



# 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

October 15, 2024

Viking Residential Services, Inc.  
815 Windriver Drive  
Sykesville, MD 21782

RE: WP-25-031, Viking Residential Services

Dear Mr. Cumberland:

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 October 8, 2024 and pursuant to Section 16.116(d), the Director of the Department of Planning and Zoning, Director of the Department of Public Works and Administrator of the Office of Community Sustainability considered and **approved** your request for alternative compliance with respect to **Section 16.116(b)(1)** of the Subdivision and Land Development Regulations to disturb 10,989 square feet of steep slopes (>25%) in order to construct one single-family detached dwelling and driveway. Please see the attached Final Decision Action Report for more information.

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 Jason Lenker at (410) 313-4394 or email at [jlenker@howardcountymd.gov](mailto:jlenker@howardcountymd.gov).

Sincerely,

DocuSigned by:

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Anthony Cataldo, AICP, Chief  
Division of Land Development

AC/JL

cc: Research  
DLD - Julia Sauer  
Real Estate Services  
Cary Cumberland  
Vanmar



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

Lynda D. Eisenberg, AICP, Director

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## ALTERNATIVE COMPLIANCE FINAL DECISION ACTION REPORT

DEPARTMENT OF PLANNING AND ZONING  
DEPARTMENT OF PUBLIC WORKS  
OFFICE OF COMMUNITY SUSTAINABILITY

**RE:** **WP-25-031, Viking Residential Services**  
*Request for an alternative compliance to Section 16.116(b)(1) of the Subdivision and Land Development Regulations.*

**Applicant:** Viking Residential Services  
815 Windriver Dr.  
Sykesville, MD 21782

Pursuant to Section 16.116(d), the Director of the Department of Planning Zoning, Director of the Department of Public Works and the Administrator of the Office of Community Sustainability considered and **approved** the applicants request for an alternative compliance with respect to **Section 16.116(b)(1)** of the Subdivision and Land Development Regulations. The purpose is to disturb 10,989 square feet of steep slopes (>25%) in order to construct one single-family detached dwelling and driveway. The Directors deliberated the application in a meeting on October 8, 2024.

Each Department hereby determines that the applicant has demonstrated to its satisfaction that strict enforcement of the above-cited regulation would result in unreasonable hardship or practical difficulty. This determination is made with consideration of the alternative compliance application and the seven (7) items the applicant was required to address, pursuant to Section 16.104(a)(1) and Section 16.116(d):

**1. Strict conformance with the requirements will deprive the applicant of rights commonly enjoyed by other in similar areas.**

This lot was legally created by deed in 1922 prior to the adoption of the current environmental regulations. Most of the property is encumbered by sensitive environmental features such as 100-year floodplain, a stream, streambank buffer, and steep slopes and is almost entirely wooded. In order to construct a single-family detached dwelling on this site, some amount of disturbance would be required. The applicant has purposefully designed the development in a way to minimize disturbance and to keep disturbance to the steep slope areas only without impacting any other sensitive environmental features on site. The applicant believes that strict conformance with the requirements will prevent them from developing the property and would deprive them of rights commonly enjoyed by others in similar areas.

**2. The uniqueness of the property or topographical conditions would result in practical difficulty, other than economic, or unreasonable hardship from strict adherence to the regulations.**

Uniqueness of the property or topographical conditions would result in practical difficulty and unreasonable hardship from strict adherence to the regulations. This property is zoned R-ED, so it has larger setbacks than most

residential zoning districts. The required front setback is 75' from the road. This places the building envelope in an area that is almost entirely encumbered by steep slopes. The western side of the property is encumbered by a Use I perennial stream and its associated 75' streambank buffer; neither of which are proposed to be disturbed. Based on alternative designs and the sites topography, the applicant believes there is no other structure placement that results in less disturbance.

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

The applicant is proposing to construct one house on the 3.6-acre lot. They do not believe this variance will confer a special privilege that would be denied to other applicants based on the unique site features.

**4. The modification is not detrimental to the public health, safety or welfare, or injurious to other properties.**

There is no evidence that this proposed development will be detrimental to the public health; safety or welfare, or injurious to other properties.

**5. Any area of disturbance is returned to its natural condition to the greatest extent possible.**

The disturbed steep slope areas will be seeded and mulched to return the area to its natural condition to the greatest extent possible.

**6. Mitigation is provided to minimize adverse impacts to water quality and fish, wildlife, and vegetative habitat.**

Mitigation shall be provided through the use of sediment and erosion control measures such as biodegradable erosion control blankets and soil stabilization matting during construction as conditions of approval of this alternative compliance petition, and after construction, any disturbed areas will be seeded and mulched to provide ongoing stabilization. This will ensure that all disturbance that could impact water quality and fish, wildlife, and vegetative habitat is minimized.

