



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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December 10, 2014

Walter and Gladys Novak  
c/o Mildenberg and Boender  
7350-B Grace Drive  
Columbia, MD 21044  
ATT: Maya Mildenberg

RE: WP-15-072/Gladys Woods  
Lots 1 to 3 (F-15-005)

Dear Ms. Mildenberg:

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

As of the date of this letter, the Planning Director approved your waiver request to Section 16.119(f)(1), requiring that when a subdivision fronts on a major collector or arterial road, the street layout should provide access by a lower classification of public road, subject to the following conditions:

1. A "Vehicle Ingress/Egress Restriction" note shall be added to the plat and supplemental plan along the Waterloo Road (MD Rt. 104) frontage of Lot 3, except at the location of the existing driveway.
2. Approval of this waiver request shall not be construed to allow the creation of Lots 1 and 2 of this subdivision at a lot size below the minimum 20,000 sq.ft. (minus the area of the pipestems). A redesign of this subdivision may be necessary.

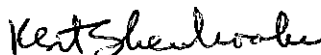
Justification for Approval:

1. Extraordinary hardships or practical difficulties will result from strict compliance with the Regulations. The applicant proposes the development of the parcel into three building lots. Lots 1 and 2 will gain access from a use-in-common access easement onto Horseshoe Road. This access easement will also be shared with Lots 2 and 3 of the adjoining Acra Property Subdivision (F-14-074). Lot 3 contains an historic house to remain identified as HO-889 "Lotz House Circa 1900," having an existing driveway onto Waterloo Road (MD Rt. 104), a minor arterial. Lot 3 will consist of approximately 40,000 sq.ft. and currently has 60' of road frontage. The existing driveway has been constructed mostly down the center of the parcel and to the east of the historic house. Lots 1 and 2 will be created at the rear of Lot 3 and have pipestem access to the northeast onto Horseshoe Road. Creating a pipestem for Lot 3 is not feasible in this case since other lots will also share the access easement from a neighboring subdivision. Although the total number of lots utilizing the easement is currently four, a larger parcel with possible subdivision potential also adjoins the easement. In addition, requiring Lot 3 to gain access onto Horseshoe Road would cause a redesign of all lots and require an extensively long driveway for Lot 3 which would approach the rear of the existing house and greatly affect the historic integrity of the property. The developer has considered all alternatives for subdivision of this parcel and in the preservation of the historic nature of the house. Due to the unusual and irregular shape of the site, and the location of existing structures on Lot 3, practical difficulties would exist if the developer were unable to retain access onto Waterloo Road. The better solution is to allow the existing driveway to Waterloo Road on Lot 3 to remain.

2. The intent of the Regulations will still be served to a greater extent through implementation of an alternative proposal and approval of the waiver request(s) will not nullify the intent of the Regulations. The intent of the regulations is for the safe and orderly subdivision of the parcel. Allowing the existing driveway to remain on Lot 3 will have no effect on the surrounding properties and cause no disturbance on Lot 3. No removal of existing vegetation or grading will be necessary. An existing tree line along the northern property line of Lot 3 will be retained and will serve to buffer the historic house from new Lots 1 and 2. Vehicular ingress/egress restriction notes will be added along the road frontage of Lot 3 on Waterloo Road, except at the driveway location.
3. Approval of the waiver request(s) will not be detrimental to the interests of the public. The applicant is attempting to develop the site in a safe and orderly manner while meeting storm water management, subdivision and zoning requirements. A None-Buildable Bulk Parcel A of the adjoining Acra Property (F-14-074) will be conveyed to Lots 1 and 2 of the Gladys Woods Subdivision and provide pipestem road frontage onto Horseshoe Drive. The Gladys Woods Subdivision plan went before the Historic District Commission on September 4, 2014, and it was determined that the Cedar Trees and forested area to the north would be retained so as to create a buffer around the new homes from the historic house. Allowing the existing driveway on Lot 3 to stay, therefore, will have little effect to the surrounding neighborhood and be in the best interest to nearby property owners.

Indicate this waiver petition file number, request, section of the regulations, action taken, date and conditions of approval on all related future plats, site development plans and and/or building permits. This requested waiver will remain valid for as long as the applicable development plans are active. Should you have any questions regarding this matter, please contact Brenda Barth at (410) 313-2350 or email: [bbarth@howardcountymd.gov](mailto:bbarth@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development



:btb

cc: Research/DED  
F-15-005