



Agricultural Land Preservation Program Howard County, Maryland



PROCEDURES FOR CREATION OF OWNERS' AND CHILDREN'S LOTS

Purpose

To assist property owners who have placed farms in the Howard County Agricultural Land Preservation Program prior to May 1, 1993, who wish to create a lot for a home site for themselves or their children under the provisions of their deed of easement.

Participants

DPZ – Department of Planning and Zoning
ALPP – Agricultural Land Preservation Program, DPZ
ALPB – Agricultural Land 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). If the request is for a child's lot, a copy of the child's birth certificate is required, along with a signed "Letter of Intent" specifying the children who are to receive lots now or in the future. In addition, a signed "Letter of Understanding" is required, stating that the released lot will be improved with a principal dwelling within a year of recordation of the lot. If the request is for an owner's lot, only a signed "Letter of Understanding" is required. The PA will provide all forms.
3. The PA schedules the lot release request for the next meeting of the Agricultural Land Preservation Board (ALPB). The PA prepares a staff report describing the request, including the payback amount due the County from the property owner. ALPB meetings are typically held on the second Monday of the month. Requests with all accompanying documentation must be received no later than two weeks prior to the meeting date.
4. When the lot location is approved by the ALPB, the PA notifies the property owner in writing, and copies the Division of Land Development (DLD).
5. 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 ALPB.
6. 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.

7. 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.
8. 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. If the written description must be changed during the preparation of the final plat for signature, the revised final written description can be added or substituted prior to signature by county officials.
9. When all signatures have been obtained on the Amended DOE, OOL delivers it to the PA, who gives it to DLD. DLD then gives the final subdivision plat to the Director of Planning and Zoning for final signature approval. 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 a letter notifying the property owner that the Amended DOE has been recorded, and includes a copy of the document.

Documentation of Lot Release

The following documents will be maintained in the ALPP file:

1. Letter of Intent, Child's Lot - A form signed by the grantor authorizing lots to specifically named children.
2. Letter of Understanding, Release of Owner's or Child's Lot - A form signed by the grantor stating that the lot will be improved with a principal dwelling for the specified person within a year of formal recordation of the lot.
3. Copy of birth certificate, if child's lot.
4. Copy of check for payback amount.
5. Copy of recorded subdivision plat.
6. The original signed Amended DOE, stamped to show Liber/Folio and recording date.

For More Information

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