



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
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Marsha S. McLaughlin, Director

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August 14, 2012

Park Overlook
9695 Norfolk Avenue
Laurel, MD 20723

Dear Sir or Madam:

RE: WP-13-009, Park Overlook (ECP-12-056) (A Resubdivision of North Laurel Park, Block 5, Lots 12-30, Block T, Lots 19-25, and Block 8, Lot 35)

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 16.120(c) (4)** – Single-family attached lots shall have a minimum 15 feet of frontage on a public road. Single-family attached lots may be approved without public road frontage provided they front on a commonly owned area containing a parking area or private road not exceeding a length of 200 feet measured from the edge of the public road-of-way along the centerline of the private road. The proposed private road, "Road A" is 281 feet in length from the edge of Washington Avenue right-of-way line. Lots 18 and 19 are about 247± from the public street right-of-way line. **Section 16.121(a) (4) (i)** – all residential subdivisions with more than 10 dwelling units shall provide recreational open space.

Approval is subject to the following conditions:

1. The petitioner or designee shall be responsible for maintenance of safe vehicular access to all residential units. This shall include, but is not limited to, maintenance of the private road providing access to the residential units, maintenance of the private road system including for snow removal and plowing services on the private road.
2. Upon completion of any portion of the proposed residential development, the petitioner or designee shall provide private trash removal services to the development.
3. The proposed single-family attached lots must be adequately screened from the neighboring property. In addition, compliance with the Landscaping Manual will be required.
4. On all future subdivision plans and site development plans, provide a brief description of waiver petition, WP-13-009, as a general note to include requests, sections of the regulations, action and date.

Our decision was made based on the following:

Extraordinary hardship or practical difficulties which may result from strict compliance with the Regulations – A private road for Road "A" is adequate and safe for this type of development which is similar to other SFA unit developments located within Howard County. In addition, the nature of the proposed site design does not require a public road because the private road can be maintained by the Homeowners Association and such maintenance would be burdensome to the County. As part of this resubdivision plan proposal, the developer is extending Meredith Avenue, Washington Avenue and Hill Street as public road extensions.

Not Detrimental to the Public Interest - Approval of the waiver request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding properties. The proposed townhouse units are appropriate for this R-SC zoned land. A waiver to public road frontage for a few lots to extend Road A from 200' to 281' will not be detrimental to the public since the road will be privately maintained and will only serve those lots who reside in the community. In addition, the private road will be required to meet County standards.


The use of cluster development in this project allows the developer to preserve and protect significant areas of open space to protect environmental features (wetlands, forest), and buffers and allows for retention of existing forested areas to help screen and buffer the surrounding community.

Will Not Nullify the Intent or Purpose of the Regulations - Approval of this waiver request will not nullify the intent or purpose of the regulations. The intent of the regulations is to provide safe access to the property. The private road to serve the fee-simple lots will be the same type road designed to serve the single-family attached units located on Washington Avenue. The creation of the fee-simple lots will have no impact on the safety or adequacy of the road system.

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 remains in active processing.

If you have any questions, please contact Brenda Lubber at (410) 313-2350 or email at BLubber@howardcountymd.gov.

Sincerely,


Kent Sheubrooks, Chief
Division of Land Development

KS/BL

cc: Research
DED
Real Estate Services
Benchmark Engineering, Inc.
ECP-12-056