



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 28, 2021

Carroll Melida Valle Miller
4401 Roxbury Mill Road
Brookeville, Maryland 20833

RE: 4401 Roxbury Mill Road
Tax Map 21, Grid 19, Parcel 70
(the "Property")

To Whom It May Concern,

I am writing in response to your request for a determination whether the Property is a legal "buildable lot." You submitted deeds for Parcel 70 recorded on July 1, 1974 (L:689/F:55), (L:457/F:728) recorded on August 10, 1966, (L:575/F701) recorded on October 19, 1971. Additionally, there was a Maryland State Road Plat 9799 (L:149/F: 233) recorded June 1934 as documentation of the creation of the Property.

This Division has researched the zoning in place in 1971. The deed recording the subdivision is dated July 11, 1974, with the recording in Liber 689, Folio 55.

The lot was zoned R-40 (Residential: One and Two Family Detached); with a minimum lot size of 40,000 square feet. Additionally, any deed filed between May 3, 1974 (Liber 680, Folio 506) and March 5, 1975 (Liber 715, Folio 221) to create a lot in which no more than four (4) lots total were created at one time, exempted that type of division from complying with the subdivision plat process. This type of division would allow property owners to create three (3) lots and a residue of the original tract (considered as the fourth lot). This residue could then be re-divided into three (3) lots and a residue. This process could continue until all of the original parcel was divided and did not make a distinction as to minimum lot size other than that required by the zoning district. The above is the period commonly referred to as the "Loop-Hole" period. This remained valid until the adoption of the term "subdivision" which closed the "Loop-Hole" division and required all future subdivision to go through the Howard County Subdivision and Land Development Regulations, effective March 5, 1975.

This means that the property located at Tax Map 21, Parcel 70, Tax Map 21, Lot 1, and Tax Map 21, Lot 2, were legally created and are therefore buildable lots for which this Division will grant authorization of a building permit for a single-family dwelling on each lot or parcel (if not already developed), but only if the dwelling complies with the current bulk regulations for the RC-DEO District.

The Property may be subject to access or plan approval requirements before a building permit may be issued. A building permit application for a single-family detached dwelling on the Property will not be given zoning authorization unless a copy of this letter is submitted with the application. If you have any questions, please contact me at 410-313-4313 or amerson@howardcountymd.gov.

Sincerely,

Annette Merson-Sacks

Annette Merson-Sacks, Planning Support Technician II
Division of Public Service and Zoning Administration

Cc: Julia Sauer, Planning Supervisor, DPZ
BLD-21-025