



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

Marsha S. McLaughlin, Director

[www.howardcountymd.gov](http://www.howardcountymd.gov)

FAX 410-313-3467

TDD 410-313-2323

January 17, 2014

JBRK, LLC  
P.O. Box 57  
Dayton, MD 21036

Walter F. Gainer, etal  
7521 Cemetery Lane  
Elkridge, MD 21075

Dear Sir or Madam:

RE: WP-14-068, Morris Place (P-13-001)

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.

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 road maintenance, private trash removal services, snow removal to the development until the roads are transferred to the HOA.
3. On all future subdivision plans and site development plans, provide a brief description of waiver petition, WP-14-068, as a general note to include requests, sections of the regulations, action and date.
4. On all future subdivision plans and site development plans, provide a brief description of the design manual waiver, as a general note to include requests, action and date.
5. Compliance with the Development Engineering Division comments dated January 10, 2014.
6. Subject to providing the required visitor and overflow parking spaces for the residential units on the site development plan(s).

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 system would be adequate and safe for this type of development which is similar to other SFA unit developments located within Howard County along U.S. Route 1. 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.

**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 townhouse use is appropriate for this CAC zoned land. A waiver to public road frontage will not be detrimental to the public since the roads will all be privately maintained and will only serve those who reside in the community. In addition, the private roads will be required to meet County road standards. This project is proposing a public road extension of Qudditch Lane from the adjoining Blue Stream development and connecting to Cemetery Lane to provide a public road link through this development. The private internal road system will derive access from Qudditch Lane.

**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 road designed to serve the condominium units. 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 Luber at (410) 313-2350 or email at [BLuber@howardcountymd.gov](mailto:BLuber@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/BL

cc: Research  
DED  
Real Estate Services  
FCC  
P-13-001