



Agricultural Land Preservation Program Howard County, Maryland



PROCEDURES FOR UNRESTRICTED LOT CREATION

Purpose

To assist property owners in the Howard County Agricultural Land Preservation Program in creating a one-acre unrestricted lot as permitted by their deed of easement and Section 15.514(b) of the Howard County Code.

Participants

DPZ – Department of Planning and Zoning
ALPP – Agricultural Land Preservation Program, DPZ
APB – Agricultural Preservation Board
DLD – Land Development Division, DPZ
OOL – Office of Law, County Administration

Lot Creation Process

1. When a property owner in the Agricultural Land Preservation Program (ALPP) wishes to create a lot, the owner contacts the Program Administrator (PA). The PA schedules an informational meeting, if needed, at the convenience of the property owner to review the provisions of their deed of easement and to explain the lot creation process.
2. The property owner provides a letter to the PA describing the request and providing a tax map showing the approximate location of the lot(s). The PA schedules the lot release request for the next meeting of the Agricultural Preservation Board (APB). The PA prepares a staff report describing the request, including the payback amount due the County from the property owner. APB meetings are typically held on the fourth Monday of the month. Requests with all accompanying documentation must be received no later than three weeks prior to the meeting date.
3. The PA notifies the property owner in writing when the lot location is approved by the APB.
4. The owner is encouraged to meet with DLD as the formal subdivision process begins. At this point, DLD is the lead county agency in direct contact with the property owner and the owner's engineer. ALPP receives a copy of the plat for review and provides written comments to DLD, including the conditions of approval by the APB.
5. When ALPP review of the plat is complete and ALPP comments have been addressed, the PA requests the Office of Law (OOL) to prepare an Amended Deed of Easement (DOE) for the release of the lot. The language of the Amended DOE reflects the unique description of the lot release and references the subdivision plat. OOL sends the Amended DOE to the PA, who conveys it to the property owner for signature and notarization.
6. When all subdivision review agency comments are addressed and approvals received, DLD issues a final plat approval letter to the property owner. The owner's consultant can then submit the original plat for final signatures and recordation. At this time the property owner must return the signed and notarized Amended DOE to the PA.

7. The signed Amended DOE must be accompanied by a check for the payback amount made payable to “Director of Finance.” The PA deposits the check at the cashier’s office prior to circulating the Amended DOE for signature by county officials. Concurrently, the owner or owner’s consultant must provide a written metes and bounds description of the lot, which is attached to the Amended DOE as Exhibit A.
8. When all signatures have been obtained on the Amended DOE, OOL delivers it to the PA, who gives it to DLD. DLD records the plat and the Amended DOE concurrently in the County’s land records. Following recordation, the Amended DOE is returned to the PA for retention in the ALPP file. The PA sends the property owner a copy of the Amended DOE.

Documentation of Lot Release

The following documents will be maintained in the ALPP file:

1. Copy of check for payback amount.
2. Copy of recorded subdivision plat.
3. The original signed Amended DOE, stamped to show Liber/Folio and recording date.

For More Information

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