



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

www.howardcountymd.gov
FAX 410-313-3467
TDD 410-313-2323

December 31, 2007

Ram S. Nathan
13190 Clarksville Pike
Highland, Maryland 20777

RE: 16109 Frederick Road
Tax Map 7; Grid 11, Parcel 93
(the "Property")


Dear Mr. Nathan:

I am writing in response to your letter dated December 18, 2007, regarding the Property referenced above. In your letter, you explain that the Property apparently consists of two lots; one of which is improved by a building used for a liquor store, and the other is unimproved. You ask whether the unimproved lot is a "buildable lot" for the purposes of constructing a single-family detached dwelling. You submitted several deeds as documentation for the creation of the Property.

This Division has evaluated the materials you submitted with your letter, and we have concluded that based on these deeds, the Property does appear to consist of two lots, one of which was noted on a deed dated May 20, 1953 in Liber 245 Folio 134, and the other was noted on a deed dated May 22, 1947 in Liber 198 Folio 160. On the basis that both lots pre-date the first Subdivision and Land Development Regulations, both lots are legally created lots in the view of this Division. The Property is zoned RC-DEO (which means that the liquor store use may be an unconfirmed nonconforming use), and in the RC District a single-family detached dwelling is a permitted use, so on a zoning basis alone it may be possible to improve the unimproved lot with a single-family detached dwelling, but only if the dwelling fully complies with the current bulk regulations for the RC District concerning setback requirements. However, due to the very small size of the lots, it may be difficult to meet the requirements for private water and septic facilities to support a new dwelling, so you are advised to contact the Bureau of Environmental Health at 410-313-2640 before proceeding any further with plans for the Property.

Section 16.155.(a)(2)(ii) of the Subdivision and Land Development Regulations states that lots in recorded subdivisions created before February 7, 1976 are exempt from site development plan requirements unless more than 5,000 square feet of disturbance is proposed and the lots have not been reconfigured or merged through the recordation of a plat recorded on or after February 7, 1976. The Property may still be subject to access or plan approval requirements before a building permit may be issued. If you have any questions, please contact Bob Lalush at 410-313-4344 or at blalush@howardcountymd.gov.

Sincerely,


George L. Beisser, Chief
Division of Public Service
and Zoning Administration

GLB/JRL:jrl

cc: Tammy Frank
Annette Merson

Prob.
22,052 SF
LOT

likely
14,850 SF
LOT

get real prop data; also GIS prints

16109 Fred. Rd.

TM 7

Parcel
93