



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 22, 2021

Dedra & Jonathan Harris
5000 Ilchester Road
Ellicott City, MD 21043

RE: WP-22-022, Harris Property (F-20-065)

Dear Mr. & Mrs. Harris:

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 November 15, 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 16.127(c)(4)(i) & 16.144(n)(1)** of the Subdivision and Land Development Regulations to allow a separate driveway for the proposed SFD and to reactivate F-20-065 Harris Property and extend the resubmission deadline to address SRC comments.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.127(c)(4)(i) & 16.144(n)(1) of the Subdivision and Land Development Regulations 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;

The existing lot has 240 feet of public road frontage onto Ilchester Road and will be subdivided into two frontage lots. The existing house is situated along the southern property line and the new house will be situated to the northern side. The existing driveway is opposite of the proposed common lot line, which would require a shared driveway to be constructed through the front yard of the existing house to connect to the new house. Most of the neighboring houses have individual driveways. Allowing each house, a separate driveway will maintain the same character of the neighborhood and reduce the impervious surface needed to construct a single common driveway across the established front yard of the existing house. Strict conformance with the requirements would deprive the applicant of rights to an individual driveway which is typical for frontage lots on Ilchester Road.

A revised plans letter for F-20-065 – Harris Property was issued to the development team on August 5, 2021 which outlined a resubmission date of September 19, 2021 to address comments issued. The development team did not meet this deadline and is requesting the reactivation of the plan in order to continue review with the County SRC agencies. ECP-20-014, Harris Property, Lots 6 & 7 was concurrently in review with the F-plan and given technically complete on September 13, 2021. The team was waiting for this step before submitting revised comments in order to address outstanding issues on the revised plans. Strict conformance with the regulations would require the submission of a new final plan which would match the current in review. Approval of this reactivation and extension of the resubmission deadline promotes efficiency of the plan review process.

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 property is square shaped and slopes downward from the southeast to the northwest. The existing house sits at the highest elevation and the new house will be downhill to the north. Requiring the second lot to connect to the existing driveway would require adding impervious area to an already graded front yard. Additionally, a shared driveway would be out of character for the neighborhood, would result in more impervious surface and impact the slope between the houses.

3. **The Variance will not confer to the applicant a special privilege that would be denied to other applicants and;**

Approval of the alternative Compliance will not confer to the applicant a special privilege that would be denied to other applicants as the approval, as most houses in the neighborhood have individual driveways and the driveway will allow for less impervious surface.

Approval of the re-activation of F-20-065 will not confer to the applicant a special privilege that would be denied to other applicants, as the Plan is still being reviewed by all SRC agencies and will be in compliance with all County and State agencies.

4. **The modification is not detrimental to the public health; safety or welfare, or injurious to other properties. There is no evidence that this proposal for a separate driveway entrance to the new home will be detrimental to the public health. The proposed plan appears to benefit the public interest by reducing the impervious area and creating a design that is compatible with the existing neighborhood.**

The final plan for this project is being reviewed by the SRC agencies for compliance with County and State Regulations. Therefore, the request to re-activate F-20-065 will not have any adverse effect for the surrounding properties where this project is located.

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

1. Include a note on all plan submissions with his Alternative Compliance file number, a summary of the request, date of approval and conditions of approval.
2. Compliance with all SRC comments for F-20-065, Harris Property.
3. Submittal of the revised plan within 45 days of the approved Alternative Compliance on or before **(January 6, 2022)**.

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 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,

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
KCI
F-20-065 file



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 18, 2021

Dedra & Jonathan Harris
5000 Ilchester Road
Ellicott City, MD 21043

RE: WP-22-022, Harris Property

Dear Mr. & Mrs. Harris:

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 following additional information is provided.

- Section 16.144(n)(1) Approval/Denial of Final Plan: Provide the required justification for missing the 45 day deadline date.

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: DPZ #Copies: 2

The requested information and revised plans must be submitted within **45 days** of the date of this letter (**on or before December 2, 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.

***In accordance with adopted Council Bill 51-2016, effective 10/05/16, if the deadline date is a Saturday, Sunday or holiday or if the County offices are not open, the deadline shall be extended to the end of the next open County office business day.**

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

Sincerely,

DocuSigned by:

1EB75478A22B49A...

Anthony Cataldo, AICP, Chief
Division of Land Development

AC/jw

Attachments:

cc: Research
DED
DLD - Julia Sauer
Real Estate Services



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

(410) 313-2350

DPZ Office Use only:

File No.

Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: 5000 Ilchester Road

Subdivision Name/Property Identification: 1001/252968

Location of property: 5000 Ilchester Road

Existing Use: Residential

Proposed Use: Residential

Tax Map: 31 **Grid:** 10 **Parcel No:** 153 **Election District:** First


Zoning District: R-20 **Total site area:** 0.50 Ac.±

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:

The site was an existing residential lot owned by Jonathan Harris and Dedra Harris and shown on MDA Plat #18023, ECP-20-014.

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
16.127.(c).(4).(i)	Requesting to utilize two separate driveways where one use-in-common driveway is required.

Signature of Property Owner:  **Date:** 8/23/2021
DocuSigned by:
Jonathan Harris
40552609F73F413...

Signature of Petitioner Preparer:  **Date:** August 23, 2021

Name of Property Owner: Jonathan Harris **Name of Petition Preparer:** KCI Technologies, Inc.

Address: 5000 Ilchester Road **Address:** 11830 W. Market Place
Suite F

City, State, Zip: Ellicott, Maryland 21043 **City, State, Zip:** Fulton, Maryland 20759

E-Mail: jharris@1ststeponline.com **E-Mail:** cheng-ho.lin@kci.com

Phone No.: 240-731-6515 **Phone No.:** 410-792-7419

Contact Person: Jonathan Harris **Contact Person:** Cheng- Ho Lin

Owner's Authorization Attached