



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 24, 2018

Gwenneth El Sawi
13942 Clarksville Pike
Highland, MD 20777

RE: WP-18-061, El Sawi Property

Dear Applicant:

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**.

Approval is subject to the following conditions:

1. Approval of this alternative compliance request is for the reconfiguration of two adjoining deed parcels under the same ownership as described in the Deed Liber 14370, Folio 455 dated August 24, 2012 and Deed Liber 4549 and Folio 129 and November 25, 1998. No other parcels are being endorsed, and no additional parcels will be created.
2. DPZ is ok processing the adjoinder deed alternative compliance without an approved perc plan provided that a perc certification plan for Parcel 139 be provided to the Health Department to establish a sewage disposal area and well area.
3. The two parcels will be reconfigured by utilization of the adjoinder deed process. The "Adjoinder Deed" shall be recorded in the Land Records of Howard County, MD within 120-days (**on or before May 24, 2018**) of the date of this approval letter.
4. A record copy of the "Adjoinder Deed" shall be submitted to the Department of Planning and Zoning for file retention purposes within 140 days (**on or before June 13, 2018**) of the date of this approval letter.
5. The "Adjoinder Deed" shall reference this alternative compliance request file number, WP-18-061, and its approval date. The addition of this reference helps anyone who may be reviewing the deed to readily determine that the deed adjoinder was done with the acknowledgement of the Department of Planning and Zoning.
6. A similar Alternative Compliance Request Exhibit (smaller size) shall be recorded with the adjoinder deed.
7. Compliance with all applicable County and State regulations is required. The alternative compliance request file number shall be referenced on all future plans and permit applications.
8. Compliance with all SRC Agency Comments generated with the review of the submitted Alternative Compliance Request, WP-18-037.
9. Include the alternative compliance request number, description, and decision on all associated plans, plats, and any future site plans.
10. Advisory Comment: Future development or construction on these lots must comply with setback and buffer regulations in effect at the time of submission of building / grading permits.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

The property owners of Parcels 40 and 139 were hoping to realign the parcel line between the two (2) properties to provide additional acreage to Parcel 139. Currently the existing parcel line between Parcel 139 and 40 is very close to the rear of the existing house on lot 139. By realigning the property boundary, the existing house would be brought closer into compliance with the existing regulations. The realignment of the property boundaries will also create a more useable rear yard as well as providing additional space for a potential addition to the existing home without creating a setback violation. By allowing the adjoinder transfer the lot line adjustment would have been a more practical and less expensive endeavor for the owner.

Alternative Proposal:

Alternatively, the adjoinder deed process could be utilized along with the exhibit submission could act in place of the processing of a final plat. The proposal is only for the reconfiguring of a parcel line and does not create any new lots. This will have no impact to housing and school allocations, and will not have traffic impacts. By approving this request there will be no effect on surrounding properties and the petitioner would save a lot of time and resources.

Not Detrimental to the Public Interest:


The alternative compliance would not have been detrimental to the public interest as the "Adjoinder Deed" would only allow for the reconfiguring of the existing parcel division between properties of the same owner. The approval of the alternative compliance would be in the public's interest as it would bring the properties further into compliance with the Regulations. Approval would also eliminate the need to use additional county time and resources to review final plans, which would not relay any greater information than what is currently being provided.

Will not nullify the intent or purpose of the regulations:

Approval of the alternative compliance request would not have nullified the intent of the regulations. The intent of the Regulations is to ensure that proposed subdivisions are completed in a timely manner in order to maintain adequate public facilities. This project is for the reconfiguring of a parcel boundary and does not create any new lots; therefore there would be no impact to housing or school allocations.

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) 313-4333 or email at nhaines@howardcountymd.gov.

Sincerely,

Kent Sheubrooks, Chief
Division of Land Development

KS/NH

cc: Research
DED
Real Estate Services
Benchmark