



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

January 13, 2021

Jeff Wiltrot
7129 Station House Road
Elkridge, MD 21075

RE: WP-21-069, 7129 Station House Drive (Depot Crossing)

Dear Mr. Wiltrot:

This letter is to inform you that your request for alternative compliance to the Howard County Subdivision and Land Development Regulations for the subject project was reviewed.

On January 12, 2021 and pursuant to Section 16.116(d), the Director of the Department of Planning and Zoning, Director of the Department of Public Works and Administrator of the Office of Community Sustainability considered and **approved** your request for alternative compliance with respect to **Section 16.116(a)(2)(ii)** of the Subdivision and Land Development Regulations to construct a 15'x16' open deck attached to the rear of the single-family semi-detached dwelling that within the 75-foot stream bank buffer. Please see the attached Final Decision Action Report for more information.

On January 12, 2021 and pursuant to Section 16.104, the Director of the Department of Planning and Zoning, considered and **approved** your request for alternative compliance with respect to **Section 16.115(c)** of the Subdivision and Land Development Regulations to construct a 15'x16' open deck attached to the rear of the single-family semi-detached dwelling that within the 100-year floodplain.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.115(c) would result in an unreasonable hardship or practical difficulty. This determination is made with consideration of your alternative compliance application and the four (4) items you were required to address, pursuant to Section 16.104(a)(1):

- 1. Strict conformance with the requirements will deprive the applicant of rights commonly enjoyed by others in similar areas;**
A perennial stream (Deep Run) is located along the rear property line and the 100-year floodplain covers most of the property, including the dwelling and location of the proposed 15'x16' open deck. The seven other dwellings located west of Station House Drive are also entirely encumbered with the 100-year floodplain and five of the houses have rear decks. The construction of an open deck is a typical accessory structure found in residential developments. Strict conformance with this requirement would deprive the applicant of rights commonly enjoyed by others in this neighborhood and within Howard County.
- 2. Uniqueness of the property or topographical conditions would result in practical difficulty; other than economic, or unreasonable hardship from strict adherence to the regulations;**
The lot was created in 1907 prior to establishment of the Howard County Subdivision and Land Development Regulations and before lots were required to meet environmental regulations. When the house was constructed in 2010, the 100-year floodplain was located approximately 50 feet from the rear of the dwelling. In 2012, the

100-year floodplain limits were updated and now cover most of the property, including the entire dwelling. This creates a practical difficulty since the lot was created and the house was constructed prior to updated 100-year floodplain limits.

- 3. The Variance will not confer to the applicant a special privilege that would be denied to other applicants and;**
Approval of this alternative compliance would not confer the applicant a special privilege that would be denied to other applicants. The neighboring properties are similarly affected by the 100-year floodplain and have constructed open decks.

- 4. The modification is not detrimental to the public health; safety or welfare, or injurious to other properties.**
The approval of this alternative compliance is not detrimental to the public health, safety or welfare, or injurious to other properties. The adjoining neighbors have constructed decks within the same 100-year floodplain and decks are considered pervious and will not increase runoff from the property.

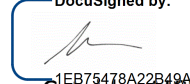
Approval of this Alternative Compliance is subject to the following conditions:

1. The proposed open deck shall not exceed 15'x16' and shall be located in the area shown on the alternative compliance exhibit. Deviation from the approved exhibit or alteration of the open deck may require the approval of another alternative compliance request.
2. No grading or removal of vegetative cover or trees is permitted within the 100-year floodplain or 75' stream bank buffer. Disturbance is limited to that necessary to install footings and construct the deck. All disturbed areas shall be seeded after construction is complete.
3. The owner is responsible for any damage to the deck or their house due to flooding, and any impact to their flood insurance rates as a result of constructing the deck within the 100-year floodplain.
4. The applicant shall obtain all required Federal, State and Local authorizations for disturbances to the 100-year floodplain.
5. The applicant shall comply with all building permit requirements from the Department of Inspections, Licenses and Permits and all bulk requirements of the Howard County Zoning 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.

