



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

January 19, 2018

Tim Keane
Trinity Quality Homes
3675 Park Avenue
Ellicott City, MD 21043

RE: WP-17-034, The Estates of River Hill
(SP-17-007); The Greene Property

Dear Mr. Keane:

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 16.115(c)(2), Prohibitions on Use of Floodplain Land, Section 16.116(a)(2), Streams and Wetlands, and Section 16.120(b)(6)(ii)(a), Length of Pipestem Lot.**

Approval is subject to the following conditions:

1. Compliance with all SRC Agency comments generated with the review of the submitted Environmental Concept Plan (ECP-16-064).
2. Application for all permits as may be required by the Maryland Department of Environment for the disturbance to the floodplain and stream crossing for construction of a new bridge structure and driveway and upgrades to the existing driveway and stream crossing.
3. All grading and work within the stream, stream buffer, floodplain areas, and wetland buffer areas shall be minimized to the extent required to construct the proposed house and shared driveway. Any disturbances to the stream and buffers must be stabilized and restored.
4. Compliance with all attached comments from the Development Engineering Division dated October 26, 2016
5. Include the alternative compliance request number, description, and decision on all associated and future plans.

Our decision was made based on the following:

Extraordinary Hardship:

The applicant would have experienced extraordinary hardship and practical difficulty with the development of the property through strict compliance with the regulations. The size of the property and the environmental features within its boundaries would have made subdivision difficult. The stream and floodplain crossing to access Lots 12-15 and Buildable Preservation Parcel 'A' currently exists and is proposed to remain. The improvements to the paving will require very little grading and other construction activity. This will minimize the disturbance to the environmental areas and will not require tree clearing. The proposed stream and floodplain crossing to Lots 4-9 will consist of a bridge structure that will not impede the 100-year floodplain. Without the necessary crossings, the development of the site would be severely impeded as the existing stream completely bisects the site. Lots 4-7 have pipestems that exceed 1,500 in order to place them at a higher elevation in areas with successful percolation results.

Implementation of Alternative Proposal:

The intent of the regulations is to protect and preserve the environmental features on the original parcel. Alternatively, the lots have been clustered in sections of the property away from the environmentally sensitive areas to minimize the disturbance to these areas. The existing stream crossing improvements will be such in nature to fulfill the required Design Manual requirements and to minimize disturbances. The proposed stream and floodplain crossing will incorporate a bridge type structure capable of supporting Fire and Rescue vehicles. The longer pipestem lots will also allow the lots to be clustered in sections of the property away from the environmental areas and that have demonstrated excellent capacity for septic systems. The proposed crossing will not impede the 100-year floodplain and disturbance to the 100' stream buffer is only to accommodate the use-in-common driveway.

Detrimental to the Public Interests:

Measures have been taken in the design for the property to preserve and protect the existing stream and floodplain areas on the property. The existing crossing area is proposed to be improved to meet the current Design Manual Regulations while minimizing additional impacts. The proposed stream and floodplain crossing will be facilitated by a bridge structure. Proposed disturbance to the 100' stream buffer is only to accommodate the use-in-common driveway. The development is being clustered in sections outside of the environmentally sensitive areas to preserve them and maintain the existing character of the site. The majority of the existing vegetation and specimen trees will be preserved on site.


Nullifies the Intent or Purpose of the Regulations:

Approval of the alternative compliance request would not have nullified the intent of the Regulations as they allow for disturbances intended for the reasonable development of the property with justification. The proposed stream and floodplain crossing will be facilitated by a bridge structure and disturbance to the 100' stream buffer is only to accommodate the use-in-common driveway. The proposed improvements will not impede the floodplain and disturbances should be minimal in nature. The extended pipestem lengths are proposed to place the buildable lots at higher elevation in areas with successful percolation results and preserving more of the environmental areas.

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 Nicholas Haines at (410) 313-2350 or email at nhaines@howardcountymd.gov.

Sincerely,


Kent Sheubrooks, Chief
Division of Land Development

KS/NH

cc: Research
DED
Real Estate Services
Vogel Eng.
SP-17-007 file