



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

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Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

December 1, 2017

Michael Lamb
3724 Foxford Stream Road
Nottingham, MD 21236

RE: WP-18-054 Maplewood Overlook, SDP-09-042

Dear Mr. Lamb:

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 Subdivision and Land Development Regulations **Section 16.156(o)(1)(iii)**, request to grant an extension from the date of the approval letter for this alternative compliance petition to apply for a building permit for construction of improvements to Lot 6, and **Section 16.156(o)(2)**, approval of reactivation of SDP-09-042.

Approval is subject to the following conditions:

1. The Petitioner shall submit a Redline revision to SDP-09-042 within 90 days from the approval date of this letter (**March 1, 2018**). Further, the redline revision will include updates to Lot 6 SWM to meet standards in place as of the date of this letter. See attached DED comments.
2. The Petitioner shall apply for a building permit for construction of improvements to lot 6 within one (1) year from the date of the approval letter (**December 1, 2018**) for this application, or site development plan, SDP-09-042 will expire, and a new site development plan submission will be required.
3. Indicate this Alternate Compliance file number (WP-18-054), on sheet 1 of site development plan SDP-09-042, when submitting the redline revision request to the Development Engineering Division. Include Section numbers, date of decision, and the conditions of approval.
4. Replace the 3 red maples in poor health with 3 red maples of 2.5" caliper on the southern property corner and 2 native shade trees of 2.5" caliper in the vicinity of the removed specimen tree. This planting will bring lot 6 into compliance with the landscaping on SDP-09-042. The redline shall reflect the removal of the specimen tree and the planting of the 2 native trees.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

Extraordinary hardship would result if the applicant is required to process a new site development plan for the subject property. The applicant has a site development plan on file, which has been through the review process and approved. The existing site plan shows a generic house block, and the owners intend to update the site plan with the specific house model. The proposed model square footage will be equal to or less than the

approved generic house model and the foot print will remain within the required setbacks. Requiring a new site development plan would add 6 to 8 months to the process as well as added cost and expense. The added time and cost represents an unnecessary and extraordinary hardship when a red-line revision would suffice had the SDP not expired.

Alternative Proposal:

The only alternative is to void the site development plan; however, this option is not recommended. This would create an extraordinary hardship as the plans would have to be resubmitted with new fees and recirculated through the County review even though the site development plan has straight forward changes. This would waste County resources and create unnecessary expenses for the applicant. The SDP has an established file history and has been through a previous review cycle.

Not Detrimental to the Public Interest:

Approval of the Alternative Compliance Application will not be detrimental to the public interest. The lot is planned and previously approved for a detached single family residence. Since the site development plan for this project has been reviewed and approved, further review would not improve the development. Therefore, the requested extension of time for the SDP will not have any adverse effect on the surrounding properties where the project is located.

Will not nullify the intent or purpose of the regulations:

Approval will not nullify the intent and purpose of the regulations as it does not waive the regulations but merely reactivates a previously approved SDP. Red line revisions will ensure that the development meets all current, applicable regulations. Also, the site is near completion according to the current SDP, including: driveways, existing homes on lots 4, 5, and 7 as well as landscaping. Only building a house on Lot 6 remains uncompleted.

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 Donna Despres at (410) 313-3429 or email at ddespres@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/JF/DD

cc: Research
DED
Real Estate Services
RTF Associates
Landscape Coordinator
SDP-09-042