If you have any questions, please contact Julia Sauer at (410) 313-2350 or email at jsauer@howardcountymd.gov.

Sincerely,
DocuSigned by:



Anthony Cataldo, AICP, Chief
Division of Land Development

AC/js

cc: Research
Zoning – Annette Merson
DLD - Julia Sauer



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3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

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Amy Gowan, Director

FAX 410-313-3467

ALTERNATIVE COMPLIANCE FINAL DECISION ACTION REPORT

DEPARTMENT OF PLANNING AND ZONING
DEPARTMENT OF PUBLIC WORKS
OFFICE OF COMMUNITY SUSTAINABILITY

RE: **WP-21-069, 7129 Station House Drive (Depot Crossing)**
Request for an alternative compliance to Section 16.116(a)(2)(ii) of the Subdivision and Land Development Regulations.

Applicant: Jeff Wilttrout
7129 Station House Road
Elkridge, MD 21075

Pursuant to Section 16.116(d), the Director of the Department of Planning Zoning, Director of the Department of Public Works and the Administrator of the Office of Community Sustainability considered and **approved** the applicants request for an alternative compliance with respect to **Section 16.116(a)(2)(ii)** of the Subdivision and Land Development Regulations. The purpose is to construct a 15'x16' open deck attached to the rear of the single-family semi-detached dwelling within the 75-foot stream bank buffer. The Directors deliberated the application in a meeting on January 12, 2021.

Each Department hereby determines that the applicant has demonstrated to its satisfaction that strict enforcement of the above-cited regulation would result in unreasonable hardship or practical difficulty. This determination is made with consideration of the alternative compliance application and the seven (7) items the applicant was required to address, pursuant to Section 16.104(a)(1) and Section 16.116(d):

1. Strict conformance with the requirements will deprive the applicant of rights commonly enjoyed by others in similar areas;

A perennial stream (Deep Run) is located along the rear property line and the 75-foot stream bank buffer covers the entire rear property, including the dwelling and location of the proposed 15'x16' open deck. The adjoining property is also entirely encumbered with the 75-foot stream bank buffer and was permitted to construct a 15'x10' open deck (B10003314). The construction of an open deck is a typical accessory structure found in residential developments. Strict conformance with this requirement would deprive the applicant of rights commonly enjoyed by others in this neighborhood and within Howard County.

2. Uniqueness of the property or topographical conditions would result in practical difficulty; other than economic, or unreasonable hardship from strict adherence to the regulations;

The lot was created via subdivision in 1907 prior to establishment of the Howard County Subdivision and Land Development Regulations and before lots were required to meet environmental regulations; therefore, no

environmental features are shown on the recorded plat for the property. This creates a practical difficulty since the lot was created prior to the development regulations.

- 3. The Variance will not confer to the applicant a special privilege that would be denied to other applicants and;**
Approval of this alternative compliance would not confer the applicant a special privilege that would be denied to other applicants. The adjoining property is similarly affected by the 75-foot stream bank buffer and was permitted to construct an open deck.
- 4. The modification is not detrimental to the public health; safety or welfare, or injurious to other properties.**
The approval of this alternative compliance is not detrimental to the public health, safety or welfare, or injurious to other properties. The disturbance is minimal and limited to the installation of footers and an open deck is considered pervious and will not increase runoff from the property.
- 5. Disturbance is returned to its natural condition to the greatest extent possible:**
Approval of the alternative compliance is to permit minimal disturbance to install footers and construct the open deck. The applicant is not permitted to grade the property or remove vegetation. All disturbed areas will be seeded after construction.
- 6. Mitigation is provided to minimize adverse impacts to water quality and fish, wildlife, and vegetative habitat; and**
The only disturbance is to install the deck footings. The construction will not result in grading or removal of vegetation and any disturbance will be seeded after construction and returned to planted lawn.
- 7. Grading, removal of vegetative cover and trees, or construction shall only be the minimum necessary to afford relief and to the extent required to accommodate the necessary improvements. In these cases, the least damaging designs shall be required, such as bridges, bottomless culverts or retaining walls, as well as environmental remediation, including the planting of the areas where grading or removal of vegetative cover or trees has taken place, utilizing best practices for ecological restoration and water quality enhancement projects.**
The construction of the deck does not require removal of vegetation or trees. The disturbance required for construction of the open deck is minimal and will not require a grading permit.

