



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

November 8, 2016

Ashley Adams & Chris Fortune
4524 Alpine Rose Bend
Ellicott City, MD 21042

RE: WP-17-032, Fortune/Adams Property

Dear Ms. Adams & Mr. Fortune:

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 16.102** of the Subdivision and Land Development Regulations subject to the following conditions:

Approval is subject to the following conditions:

1. The adjoiner deed shall be recorded in the Land Records Office of Howard County, Maryland within 60-days from the date of the approval letter (on or before January 7, 2017). The alternative compliance plan exhibit must be an exhibit attached to the recorded deed.
2. Recorded copies of the adjoiner deed shall be submitted to this Department for file retention purposes within 30-Days of recordation.
3. The adjoiner deed shall reference the waiver petition file number (WP-17-032).
4. The two Parcels reconfigured by the adjoiner deed shall comply with the RR-DEO Zoning Regulations, pertaining to the required building setbacks and accessory structure uses.
5. Approval of this waiver petition is to adjust the common parcel boundary between Parcels 421 & 243 (Tax Map 40). No other lots or parcels are being legally endorsed. No additional lots or parcels are being created and no new development, construction or improvements are permitted under this request.
6. Compliance with the Health Department comments dated October 18, 2016 and Development Engineering Division comments dated October 26, 2016.
7. Compliance with all applicable County and State regulations is required, and the applicant shall obtain all necessary permits from the Department of Inspections, Licenses and Permits prior to initiating construction for the new house.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

Strict compliance to the Regulations and recording a final plat to reconfigure the common lot line between existing Parcels 421 & 243 requires the owner to adhere to all items of the Subdivision Regulations which would be extremely costly and timely for the applicant causing extraordinary hardship. The petitioner's intent is to construct a new SFD on Parcel 243 which will require the establishment of a new sewage disposal area and easement.

Not Detrimental to the Public Interest

It would not be detrimental to the public interest to approve this alternative compliance since Parcels 421 & 243 are existing buildable parcels. As a result of approving this waiver there is no new residential dwelling proposed on Parcel 421 and Parcel 243 will construct one SFD. Approval of this alternative compliance would

allow the applicant to move forward with the approved sewage disposal area on Parcel 243 that would accommodate the petitioner's new SFD on that parcel of land.

Will not Nullify the Intent or Purpose of the Regulations

Approval of the alternative compliance will not nullify the intent of the Regulations because the adjoiner deed will legally establish the property boundaries upon recordation of the deed in the Land Records Office of Howard County. Any future development of these parcels will require an approved Simplified Environmental Concept Plan and all necessary permits. This request will bring the existing 2.37 acre Parcel No. 243 closer to compliance with the minimum lot size requirement for the "RR" zoning district.

This requested alternative compliance will remain valid for the time period specified in the conditions of approval, or as long as this 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.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/jw

cc: Research
DED
Real Estate Services
Vogel Engineering