



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

November 3, 2021

Larry and Peggy Jo Sowell
950 Driver Road
Marriottsville MD 21104

RE: **WP-21-132 Sowell Property**
Reconsideration

Dear Mr. and Mrs. Sowell:

This letter is to inform you that your request for a **reconsideration** to one of the three Conditions of Approval (Condition #1) enumerated in the above referenced Alternative Compliance Petition was reviewed.

In our previous letter dated September 17, 2021, we informed you that on September 16, 2021, the Director of Planning and Zoning considered and approved your request to an alternative compliance with respect to Section 16.147(a) of the Subdivision and Land Development Regulations. The purpose of the Petition was a request to consolidate/merge three parcels by an adjoinder deed (in lieu of a record plat) for the purpose of being admitted into the County's Agricultural Land Preservation Program. As part of that approval, there were there (3) conditions that had to be met – Condition of Approval #1 required that the adjoinder deed be recorded within 90 days of the Alternative Compliance approval.

On October 15, 2021, we received a letter from your plan consultant requesting that, in accordance with Section 16.104(b)(3) of the Regulations, that this Department accept a reconsideration to Condition of Approval #1 and extend the deadline date to record the deed by 120 days, due to a medical condition that will require extended in-patient and out-patient rehabilitation by Mr. or Mrs. Sowell. By virtue of your request being made in writing (letter dated October 15, 2021), it met the 30-day required period to request a reconsideration, in accordance with Section 16.104(b)(3).

As of the date of this letter, we approve your reconsideration request to Condition of Approval #1 and hereby extend the deadline date to record a deed of adjoinder by 120 days from the original Alternative Compliance deadline date of December 15, 2021. Therefore, the new deadline date to record the deed shall now be **on or before April 14, 2022**.

Please be advised that this reconsideration approval does not affect Conditions of Approvals #2 and #3 as stipulated in our letter of September 17, 2021.

If you have any questions, please contact Derrick Jones at (410) 313-4330 or email at djones@howardcountymd.gov.

Sincerely,

DocuSigned by:

1EB75478A22B49A...

Anthony Cataldo, AICP, Chief
Division of Land Development

AC/dj

cc: Research DED DLD - Julia Sauer Joy Levy – DPZ Ag. Pres. Benchmark Engineering



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

September 17, 2021

Larry and Peggy Jo Sowell
950 Driver Road
Marriottsville MD 21104

RE: **WP-21-132 Sowell Property**

Dear Mr. and Mrs. Sowell:

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 September 16, 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 16.147(a)** of the Subdivision and Land Development Regulations to consolidate/merge three parcels by an adjainer deed for the purpose of being admitted into the County's Agricultural Land Preservation Program.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.147(a) would result in an unreasonable hardship or practical difficulty. This determination is made with consideration of your alternative compliance application and the one (1) item you were required to address, pursuant to Section 16.104(a)(1):

Unreasonable hardship or practical difficulty may result from strict compliance with the regulations.

The sole purpose of this request is to consolidate three deeded parcels into one parcel by adjainer deed for admittance into the Agricultural Land Preservation Program (ALPP). The applicant is required to establish a single parcel with an agricultural use on the property to enter the ALPP. The preparation and recordation of a plat would not benefit or alter existing site conditions and would create an unreasonable hardship for the applicant. The consolidation via plat process would have the same result as the adjainer deed process but would take more time and resources to complete which would delay the admittance into the ALPP. There will be no additional land included, beyond the 30 acres that comprises the three parcels, and no new lots or parcels will be created with this process. Existing site and natural features will not be disturbed or altered in any way, and the plan exhibit provided with this petition shall be retained as part of the petition's file. Approval of this alternative compliance promotes efficiency of the plan review process and will facilitate the ALPP acquisition process.

