



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

October 7, 2021

Carlos Francisco
824 Carter Road
Rockville, MD 20852

RE: REVISED LETTER
WP-22-009, Mink Hollow Road

Dear Mr. Francisco:

This letter is to inform you that your request for reconsideration of alternative compliance WP-22-009 – Condition #2 was reviewed.

On September 20, 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 of the Subdivision and Land Development Regulations which states that a subdivision plat is the official record of a division of land, an no lot within the subdivision may be sold legally until a final plat has been approved and recorded by the Department of Planning and Zoning. On October 1, 2021, the Department of Planning and Zoning received your reconsideration request. On October 5, 2021 the Director of Planning and Zoning reconsidered Condition #2 of the original approval letter and **approved** the modified Condition #2 as requested. This letter serves as the revised approval letter for WP-22-009 and supersedes the previous letter.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.147 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):

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

Strict compliance with Regulations would require the owner to prepare and process a final subdivision plan and final plat. The parcel has had several owners since its creation and has existed undeveloped while the surrounding neighborhood has been developed with single-family homes. The subdivision plat process would significantly extend the anticipated timeline for the construction of a single-family dwelling. The preparation and recordation of a plat would not add any benefit or alter any existing conditions. The Parcel currently exists within a MD Tax ID, deeds have been previously recorded in the MD Land Records and the parcel complies with the RR-DEO zoning. The proposed construction of a single-family has already received approval for a simplified environmental concept plan, perc plan, septic and a well has been drilled.


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

1. Approval of this Alternative Compliance request from the final subdivision plat requirement in this case is only a mechanism for the Department of Planning and Zoning to recognize the present property configuration for Parcel 14, containing 3.0 acres of land as a separate building lot.
2. A confirmatory deed must be recorded in the Land Records of Howard County within 90 days of approval of this alternative compliance (on or before January 5, 2022). The confirmatory deed shall reference WP-22-009 file number and shall include metes, bounds, bearings and distance information for Parcel 14.

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.

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

Sincerely,

DocuSigned by:

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Anthony Cataldo, AICP, Chief
Division of Land Development

AC/jw

cc: Research
DED
DLD - Julia Sauer
Real Estate Services
MBA



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 27, 2021

Carlos Francisco
824 Carter Road
Rockville, MD 20852

RE: WP-22-009, Mink Hollow Road

Dear Mr. Francisco:

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 20, 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 of the Subdivision and Land Development Regulations which states that a subdivision plat is the official record of a division of land, an no lot within the subdivision may be sold legally until a final plat has been approved and recorded by the Department of Planning and Zoning

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.147 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):

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

Strict compliance with Regulations would require the owner to prepare and process a final subdivision plan and final plat. The parcel has had several owners since its creation and has existed undeveloped while the surrounding neighborhood has been developed with single-family homes. The subdivision plat process would significantly extend the anticipated timeline for the construction of a single-family dwelling. The preparation and recordation of a plat would not add any benefit or alter any existing conditions. The Parcel currently exists within a MD Tax ID, deeds have been previously recorded in the MD Land Records and the parcel complies with the RR-DEO zoning. The proposed construction of a single-family has already received approval for a simplified environmental concept plan, perc plan, septic and a well has been drilled.

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


1. Approval of this Alternative Compliance request from the final subdivision plat requirement in this case is only a mechanism for the Department of Planning and Zoning to recognize the present property configuration for Parcel 14, containing 3.0 acres of land as a separate building lot.
2. An adjoiner deed must be recorded in the Land Records of Howard County within 90 days of approval of this alternative compliance (on or before December 19, 2021). The adjoiner deed shall reference

WP-22-009 file number and shall include metes, bounds, bearings and distance information for Parcel 14

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.

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

Sincerely,

DocuSigned by:

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Anthony Cataldo, AICP, Chief
Division of Land Development

AC/jw

cc: Research
DED
DLD - Julia Sauer
Real Estate Services
MBA



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-22-009*
 Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: 7151 MINK HOLLOW ROAD, HIGHLAND, MD. 20777

Subdivision Name/Property Identification: N/A

Location of property: ADC MAP 30-6D

Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Tax Map: 40 **Grid:** 07 **Parcel No:** 14 **Election District:** FIFTH


Zoning District: RC-DEO **Total site area:** 3.00 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:

A simplified ECP was submitted on 09.01.2020 and approved on 10.07.2020. The applicant also applied and has approval for a percolation certification plan and septic system design.

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.

Section Reference No.	Brief Summary of Request
16.147.	waive having to go through the subdivision process for an existing parcel created by deed. No additional lots are being created.

Signature of Property Owner:  Date: 7/21/2021

Signature of Petitioner Preparer: _____ Date: _____

Name of Property Owner: CARLOS FRANCISCO Name of Petition Preparer: Mildenberg Boender & Assoc.

Address: 824 CARTER RD Address: 7350 B Grace drive

City, State, Zip: ROCKVILLE MD 20852 City, State, Zip: Columbia, MD, 21044

E-Mail: ixlosxi@gmail.com E-Mail: safomer@mba-eng.com

Phone No.: _____ Phone No.: 410-997-0296

Contact Person: CARLOS FRANCISCO Contact Person: Sam Alomer

Owner's Authorization Attached