easement to their adjacent parcel (State Park). The disturbance to the environmental features will be minimized to the extent needed to provide reasonable access. Without the granting of the alternative compliance request, the developer will not have access to a portion of the property which will require maintenance, such as mowing of the parcel. In addition, the horse trails and DNR's access will be eliminated from this portion of the property. Access for this parcel is already provided with an existing culvert crossing in place for a farm access drive. This location was selected because of the existing established stream crossing which minimize the disturbance and impact to the stream buffer. Approval of this alternative compliance petition request is only to re-affirm the existing stream crossing for a residential driveway which will provide reasonable access to a 10-acre landlocked portion of the property. In addition, the equestrian trail and DNR access will provided through the buildable preservation parcel to the adjacent state park.

Not Detrimental to the Public Interest - Approval of the alternative compliance 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. Granting of the request for the environmental disturbances for the trail,

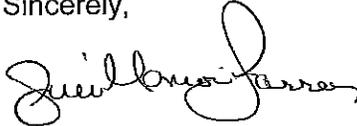
easement and driveway will provide all parties their desired access. In addition, the developer will be able to maintain a large portion of the property which would otherwise be landlocked without allowing the environmental disturbance.

Will Not Nullify the Intent or Purpose of the Regulations – Approval of this alternative compliance request will not nullify the intent or purpose of the regulations but will allow the developer the ability to access a portion of their property which would otherwise be landlocked because of the environmental features. The developer will be required to receive all required permits from Maryland Department of Environment and U.S. Army Corps of Engineers. In addition, the disturbance will be minimized to only the amount of disturbance needed to provide a single access which will serve as access to the buildable preservation and, the proposed equestrian trail and DNR's access to their adjacent parcel. This area has already been disturbed for farming operations and an existing farm access road crossing already exists within the stream buffer.

Indicate this alternative compliance 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 alternative compliance approval will remain valid for one year from the date of this letter or as long as a subdivision or site development plan is being actively processed in accordance with the processing provisions of the Regulations.

If you have any questions, please contact Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,


 Kent Sheubrooks, Chief
 Division of Land Development

KS/BL

cc: Research
 DED
 Real Estate Services
 DDC
 Steven Patterson (steven_patterson@hotmail.com)
 Bernard Rauscher (bj_rauscher@me.com)
 Pat Oliva (patolivatigger@gmail.com)
 Susie Brickell (susiebrickell@me.com)
 Frankie Galbani (frankiegalbani@netscape.net)
 Iris Ritter (Iris_Ritter@hcpss.org)
 Christina Skipic (cskipic@yahoo.com)
 Mary Anne McDermott (mcdermottmam@verizon.net)
 Lauren Lacey (lelsey@yahoo.com)
 Peter Hauser (peterhauser@comcast.net)
 Susan McTague (sjmctag@hotmail.com)
 Susan Booth (Susan@Rocketmail.com)
 Charles and Margaret Horner (Henrytonhill@aol.com)
 David Braveman (davidbraveman44@gmail.com)
 Sue Patton (sue.patton@verizon.net)
 Aaron Tark (aarontark@verizon.net)
 G. Macy Nelson (gmacynelson@gmacynelson.com)
 David Lynch (DavidLynch@gmacynelson.com)
 Jill Mcgrath (jillajem@aol.com)

Jamie Brickell (jamiebrickell@me.com)
 Wendy Emblin (Emblin@aol.com)
 Jane Seigler (seigler.jane@gmail.com)
 Joseph DiNoto (chicken-guy@msn.com)
 Susan Lancelotta (suenickkl@msn.com)
 Judith Robinson (robinsoj01@gmail.com)
 Judy Novak (jhnovak@verizon.net)