



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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FAX 410-313-3467
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April 2, 2015

Audrey King
6567 Freetown Road
Columbia, MD 21044

RE: WP-15-046 Property of James & Audrey King- Lot 4

Dear Ms. King:

The Director of the Department of Planning and Zoning considered your request for reconsideration of 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 16.132(a)(iv)- Road Improvements, Section 16.134(a)- Sidewalks, Section 16.135- Street Lighting and Section 16.136- Street Trees.**

Approval is subject to the following conditions:

1. Approval is subject to the payment of a fee-in-lieu of construction of sidewalks and curb & gutter in the amount of \$20,806.50. Provide a receipt from DPW- Real Estate Services verifying this payment with the submission of the plat originals.
2. All efforts shall be made during construction to protect the specimen trees located along the frontage of Freetown Road. Tree protection fencing shall be placed along the dripline and grading shall be minimized in this area to protect the trees from construction impacts.
3. A note shall be placed on F-14-097 and all subsequent plans referencing this waiver petition and the payment of a fee-in-lieu of construction of sidewalks and curb & gutter.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

Although road improvements (sidewalk and curb & gutter) exist along Freetown Road, the improvements exist beyond 250 feet of the property boundary. To create improvements along the property frontage would not provide a connection to the existing improvements and would essentially create an island effect. This would mean that a pedestrian would be required to cross Freetown Road at a location not at a road intersection and would put the pedestrian in an unsafe situation. Also, to provide road improvements would cause detrimental impact to two existing specimen trees located approximately 14 feet from the edge of the pavement. The trees are located on a slope up from Freetown Road and the root systems would be significantly disturbed with the required grading and would likely be required to be removed. The owner opposes sidewalk in this area.

Many street lights exist in the vicinity along Freetown Road and additional lighting would not be beneficial in this area. There are two existing specimen trees, several evergreens, shrubs and multiple site trees in the front yards that are proposed to remain. Additional perimeter landscaping is proposed along the right-of-way as part of the landscape buffer requirements for Lot 7.

Not Detrimental to the Public Interest

The addition of sidewalk would be unsafe for pedestrians since it would not connect to the existing improvements in the vicinity. There is existing sidewalk along the property's frontage on the other side of Freetown Road. Additional trees and lighting would not greater serve the public since more trees could face competition with the existing trees and additional lighting could potentially increase the light intensity in the area and lead to over-lighting of the street.

Will not nullify the intent or purpose of the regulations

Although the intent of the Regulations is to have sidewalk and road improvements, this property has been in the family for 65 years without the improvements. The addition of one family lot will not change the conditions of the property. An established sidewalk system exists along the property frontage of the school on the opposite side of Freetown Road, so the intent of having pedestrian access routes is already in place. Also, it would not nullify the intent of the Regulations if additional trees or lighting were not required since there are already multiple trees and street lights that exist onsite and within the right-of-way.

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 Eric Buschman at (410) 313-2350 or email at ebuschman@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/eb

cc: Research
DED
Real Estate Services
FCC