



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 28, 2018

7461 Montevideo Road LLC
2842 Stuart Drive
Falls Church, VA 22042

RE: WP-18-135, 7461 Montevideo Road

Dear Sir/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 **DENIED** your request for an alternative compliance of **Section 16.115(c)(2)** and **Section 16.116(a)**.

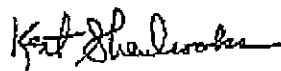
Denial was based on the following reasons:

1. All existing disturbances to floodplain, wetlands, streams and their buffers shall be removed and the property shall be restored to its previous condition.
2. The unpermitted 24" RCP shall be removed from the perennial stream and the entire stream channel and 50' buffer shall be restored to its previous condition. The stream restoration must be approved on a site development plan and must comply with all MD Department of the Environment requirements.
3. All wetlands shall be restored to their previous condition both onsite and on adjacent Parcel 586. All unpermitted gravel, structures, fill material and construction materials shall be removed from the wetlands and 25' wetland buffers. The wetland restoration must be approved on a site development plan and must comply with all MD Department of the Environment requirements.
4. All gravel, paving, structures and construction materials shall be removed from the 50' stream buffers and floodplain.
5. The offsite forest conservation easement on Parcel 586 shall be restored through the replanting of forest resources. Approval of a redline revision to the approved Forest Conservation Plan and the posting of financial surety will be required.
6. The requested waivers are a self-created hardship. The applicant failed to demonstrate that compliance with the applicable regulations would result in extraordinary hardship or practical difficulty since usable unencumbered area exists onsite.
7. The applicant failed to demonstrate that the proposal has no feasible alternatives to impacting environmental features and buffers.
8. The applicant failed to demonstrate that the as-built environmental impacts will not nullify the intent and purpose of the Subdivision and Land Development Regulations. The intent of the Regulations is to preserve and protect natural resources including wetlands, streams, floodplain and wooded areas by avoiding or minimizing impacts. Section 16.114 of the Howard County Code requires that development of a site preserve

existing natural features to accommodate the site's unique topography, wetlands, streams, floodplain and forests. Section 16.1205 considers forested streams, wetlands and buffers as the highest priority areas for protection.

If you have any questions, please contact Eric Buschman at (410) 313-2350 or email at ebuschman@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/eb

cc: Research
DED
Real Estate Services
FSH Associates