



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

October 24, 2017

Brian Goldstein
6314 Golden Star Place
Columbia, MD 21044

RE: WP-17-112, Oak Hill Subdivision
Alternative Compliance Decision

Dear Mr. Goldstein:

The Director of the Department of Planning and Zoning considered 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 16.121(a)(2)**.

Approval is subject to the following conditions:

1. The proposed single family houses on Lots 4 and 5 must remain completely out of the 35 foot environmental setback from the stream buffer.
2. Compliance with approval conditions 1 through 4 as cited in the previous approval letter dated August 25, 2017.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

Extraordinary hardship would result from requiring 18,000 ft² minimum lot sizes since extensive environmental features exist on the property severely restricting where lots and houses may be placed. Because of these extensive environmental features, coupled with the unique shape of the parcels, topography, location of the sanitary sewer main, and the need to provide stormwater management in accordance with the latest MDE and Howard County regulations, it is not possible to maintain 18,000 ft² lot sizes and still maintain reasonable development of the property.

Alternative Proposal

The alternative proposal would require the applicant to limit the minimum lot size for this project to 18,000 ft². However, the regulations will be served to a greater extent by allowing 14,000 ft² minimum lot sizes in this case since it will allow the developer to protect sensitive environmental features on the site and to comply with the 35 foot environmental BRL from the stream buffer for lots 4 and 5. Therefore, requiring 18,000 ft² minimum lot sizes is not recommended by this Division.

Not Detrimental to the Public Interest

The alternative compliance request will not be detrimental to the public interest since the reduction in minimum lot sizes will allow the developer to preserve and protect sensitive environmental features and buffers on the site, providing a benefit to the public.

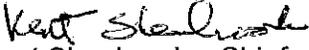
Will not nullify the intent or purpose of the regulations

Approval of this alternative compliance request will not nullify the Intent or Purpose of the Regulations since the regulations will be served to a greater extent by allowing 14,000 ft² minimum lots sizes in this case by allowing the developer to protect sensitive environmental features and buffers on the site.

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 J.J. Hartner at (410) 313-2350 or email at jjhartner@howardcountymd.gov.

Sincerely,


Kent Sheubrooks, Chief
Division of Land Development

KS/JH

cc: Research
DED
Real Estate Services
Bohler Engineering, Attn: Brandon Rowe