



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

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

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

May 31, 2024

Tatyana and Gregory Baytler
15837 Crabbs Branch Way, Suite A
Rockville, MD 20855

RE: WP-24-072, Baytler Property
Corrected Denial letter

Dear Mr. and Mrs. Baytler:

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. ***Please note this letter is reissued to correct the definition of a minor subdivision as four or fewer lots (less than five lots).***

On May 29, 2024 and pursuant to Section 16.104, the Director of the Department of Planning and Zoning, considered and **denied** your request for alternative compliance with respect to **Section 16.102 and Section 16.147** of the Subdivision and Land Development Regulations to reconfigure the property boundaries between two parcels through an adjoiner deed instead of through the subdivision process.

The Department of Planning and Zoning finds that strict enforcement of Section 16.102 or Section 16.147 would not result in an unreasonable hardship or practical difficulty. The following factors were considered in making this determination:

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

DPZ has permitted the use of the adjoiner deed process through alternative compliance in very limited circumstances. Properties must not be part of a previous recorded subdivision and the land being conveyed must be between two adjoining, legally created parcels. In reviewing these cases, DPZ has ensured no violation of the zoning regulations would be created, except that conveyances may be permitted between parcels which do not comply with current zoning bulk regulations if neither parcel becomes less complying. An alternative use of this action would be the merging of one noncomplying parcel fully into a larger. In evaluation of all of these types of requests, DPZ has only granted approval when no additional density is created through the process.

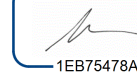
While Parcel #630 and Parcel #730 exist and neither parcel was part of a previous recorded subdivision, the reconfiguration of the parcels into two buildable parcels cannot occur outside the subdivision process since there is no existing housing unit allocation for Parcel #742, which was determined to be a non-buildable parcel based on the previous decisions made by the Department of Planning and Zoning and the Court of Special Appeals (Circuit Court Case No. 13-C-10-82771). Since additional density will be created with the reconfiguration of the parcels, the standard subdivision

process is the appropriate path to obtain the necessary allocation. A division of land into four or fewer parcels may be accomplished with a minor subdivision process, which is standard for the creation of additional density.

If you have any questions, please contact Jill Manion at (410) 313-2350 or email at jmanion@howardcountymd.gov.

Sincerely,

DocuSigned by:



1EB75478A22B49A...

Anthony Cataldo, AICP, Chief

Division of Land Development

AC/jam

cc: Research
DLD - Julia Sauer
Real Estate Services
Frank Manalansan, II, Fisher Collins and Carter



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

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May 30, 2024

Tatyana and Gregory Baytler
15837 Crabbs Branch Way, Suite A
Rockville, MD 20855

RE: WP-24-072, Baytler Property

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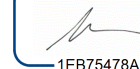
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While Parcel #630 and Parcel #730 exist and neither parcel was part of a previous recorded subdivision, the reconfiguration of the parcels into two buildable parcels cannot occur outside the subdivision process since there is no existing housing unit allocation for Parcel #742, which was determined to be a non-buildable parcel based on the previous decisions made by the Department of Planning and Zoning and the Court of Special Appeals (Circuit Court Case No. 13-C-10-82771). Since additional density will be created with the reconfiguration of the parcels, the standard subdivision process is the appropriate path to obtain the necessary allocation. A division of land into five or fewer parcels may be accomplished with a minor subdivision process, which is standard for the creation of additional density.

If you have any questions, please contact Jill Manion at (410) 313-2350 or email at jmanion@howardcountymd.gov.

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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: North side Old Frederick Road west of Orchard Avenue

Subdivision Name/Property Identification: Property of Tatyana Baytler and Gregory Baytler

Location of property: 2575 Orchard Avenue and 8880 Old Frederick Road

Existing Use: Residential **Proposed Use:** Residential

Tax Map: 17 **Grid:** 12 **Parcel No:** 630 8742 **Election District:** Second

Zoning District: R-20 **Total site area:** 3.283 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:

BA-06-047V and SDP-08-086

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
16.102	Applicability of the Regulations For the Division or Development of land in Howard County, Maryland
16.147	Final Subdivision Plan and Final Plat The Final Plat becomes the Official record of the Division of Land Development and 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.

Section Reference No.	Brief Summary of Request

Signature of Property Owner: **TATYANA BAYTLER** Date: **1/4/2024**

Signature of Petitioner Preparer: **Frank Manalansan II** Date: **December 30, 2023**

Name of Property Owner: **Tatyana & Gregory Baytler** Name of Petition Preparer: **Fisher, Collins & Carter, Inc.**

Address: **15837 Crabbs Branch Way Suite 'A'** Address: **10272 Baltimore National Pike**

City, State, Zip: **Rockville, MD 20855** City, State, Zip: **Ellicott City, MD 21042**

E-Mail: **tbaytler@gmail.com** E-Mail: **frankm@fcc-eng.com**

Phone No.: **443-527-4375** Phone No.: **410-461-2855**

Contact Person: **Ms. Tatyana Baytler** Contact Person: **Mr. Frank Manalansan, II**

Owner's Authorization Attached