



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

December 5, 2022

Landing Enclave LLC
c/o Jacob Hikmat
5550 Sterrett Place, Suite 103
Columbia, MD 21044
Sent via email to jacobhikmat@yahoo.com

RE: WP-23-012 Landing Enclave East

Dear Mr. Hikmat:

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 December 5, 2022 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)** of the Subdivision and Land Development Regulations to allow multiple driveway entrances in lieu of a single shared driveway for a residential resubdivision.

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) 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;

Old Landing Road is a short (less than 700' long) public yield street with six existing single family detached dwellings with direct access to the road. The applicant proposes three access points onto Old Landing Road for the four-lot residential infill subdivision, in lieu of one access point and shared driveway as required by the regulations. Lot 1 is the only pipestem lot in the resubdivision and will share a single use-in-common driveway with Lot 2, which directly fronts onto Old Landing Road. Lots 3 & 4 front directly onto Old Landing Road and will have two separate, single use driveways. Lot 4 contains an existing house to remain. The existing house does not have a garage and there is an existing dirt driveway south of the property, where Lots 1-3 are proposed. A new paved driveway for Lot 4 will be provided north of the existing house on the opposite side of Lot 3.

Given the proposed layout, and the location of the existing house, there is one option to create a shared driveway and single access point onto Old Landing Road. This option is to provide a shared driveway along the front of the houses, which would result in a parallel driveway from Old Landing Road, with separate individual driveway stubs to each proposed house. To comply with Section 16.120(c)(2) of the Subdivision and Land Development Regulations, each lot would also need to be designed as a pipestem lot so that each lot has frontage at the access point. This design would be inconsistent with the character of this neighborhood and provide unneeded pipestem lots and additional impervious area that would need to be treated for stormwater management. Although it includes additional access points, the result better provides driveway access points that are similar to other driveway separations on this road.

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 three times as long as it wide, which results in a practical difficulty in designing an infill subdivision with one driveway. The northern portion of the property is encumbered by a stream, stream buffer, wetland, wetland buffer, floodplain, and 150-foot wide BGE right-of-way. Old Landing Road adjoins the southern one-third of the property and ends at a driveway to a County-owned sewage pumping station that is located between the environmental features and the existing house. The subdivision was designed to cluster the lots farthest from the sewage pumping station and environmental features and in between the existing house and the southern property line. Compliance with the regulation would result in a driveway parallel to the public road and in the front yards of the houses. This would be inconsistent with the neighborhood and increase the amount of impervious area.

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 listed above, the lot shape and specific context on a very short public roadway are unique to this application. The proposed design accommodates this uniqueness and is compatible with the existing houses in the neighborhood.

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 separate driveway entrances to the new lots will be detrimental to the public health. The proposed plan reduces the amount of proposed impervious and creates a design that is compatible with the existing neighborhood.

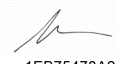
Approval of this Alternative Compliance is subject to the following conditions:

1. Include a note on all plan submissions with this Alternative Compliance file number, a summary of the request, date of approval and conditions of approval.
2. Compliance with all SRC comments for F-22-063, Landing Enclave East.

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 or as long as a subdivision or site development plan is being actively processed in accordance with the processing provisions of the Regulations.

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

Sincerely,

DocuSigned by:

1EB75478A22B49A...
Anthony Cataldo, AICP, Chief
Division of Land Development

AC/js
cc: Research
DLD - Julia Sauer
MBA, Inc.



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 12, 2022

Mr. Jacob Hikmat
Landing Enclave LLC
5550 Sterrett Place, Ste. 103
Columbia, MD 21044

Sent via email to jacobhikmat@yahoo.com

RE: WP-23-012 Landing Enclave East

Dear Mr. Hikmat:

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.

Two 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.

The requested information and revised plans must be submitted within **45 days** of the date of this letter (**on or before October 27, 2022***), 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.

Submissions can be mailed to Howard County Planning and Zoning, 3430 Court House Drive, Ellicott City, MD 21043 or dropped in the bin labeled 'DLD' at the Department of Planning and Zoning Public Service Counter located on the first floor of the George Howard Building. Submission materials can also be emailed to planning@howardcountymd.gov for processing.

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

Sincerely, DocuSigned by:

1EB75478A22B49A...
Anthony Cataldo, AICP, Chief
Division of Land Development

AC/js
Attachments
cc: Research
DLD - Julia Sauer
MBA



DPZ Office Use only:

File No.

Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: 5740 OLD LANDING RD, ELKRIDGE MD 21075. Lot 3 plat no.22715

Subdivision Name/Property Identification: LANDING ENCLAVE EAST

Location of property: 500' NORTH OF MONTGOMERY RD AND OLD LANDING RD. INTERSECTION

Existing Use: Residential

Proposed Use: Residential

Tax Map: 37

Grid: 66

Parcel No: 66

Election District: FIRST

Zoning District: R-20

Total site area: 2.36

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:

ECP-21-054
 F-22-063
 F-13-056

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
16.1205(a) (3)	Applicant request to allow removal of one specimen tree
Sec. 16.127.(c)(4)(i):	Applicant requesting to allow multiple driveway entrances in lieu of one shared driveway to allow for the preservation of the historic house and to create lots facing the road. This will maintain character of the neighborhood.

Section Reference No.	Brief Summary of Request

Signature of Property Owner:



Date:

7.25.22

Signature of Petitioner Preparer:



Date:

7.25.2022

Name of Property Owner:

LANDING ENCLAVE LLC

Name of Petitioner Preparer:

Mildenberg Boender & Assoc.

Address:

5550 STERRETT PLACE - SUITE
103

Address:

8318 FORRETT ST.
SUITE 300

City, State, Zip:

COLUMBIA, MD 21044

City, State, Zip:

ELLCOTT CITY MD, 21043

E-Mail:

jacobhikmat@yahoo.com

E-Mail:

Salomer@mba-eng.com

Phone No.:

443-538-9547

Phone No.:

410-997-0296

Contact Person:

Jacob Hikmat

Contact Person:

Samer Alomer



Owner's Authorization Attached