Approval of this Alternative Compliance is subject to the following three (3) conditions:

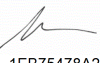
1. A deed of consolidation/adjainer for the 30 acres between the three affected parcels stated in this request must be recorded with the Howard County Land Records office within 90 days of the date of this alternative compliance petition approval (**on or before December 15, 2021**).
2. Approval of this alternative compliance petition is for the stated 3 parcels (Parcel 228, p/o Parcel 228 and Parcel 229) included in this petition; no new lots or parcels are to be created under this request nor no other additional parcels (beyond the three parcels subject to this request) are to be merged with this request.

3. The deed of consolidation/adjoiner shall reference this alternative compliance petition file number (WP-21-132).

If applicable, indicate this alternative compliance petition file number, request, section of the regulations, action, conditions of approval, and date on all future plats, and site development plans, and building permits. This alternative compliance approval will remain valid for the time period specified in the conditions of approval.

If you have any questions, please contact Derrick Jones at (410) 313-2350 or email at djones@howardcountymd.gov.

Sincerely,

DocuSigned by:


Anthony Cataldo, AICP, Chief
Division of Land Development

AC/dj

cc: Research
DED
DLD - Julia Sauer
Joy Levy – DPZ Ag. Pres.
Benchmark Engineering



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

September 17, 2021

Larry and Peggy Jo Sowell
950 Driver Road
Marriottsville MD 21104

RE: **WP-21-132 Sowell Property**

Dear Mr. and Mrs. Sowell:

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 September 16, 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 16.147(a)** of the Subdivision and Land Development Regulations to consolidate/merge three parcels by an adjainer deed for the purpose of being admitted into the County's Agricultural Land Preservation Program.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.147(a) would result in an unreasonable hardship or practical difficulty. This determination is made with consideration of your alternative compliance application and the one (1) item you were required to address, pursuant to Section 16.104(a)(1):

Unreasonable hardship or practical difficulty may result from strict compliance with the regulations.

The sole purpose of this request is to consolidate three deeded parcels into one parcel by adjainer deed for admittance into the Agricultural Land Preservation Program (ALPP). The applicant is required to establish a single parcel with an agricultural use on the property to enter the ALPP. The preparation and recordation of a plat would not benefit or alter existing site conditions and would create an unreasonable hardship for the applicant. The consolidation via plat process would have the same result as the adjainer deed process but would take more time and resources to complete which would delay the admittance into the ALPP. There will be no additional land included, beyond the 30 acres that comprises the three parcels, and no new lots or parcels will be created with this process. Existing site and natural features will not be disturbed or altered in any way, and the plan exhibit provided with this petition shall be retained as part of the petition's file. Approval of this alternative compliance promotes efficiency of the plan review process and will facilitate the ALPP acquisition process.

Approval of this Alternative Compliance is subject to the following three (3) conditions:

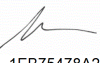
1. A deed of consolidation/adjainer for the 30 acres between the three affected parcels stated in this request must be recorded with the Howard County Land Records office within 90 days of the date of this alternative compliance petition approval (**on or before December 15, 2021**).
2. Approval of this alternative compliance petition is for the stated 3 parcels (Parcel 228, p/o Parcel 228 and Parcel 229) included in this petition; no new lots or parcels are to be created under this request nor no other additional parcels (beyond the three parcels subject to this request) are to be merged with this request.

3. The deed of consolidation/adjoiner shall reference this alternative compliance petition file number (WP-21-132).

If applicable, indicate this alternative compliance petition file number, request, section of the regulations, action, conditions of approval, and date on all future plats, and site development plans, and building permits. This alternative compliance approval will remain valid for the time period specified in the conditions of approval.

If you have any questions, please contact Derrick Jones at (410) 313-2350 or email at djones@howardcountymd.gov.

Sincerely,

DocuSigned by:


Anthony Cataldo, AICP, Chief
Division of Land Development

AC/dj

cc: Research
DED
DLD - Julia Sauer
Joy Levy – DPZ Ag. Pres.
Benchmark Engineering



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

July 20, 2021

Larry and Peggy Jo Sowell
950 Driver Road
Marriottsville MD 21104

RE: WP-21-132 Sowell Property

Dear Mr. and Mrs. Sowell:

This letter is to inform you that your request for alternative compliance to the Howard County Subdivision and Land Development Regulations for the subject property was reviewed and no action can be taken until the enclosed comments have been addressed, and the following additional information is provided.