**7. Grading, removal of vegetative cover and trees, or construction shall only be the minimum necessary to afford relief and to the extent required to accommodate the necessary improvements.**

Grading, removal of vegetative cover and trees, and construction has been kept to the minimum extent necessary to accommodate the necessary improvements. The proposed total limit of disturbance is 19,976 square feet and will generate 10,989 square feet of disturbance to steep slopes. The limit of disturbance has been designed to allow for the construction of the driveway, dwelling unit, and septic while keeping overall disturbance to a minimum. The development proposes the least damaging design by constructing the dwelling unit on stilts. During the Environmental Concept plan review, the consultant was asked to reduce the length of the driveway and relocate the house closer to the road to reduce disturbance to the steep slopes and has accommodated this request. All temporary disturbances will be mitigated through seeding and mulching to stabilize the steep slopes and return the disturbed area to its natural condition.

**Directors Action:** Approval of alternative compliance of Section 16.116(b)(1) is subject to the following conditions:

1. No grading or removal of vegetative cover or trees shall be permitted within any environmental features, except for the specific area approved under this alternative compliance request.

2. An erosion control blanket product shall be used over the non-rooftop disconnect area adjacent to the driveway that is 100% biodegradable.
3. Disturbed slopes are to be stabilized with soil stabilization matting.
4. The seed mix within the non-rooftop disconnect area shall be Festuca rubra (Creeping Red Fescue) and Festuca rubra 'commutata' (Chewings Fescue).

DocuSigned by:

*Lynda Eisenberg*

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Lynda Eisenberg, AICP, Director  
Department of Planning and Zoning

Signed by:

*Yosef Kebede*

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Yosef Kebede, Director  
Department of Public Works

DocuSigned by:

*Timothy Lattimer*

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Timothy Lattimer, Administrator  
Office of Community Sustainability

cc: Research  
OCS  
DPW

□

**Alternative Compliance Application Form Submitted**  
**Howard County Department of Planning and Zoning**  
**3430 Court House Drive | Ellicott City | MD | 21043**  
**TEL: 410.313.2350**

The following Application has been submitted: AC-310

**PROJECT IDENTIFICATION**

Site Description: VIKING RESIDENTIAL SERVICES LLC  
Location Address: 4379 COLLEGE AVENUE, ELLICOTT CITY, MD, 21043  
Existing Use: VACANT  
Proposed Use: RESIDENTIAL  
Tax Map: 25  
Grid: 21  
Parcel No: 323  
Election District: 2  
Zoning: R-ED  
Total Site Area: 3.6

**PREVIOUSLY SUBMITTED OR CURRENTLY ACTIVE PLANS ON FILE**

APPROVED ECP-24-037 SDP-25-015

**SECTION REFERENCE INFORMATION**

**Your initial Application Fees cover up to 2 Section References for this application.**

1.) Section Reference No.: 16.116(b)(1)

Brief Summary of Request: The Limit of Disturbance (LOD) is less than 20,000 SF (19,976) however the grading of the residential driveway and house will be within 100 feet of the perennial stream bank. The slopes within the LOD are between 15% - 25%. No slopes are 25% or greater within the LOD. Request is allow the grading of the driveway, house and site improvements that are within 100 feet of the stream bank.

2.) Section Reference No.: 16.131

Brief Summary of Request: The parcel is within the Metropolitan District providing planned public water and sanitary sewer service. The proposed house will connect to the public water system. However, there is only a public sanitary sewer force main in College Avenue that passes the parcel. There is no gravity sanitary sewer service and Public Works has rejected the installation of a Low Pressure pumped sanitary sewer line within the public right-of-way. Any sanitary sewer service lines or facilities within the public right-of-way would be required to be owned and maintained by Howard County. Howard County has stated there are no plans nor will there be any plans for the installation of a gravity sanitary sewer line in this area. Therefore since the property is within the Metropolitan District with no plans for extending public sanitary sewer to the property, the developer has worked with Howard County Health Department to permit and design an individual Onsite Sewage Disposal System. Request is to approve the installation of an individual Onsite Sewage Disposal System within the Metropolitan District without any provisions for a future public sanitary sewer connection.

**Adding more than 2 Section Reference Numbers will incur an additional fee. You can the additional Section Reference Numbers below.**

3.) Section Reference No.:

Brief Summary of Request:

4.) Section Reference No.:

Brief Summary of Request:

5.) Section Reference No.:

Brief Summary of Request:

6.) Section Reference No.:

Brief Summary of Request:

7.) Section Reference No.:

Brief Summary of Request:

8.) Section Reference No.:

Brief Summary of Request:

**PROPERTY OWNER INFORMATION**

Name: CARY CUMBERLAND  
Owner Company Name: VIKING RESIDENTIAL SERVICES LLC  
Address: 815 WINDRIVER DRIVE, SYKESVILLE, MD, 21782  
Phone: 4109772188  
Email: cary@vikingcustomhomes.com

**PREPARER INFORMATION**

Preparer Company Name: VanmarAssociates, Inc.  
Name: Dhavalkumar Patel  
Address: 310 S Main Street, Mount Airy, MD, 21771

Phone: 3018292890

Email: [dhaval@vanmar.com](mailto:dhaval@vanmar.com)

**CONTACT US**

3430 Court House Drive, Ellicott City, MD 21043

TEL: 410.313.2350