



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

December 14, 2017

Ms. Kathleen Gilliece
13111 Linden church road
Clarksville, MD 21029

Dear Ms. Gilliece:

RE: WP-18-016, Walker Meadows, Reconsideration of
Condition #5

The Director of the Department of Planning and Zoning reconsidered condition number 5 of the approved alternative compliance application. Condition number 5 required the submission of the recorded adjoiner deeds by December 11, 2017. The developer is requesting a 30-day extension to this deadline date.

As of the date of this letter, the Planning Director **approved** your request for reconsideration of condition number 5 of the alternative compliance application.

Approval is subject to the following conditions:

1. Establishment of the temporary non-buildable strip of land for the Brickell Property to be conveyed to the Gilliece Property parcel for inclusion in the Walker Meadows subdivision for the extension of the Mayapple Trail right-of-way shall be processed through the adjoiner deed process and recorded in the Howard County Land Records office. The applicant shall record the new deed for the temporary non-buildable strip of land. A copy of the recorded adjoiner deeds shall be submitted to DPZ for file retention purposes on or before **January 10, 2018**.
2. Compliance with previous WP-18-016 conditions 1, 2, 3 and 4 from the Department of Planning and Zoning's Decision and Order letter dated September 12, 2017.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty – The extraordinary hardship or practical difficulty involved with this alternative compliance request would require the developer to survey and plat the entire Brickell Property. The extension is needed due to on-going negotiations with the Brickell's and their attorney. Although, the developer has been diligently pursuing the resolution of the deeds, scheduling conflicts have impacted the developer's ability to meet the December 11, 2017 deadline date.

Not Detrimental to the Public Interest - Approval of the reconsidered alternative compliance request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding residential properties. As part of the Court ordered executed Road Agreement, the Gilliece and the Brickell parcels are required to dedicate land for the extension of Mayapple Trail. The additional time will allow all parties to resolve the terms of the adjoiner deeds.

Will Not Nullify the Intent or Purpose of the Regulations – Approval of the reconsidered alternative compliance request will not nullify the intent or purpose of the regulations. The Court ordered executed Road Agreement required both property owners to dedicate land for the extension of Mayapple Trail. The additional time to prepare and review the adjoiner deeds will not nullify the intent or purpose of the Regulations.

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 requested alternative compliance will remain valid for the time period specified in the conditions of approval.

If you have any questions, please contact Brenda Lubber at (410) 313-2350 or email at BLubber@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/bL

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