



# 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

June 12, 2017

Laura Jones  
14132 Rover Mill Road  
West Friendship, Maryland 21794

RE: WP-17-118 14130 Rover Mill Road

Dear Ms. Jones:

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 16.116(a)(2)(iii)** Protection of wetlands, streams, and steep slopes. Grading, removal of vegetative cover and trees, paving, and new structures shall not be permitted within one hundred feet of a perennial stream bank for the Use III and IV streams.

**Approval is subject to the following conditions:**

1. Compliance with the attached comments from the Howard Soil Conservation District, dated May 30, 2017.
2. All grading and clearing shall be minimized to the extent required to construct the driveway. Any disturbed areas must be returned to the existing grade, and stabilized, with re-seeding, planting of ground cover or vegetation plantings as appropriate.
3. Impact is restricted to the 9,049 square feet limit of disturbance as shown on the Alternative Compliance Exhibit. Any proposal to increase the impact to the stream buffer or any other protected resource will require an additional Alternative Compliance petition to be submitted.
4. The petitioner shall obtain all required permits from the Howard County Department of Inspections, Licenses and Permits.
5. Include the Alternative Compliance request number, description, and decision on all associated plans, plats, and grading permits.

**Our decision was made based on the following:**

**Extraordinary Hardship or Practical Difficulties:** The practical difficulty arises due to providing driveway access for the new house and the location of the 100 foot stream bank buffer, the 30 foot property line zoning setback, the 20 foot septic disposal area setback, and the narrow width of the exiting parcel of land. These constraints are such that avoidance of a disturbance within the 100 foot stream bank buffer is not possible while maintaining the reasonable development potential of the parcel. The extraordinary hardships associated with the protection of the 100 foot stream bank buffer is that there is no other adequate space on the parcel to construct a house without greater disturbance.

**Not Detrimental to the Public Interest:** The approval of this Alternative Compliance will not be detrimental to the public interest because the development of this parcel will allow the delineation of the environmental features and only a reduction of approximately 35 feet of the 100 foot stream bank buffer. The forested portion of the site will not be disturbed and will appear just as it does today for the foreseeable future. The developer is not proposing any disturbance to the wetland for the floodplain, and will leave about a 65 foot stream bank buffer.

The disturbance to the 100 foot stream bank buffer is kept to a minimum. The owner will be providing stormwater management. The floodplain enters into the Middle Patuxent River after passing Old Rover Mill Road. There are not any downstream properties that will be impacted. Additionally, the road that serves the parcel is not heavily traveled and it is not a scenic roadway.

**Will Not Nullify the Intent or Purpose of the Regulations:** The intent of the regulations will still be met by the developer providing stormwater management for the new impervious surfaces. Also, the owner will delineate the area of the 100 year floodplain. The developer has worked to reduce the environmental impacts by reducing the house size, providing a unique footprint to conform to the land, placing the driveway entrance onto the adjacent property, and minimizing grading within the stream bank buffer. The owner will need to provide to Howard County a Declaration of Intent to fulfill the obligations of the Forest Conservation Act and County Code. The developer will be required to show the environmental features on the Simplified Environmental Concept Plan, Grading Permit, and Building Permit.

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 Kathryn Bolton at (410) 313-2350 or email at [kbolton@howardcountymd.gov](mailto:kbolton@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/ktb

cc: Research  
DED  
Real Estate Services  
Benchmark