Copies of the exhibit/plan and the supplemental information and a response letter to the comments for each agency should be submitted to this Division for distribution in the following manner:

Agency: Development Engineering Division #Copies: 1

Agency: Division of Land Development #Copies: 1

The requested information and revised plans must be submitted within **45 days** of the date of this letter (**on or before September 3, 2021**), or this Division will recommend that the Planning Director or Director Committee deny this alternative compliance petition.

Once the requested information has been received and reviewed, this office will coordinate agency comments and will prepare a recommendation for the Planning Director's action. If you have any questions regarding a specific comment, please contact the review agency prior to preparing the revised plans and information. Compliance with all items indicated above is required before the revised plans and information will be accepted.

*Deadlines for submission are pursuant to the Fifth Edition of the Subdivision and Land Development Regulations. *Please refer to the Department of Planning and Zoning website for current business processes during this time. Submissions can be mailed to Howard County Planning and Zoning, 3430 Court House Drive, Ellicott City, MD 21043 or dropped into the bin labeled 'DPZ' in the George Howard Building lobby. Submission materials can also be emailed to planning@howardcountymd.gov for processing.*

If you have any questions, please contact Derrick Jones at (410) 313-2350 or email at djones@howardcountymd.gov.

Sincerely,

Anthony Cataldo, AICP, Chief

Division of Land Development

AC/dj

Attachments: DED, DLD, Health, Resource Conservation

cc: Research DED DLD - Julia Sauer Benchmark



DPZ Office Use only:
 File No. *WP 51132*
 Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: 950 Driver Road

Subdivision Name/Property Identification: Sowell Property

Location of property: 950 Driver Road, Marriottsville, MD 21104

Existing Use: Single Residence and Farm **Proposed Use:** Single Residence and Agricultural Preservation

Tax Map: 10 **Grid:** 04 **Parcel No.:** 228, 229 **Election District:** 3rd

Zoning District: RC-DEO **Total site area:** 30 acres

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:

There have been no previously submitted plans. The owners are making application to enter the Agricultural Land Preservation Program. The site was purchased by Larry and Peggy Jo Sowell on February 1, 1974 (L.669, F. 409). On February 4, 1974 the Sowells transferred two parcels (5.66 acres and 5.528 acres) of the original 30.00 acres to Cherlan Realty Corporation (L. 466, F. 419). On February 4, 1974 Cherlan Realty Corporation transferred the two parcels back to Larry and Peggy Jo Sowell (L. 466, F. 422). The areas transferred were based on the "Plat for Larry Sowell" prepared by Claude M. Skinner Jr. dated January 30, 1974. The owners wish to combine the three parcels back into one parcel for the purpose of entering the Agricultural Land Preservation Program.

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
16.147	Final Subdivision Plan and Plat Requirements to be waived and an adjoiner transfer, to combine the parcels, be allowed.

Section Reference No.	Brief Summary of Request

Signature of Property Owner: *Larry Howell Sowell* Date: 3/17/2021

Signature of Petitioner Preparer: *J. M. Carney* Date: 4/29/21

Name of Property Owner: Larry and Peggy Jo Sowell Name of Petition Preparer: Benchmark Engineering, Inc.

Address: 950 Driver Road Address: 8480 Baltimore National Pike Suite 315

City, State, Zip: Marriottsville, MD 21104 City, State, Zip: Ellicott City, MD 21043

E-Mail: lsowell@aol.com E-Mail: bei@bei-civilengineering.com

Phone No.: 229-733-4862 Phone No.: 410-465-6105

Contact Person: Larry Sowell Contact Person: John M. Carney

Owner's Authorization Attached