



May 16, 2019

Thomas O'Neill & Gerard O'Neill
5239 Kerger Road
Ellicott City MD 21043

RE: WP-19-097, Kerger Woods, Lots 1-5 (F-19-053)

Dear Owner's:

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 16.144(b) requiring the submission of a sketch plan or preliminary equivalent plan for a 5 lot major subdivision subject to the following conditions:

1. Compliance with all Subdivision Review Committee (SRC) comments based on the review and approval of the associated final subdivision plat (F-19-053), and the Site Development Plan which will be required to show the associated improvements for this development on Parcel 327.
2. A general note will be required on F-19-053 and all future plans stating the Alternative Compliance number and the conditions in which it was approved under.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties: The processing of a sketch plan or preliminary equivalent sketch plan would not provide any purpose that is not already addressed by the final subdivision plan (F-19-053) and the site development plan process. Therefore, it is an unnecessary financial and time hardship if the petitioner is required to process a sketch and/or the preliminary equivalent sketch plan. Additionally, an environmental concept plan was also processed and approved (ECP-19-001) for this subdivision of 5 lots.

Alternative Proposal: The property is proposed for 5 lots and has no proposed public roads. There is no road network to analyze and no expected impact on the County's roads or public facilities. The project must meet all the APFO requirements. All the information and materials required for the preliminary sketch plan are being submitted with the final plan for this 5-lot subdivision served by a use-in-common driveway.

Not Detrimental to the Public Interest: The approval of the alternative compliance will not be detrimental to the public interests since all required data and information is being provided and will be reviewed by all SRC agencies with the review of the final plan and the site development plan. The project is still required to comply with the APFO ordinance and all regulations.

Will not Nullify the Intent or Purpose of the Regulations: The approval of the alternative compliance will not nullify the intent of the regulations which is to assure compliance of the project with Howard County regulations. This project must meet all the requirements and will be subject to all applicable regulations as part of the final plan review process.

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 Jennifer Wellen at (410) 313-2350 or email at jwellen@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/jw

cc: Research
DED
Real Estate Services
MBA
F-19-053