

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

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Voice/Relay

FAX 410-313-3467

January 6, 2020

7075 Cedar Lane, LLC 6800 Deerpath Road, Ste. 100 Elkridge, MD 21075

RE:

WP-20-059, Lennox Park, Lots 458-465

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** 16.155(a)(2) subject to the following conditions:

- 1. The Alternative Compliance Petition exhibit shall serve as the substitute for a site development plan for development. All improvements shown on the exhibit must be constructed per the plan exhibits submitted dated December 19, 2019. The alternative compliance plan exhibit shall be submitted as an original mylar and receive signature approval from the Department of Planning and Zoning prior to applying for permits. The original mylar plan exhibit shall be submitted within 45 days of this letter (on or before February 20, 2020).
- 2. The developer shall have 1 year from the date of signature approval of the Alternative Compliance Exhibit to apply for initial building permits and all permits must be applied for within 2 years of the Alternative Compliance signature approval.
- 3. Compliance with all applicable County and State Regulations and obtain all necessary permits from the Department of Inspections, Licenses and Permits prior to initiating development on-site.

Extraordinary Hardship or Practical Difficulty – If the alternative compliance is not granted, the applicant will be required to prepare a site development plan for the development of 6 single family semi-detached residential units. The fact that this subdivision was recorded prior to February 7 ,1976 is a uniqueness of the Property that allows development of detached units without an SDP if the limit of disturbance is less than 5,000 square feet. DPZ has permitted waivers to Section 16.155 (a)(2)(ii) for similarly situated properties, causing an unreasonable hardship if this request was denied. DPZ agrees with the Petitioner's assertion that the distinction between detached and semi-detached is technical and not meaningful for purposes of applying this regulation.

Alternative Proposal – Based on a 2015 policy, DPZ permits alternative compliance to Section 16.155(a)()2(ii) for subdivisions recorded prior to February 7, 1976. Since these are recorded lots, they could be developed through a building permit plot plan as individual lots. This alternative process allows DPZ to review contiguous recorded lots (pre-1976) as a cohesive project to ensure specific requirements such as stormwater manager, environmental resource protection, noise, traffic, roads and floodplain management are met. The detailed plan exhibit submitted with this alternative compliance is a suitable substitute for the SDP and shows the information necessary to evaluate this request for compliance with the Regulations. The applicant is still required to comply with all building permits as well as other state/local requirements.

Not Detrimental to the Public Interest – Approval of the alternative compliance will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding properties. DPZ and various SRC agencies have reviewed the alternative compliance in accordance with the current requirements, including the Howard County Code.

<u>Will not Nullify the Intent or Purpose of the Regulations</u> – The alternative compliance proposal is an acceptable alternative to submitting a site development plan for standard review because the alternative compliance exhibit complies with the current Regulations. The proposed improvements were reviewed by the SRC agencies and are required to comply with all building permits.

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

If you have any questions, please contact Jennifer Wellen at (410) 313-2350 or email at jwellen@howardcountymd.gov.

Sincerely

Acting Division Chief

Division of Land Development

JM/jw

cc: Research

DED

Real Estate Services

Marian Honeczy- DNR (if waiver to forest conservation sections)

H&H Rock Companies

DEPARTMENT OF PLANNING AND ZONING DEVELOPMENT ENGINEERING DIVISION

January 2, 2020

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Kent Sheubrooks, Chief (Acting: Jill Manion) Division of Land Development

FROM:

Chad Edmondson, Chief Development Engineering Division

Project Engineer:

Jim Witmer

RE:

DP&Z File #: _____

WP-20-059

Lennox Park, lots 458-465

After review of the submitted information requesting a waiver of the Subdivision and Land Development Regulations, Section 16.155 (a)(2)(i), which requires a site development plan, approved by the Department of Planning and Zoning for new residential single family attached, apartment, and mobile home developments this Division recommends **APPROVAL** based on the following.

No building permits shall be approved for the proposed houses until water and sewer is available.
This approval is based upon the approved layout of the water and sewer plans.
The provided WP plan provided sufficient detail in accordance with our SDP requirements. All of the requirements for pavement width, utilities, SWM, and drainage have been addressed.

