Directors Action: Approval of alternative compliance of Section 16.116(a)(2)(ii) is subject to the following conditions:

1. The proposed open deck shall not exceed 15'x16' and shall be located in the area shown on the alternative compliance exhibit. Deviation from the approved exhibit or alteration of the open deck may require the approval of another alternative compliance request.
2. No grading or removal of vegetative cover or trees is permitted within the 100-year floodplain or 75' stream bank buffer. Disturbance is limited to that necessary to install footings and construct the deck. All disturbed areas shall be seeded after construction is complete.
3. The owner is responsible for any damage to the deck or their house due to flooding, and any impact to their flood insurance rates as a result of constructing the deck within the 100-year floodplain.

4. The applicant shall obtain all required Federal, State and Local authorizations for disturbances to the 100-year floodplain.
5. The applicant shall comply with all building permit requirements from the Department of Inspections, Licenses and Permits and all bulk requirements of the Howard County Zoning Regulations.

DocuSigned by:

Amy Gowan

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Amy Gowan, Director
Department of Planning and Zoning

DocuSigned by:

Thomas Meunier

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Thomas Meunier, Director
Department of Public Works

DocuSigned by:

Joshua Feldmark

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Joshua Feldmark, Administrator
Office of Community Sustainability

cc: Research
DED
OCS, Joshua Feldmark
DPW, Thomas Meunier



Howard County Maryland
Department of Planning and Zoning
 3430 Courthouse Drive, Ellicott City, MD 21043

(410) 313-2350

DPZ Office Use only:
 File No. WP-21-069
 Date Filed 12/15/20

ALTERNATIVE COMPLIANCE APPLICATION

Townhouse at Station House Road

Site Description:

Subdivision Name/Property Identification: **LENNOX PARK/DEPOT CROSSI**

Location of property: **7129 Station House Road Elkridge, Maryland**

Existing Use: **Townhouse**

Proposed Use: **Townhouse with deck**

Tax Map: **305239**

Grid: **0006**

Parcel No: **0284**

Election District: **01**

Zoning District:

Total site area: **5,245**

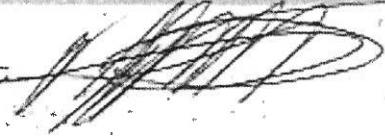
Please list all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, alternative compliance petitions, etc.). If no previous plans have been submitted, please provide a brief history of the site and related information to the request:

Site plan has been submitted to the county. The entire property is located within the 100-year floodplain. The stream bank buffer is 75'.

In the area below, the petitioner shall enumerate the specific numerical section(s) from the Subdivision and Land Development Regulations for which an alternative compliance is being requested and provide a brief summary of the request. Please use the additional page if needed.

Section Reference No.	Brief Summary of Request
Section 16.115.c	Request for approval to build a deck within the floodplain
Section 16.116.a.2.ii	Request for approval to build a deck within 75' of a perennial 'Use I' stream

Section Reference No.	Brief Summary of Request

Signature of Property Owner:  Date: 11/4/20

Signature of Petitioner Preparer: _____ Date: 11/4/20

Name of Property Owner: Jeff Wiltrout
Address: 7129 Station House Road

Name of Petition Preparer: Glen Wilson
Address: 3355 Asiquith Farm Road

City, State, Zip: Elkridge, Maryland 21075

City, State, Zip: Davidsonville, Maryland 21035

E-Mail: jefritrout@msn.com

E-Mail: gwilson@cwinmd.com

Phone No.: 301-247-7437

Phone No.: 410-963-1119

Contact Person: Jeff Wiltrout

Contact Person: Glen Wilson

Owner's Authorization Attached