



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 29, 2018

Vestry of Grace Episcopal Church
6125 Montgomery Road
Elkridge, MD 21075

RE: WP-18-131, Grace Episcopal Church (ECP-16-048)
Alternative Compliance Request

Dear Sir or Madam:

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 16.127(c)(4)(i)**.

Approval is subject to the following conditions:

1. A shared use-in-common driveway must be provided for Lots 3 and 4 in accordance with the Design Manual within a minimum 24-foot-wide access easement on the final plat.
2. A single, private driveway must be provided for Lot 2 in accordance with the Design Manual.
3. The two 36" Oak specimen trees located along Old Landing Road on proposed Lot 2 must be preserved and protected during construction. A registered arborist must inspect the trees and implement recommendations for professional pruning of roots and foliage. All pruning must be performed by a Maryland licensed tree expert. Tree protection fencing must be installed around the entire perimeter of each specimen tree to the greatest extent possible to prevent root and foliage damage during construction. Alternative designs of the site must be conducted by the consultant in order to minimize root damage.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty – Extraordinary hardship or practical difficulty would result if the applicant is required to provide one shared use-in-common driveway to serve all three proposed lots since doing so would require the removal of two specimen trees on site and additional driveway paving to connect Lot 2 to Lots 3 and 4, located approximately 100 feet to the south of Lot 2. In this case, preservation of the specimen trees is preferable to providing one additional user on the use-in-common drive.

Alternative Proposal – The only alternative for not granting the requested driveway configuration would be to require all three proposed homes utilize the use-in-common driveway. In this case, because requiring all three lots utilize a shared use-in-common drive would also require the removal of two specimen trees, the alternative for requiring a shared use-in-common drive is not recommended by this Division.

Not Detrimental to the Public Interest – The alternative compliance request will not be detrimental to the public interest since two lots will still share a use-in-common driveway, and the single drive for lot 2 will allow the developer to retain two specimen trees along Old Landing Road and limit proposed driveway paving.

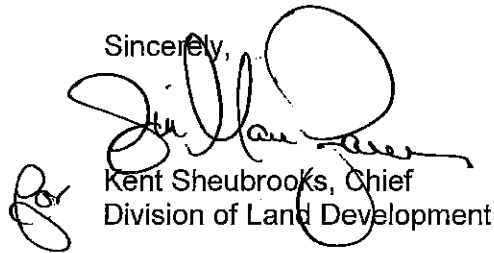
Will not Nullify the Intent or Purpose of the Regulations – The developer is providing as few access points as possible while preserving specimen trees on-site and limit proposed driveway paving. Because the regulations require preservation of specimen trees and a reduced number of access points for infill subdivisions, the proposal would 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 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.

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

If you have any questions, please contact J.J. Hartner at (410) 313-2350 or email at jjhartner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/JH

cc: Research
DED
Real Estate Services
Millennium Resource Engineering, LLC
File #'s WP-18-131 & ECP-16-048