



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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July 19, 2011

Mr. Arnold Sagner
Blue Stream, LLC
P.O. Box 416
Ellicott City, MD 21041

RE: WP-11-201, Blue Stream, Parcels J-2 and K, 125 SFA units, Dorset Gardens (SDP-11-040)

Dear Mr. Sagner:

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

As of the date of this letter, the Planning Director **approved** your request to waive Subdivision Sections:

1. 16.120(C)(4), to not be required to provide any of the required minimum "single family attached" lot frontage of 15 feet on an approved public road and, be permitted to have the "single family attached" lots front on a private road exceeding a length of 200 feet measured from the edge of a public road R/W for SDP-11-040.

The approval of this waiver petition is subject to compliance with the following condition(s) of approval:

1. A homeowners' association shall be created for this development in accordance with Subdivision Section 16.121(c).
2. A resubdivision plat to create the fee simple SFA lots shall be submitted, approved and recorded.
3. Add a detailed note to the General Notes on sheet 1 of SDP-11-040 and the required resubdivision plat that indicates this waiver petition file number, the section of the Regulations, request, action, conditions of approval, and the approval date.

Justification for the approval recommendation for this waiver petition:

1. Due to current financial requirements, in order to obtain financing, the developer is proposing to change the condominium SFA units without fee simple lots to SFA units on fee simple lots without frontage on a public road.

July 19, 2011
WP-11-201, Blue Stream
Page 2

2. Undo hardships and practical difficulties would result from strict compliance with the Regulations do to the current financial requirements regarding SFA units with or without fee simple lots.
3. This waiver petition request, if approved as cited above, will not nullify the intent and purpose of the Regulations, because the private roads will comply with all Howard County design and construction requirements, and be maintained by a HOA, and provide the residents with greater control over the roads in their community.

This waiver petition approval will remain valid as long site development plan, SDP-11-040, is in active plan processing.

If you have any questions, please contact Michael Antol at (410) 313-2350 or email at mantol@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief,
Division of Land Development

KS/MA/WP11201.appr.ltr.

cc: File
Research
DED
SDP-11-040
R. Vogel Engineering, Inc.