



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

August 24, 2017

Ms. Patricia Sullivan
3010 North Ridge Road, Unit C709
Ellicott City, MD 21043

RE: WP-17-050 ("Sullivan Property")

Dear Ms. Sullivan:

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 16.147 Final Subdivision Plan and Final Plat** to reconfigure three parcels to accommodate suitable perc sites (proposed sewage reserve areas) utilizing adjoinder deeds in lieu of the formal subdivision process.

Approval is subject to the following conditions:

1. Through the adjoinder deed process, Parcels 1 through 3 shall be reconfigured as shown on the exhibit submitted with WP-17-050 and as approved by the Health Department.
2. The applicant must record the new deed of reconfiguration in the Land Records Office of Howard County, MD within 90 days of the date of alternative compliance approval (**on or before November 22, 2017**). A copy of the deed of reconfiguration shall be submitted to the Department of Planning and Zoning for file retention purposes within 60 days of deed recording.
3. Evidence must be provided that the shed which is shown partially on existing Parcel 188 and proposed Parcel 3 has been removed or relocated prior to issuance of any building permit for Parcel 3.
4. A simplified ECP will be required prior to any new development on Parcels 1-3. At that time, forest conservation requirements must be addressed.
5. If any specimen trees located on parcels 1-3 are proposed for removal a new Alternative Compliance request will be required to be submitted (and approved) prior to the issuance of any building permit.
6. You must obtain and submit owner permission from adjacent Parcel 188 for any private driveway relocation and a new access easement may be necessary as part of the adjoinder deed.
7. Metes, bounds, bearings and distance information must be provided for ALL lot lines for all three parcels on the new adjoinder deed when recorded. [**NOTE:** The WP exhibit does not currently provide this information for all lot lines.]
8. WP-17-050 (and all conditions of approval) shall be referenced in the new adjoinder deeds.
9. The adjoinder deed exhibit that is to be recorded must show and label existing internal parcel lines to be "adjusted, removed, or modified" as part of the adjoinder deed transfer and must show new parcel configuration as well.

10. As part of the adjoinder deed process, the existing 15' Use-In-Common right-of-way must be removed and the new 24' private Use-In-Common easement for the benefit of Parcels 1-3 and Parcel 188 must be recorded simultaneously with the adjoinder deed.

The Planning Director's decision was made based on the following:

Justification for Recommendation:

The applicant would incur **Practical Difficulty and Unnecessary Hardship** if the alternative compliance request were not approved. Requiring a subdivision plat to reconfigure existing parcels (to satisfy the requirements of the Health Department) would require an undue amount of time for preparation, processing and review and would serve no real purpose except to show relocation of lot lines, which can be accomplished by the filing of new deeds in the Land Records Office. The parcels were tested recently for percolation suitability in conjunction with the establishment of approved private sewage disposal areas per the Howard County Health Department. Based on extensive testing and physical and topographic constraints, three acceptable septic areas were approved. The configurations of the three parcels reflect the recently approved percolation certification plat.

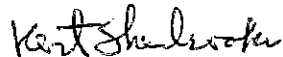
Not Detrimental to the Public Interest: No new lots would be created as a result of any alternative compliance approval; environmental features would not be affected by the reconfiguration of the three parcels involved and stormwater management would not need to be addressed at this time. The recording of adjoinder deeds to reconfigure the subject properties will not alter the essential character of the neighborhood and will not impair the use of adjacent properties. The reconfiguration will help to bring the lots into better conformance with minimum lot sizes and will address the MDE requirement of establishing an approved septic system on each buildable parcel.

Approval of this alternative compliance request will **Not Nullify the Intent of the Regulations**. The alternative compliance petition exhibit and the recorded adjoinder deed with exhibits will represent a suitable substitute for a subdivision plat involving the reconfiguration of three existing parcels.

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 until the deadline date specified in the above approved conditions.

If you have any questions, please contact Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at tmaenhardt@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/TKM/

cc: Research
DED
Real Estate Services
Vogel Engineering