



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

Marsha S. McLaughlin, Director

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September 13, 2010

SD Properties
3138 Rogers Avenue
Ellicott City, MD 21046

RE: Holiday Hills Lots 103 & 104
A resubdivision Lot 42 of Second Addition to
Holiday Hills (Plat Book 7 / Folio 41)
WP-10-151 (F-10-111)

Dear Sir / Madam:

The Director of the Department of Planning and Zoning considered your request for a waiver from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request to waive **Section 16.1205.(a)** which requires Forest Conservation Retention Priorities for Specimen Trees; **Section 16.132.(a).(2).(i).(a)** Requires the construction of road improvements on one side of a "local" County road for a major subdivision or resubdivision; **Section 16.134.(b).(2)** which requires the construction of sidewalks on one side of local streets for single family detached subdivisions; and , **Section 16.135.(a)** which requires the installation of street lighting in accordance with the Design Manual.

Approval is subject to the following conditions:

1. **Section 16.1205.(a) - Forest Conservation Retention Priorities:** The developer shall plant a total of 4 shade trees as replacement for the 2 specimen trees which are to be removed. These trees are in addition to the required perimeter landscape plantings and the required street trees.
2. **Section 16.132.(a).(2).(i).(a) – Construction of Road Improvements, Section 16.134.(b).(2) – Construction of Sidewalks and Section 16.135.(a) Installation of Street Lighting** – Compliance with the attached comments from the Development Engineering Division prior to submission of the original mylar record plat to this office for signature approval and recordation. In accordance with those comments the developer will be required to pay a fee-in-lieu of providing sidewalk construction and road improvements along the frontage of Vista Road. No street lights will be required.

Our decision was made based on the following justification:

- Extraordinary hardship or practical difficulties which may result from strict compliance with the Regulations - See the enclosed justification letters submitted by the owner's consultant, Robert H. Vogel Engineering, Inc. dated May 11, and July 30, 2010.
- Approval of the waiver will not be detrimental to the public interests – See the enclosed justification letters submitted by the owner's consultant, Robert H. Vogel Engineering, Inc. dated May 11, and July 30, 2010.

- Approval of the waiver will not nullify the intent or purpose of the Regulations – See the enclosed justification letters submitted by the owner's consultant, Robert H. Vogel Engineering, Inc. dated May 11, and July 30, 2010.

Indicate this waiver 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 requested waiver will remain valid for one year from the date of this letter or as long as this subdivision plan remains in active processing.

If you have any questions, please contact Ms. Pat Britt-Fendlay at 410-313-3371 or via e-mail at pfendlay@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Acting Chief
Division of Land Development

MP
KS/JMF/MPB *MPB*

cc: Research
Chad Edmondson – Development Engineering Division
Robert Vogel Engineering, Inc.
DPZ File #F-10-111 & ECP-11-013