



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

July 18, 2018

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

WP-18-140 (Delacour at Blue Stream)  
(associated with SDP-18-022 and F-18-113)

Dear Mr. Sagner:

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

As of the date of this letter, the Planning Director **approved** your request for an alternative compliance of **Section 16.120(c)(4)** which requires that single-family-attached lots shall have a minimum of 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 right-of-way along the centerline of the private road.

Approval is subject to the following conditions:

1. A Home Owner's Association will be created that will be the responsible party for the maintenance of the private roads and stormwater conveyance and management facilities. Water and sewer shall be public and maintained for each unit within the recorded public easement.
2. A General Note outlining WP-18-140 shall be added to all related plans, including SDP-18-022. The note shall include applicable Section numbers, date of decision and shall list out all conditions.

The Planning Director's decision was made based on the following:

Extraordinary hardships or practical difficulties:

According to the applicant's justification, "the applicant is requesting that the maximum distance from the edge of the public road right-of-way measured along the centerline of the private road to a single family attached lot be increased from 200' to 500'. This request is consistent with the existing townhouse Sections 1 and 2 communities at "Blue Stream". The private road network proposed has been designed to accommodate fire vehicles, private trash collection and school buses. Each community within "Blue Stream" has its own Association, which is responsible for the coordination of the private trash collection, snow removal and maintenance of the common areas (owned by the HOA). The County would therefore not incur the cost and liability of these services for homes located along the private roads.

Should the alternative compliance request not be granted, the project would be required to be re-designed to meet public road and right-of-way requirements which in turn would change the character of the existing neighborhood and would affect allowable density.

**Detrimental to the Public Interest or Nullifies the Intent or Purpose of the Regulations:**

The Intent of the Regulations is served to a greater extent by granting of the alternative compliance, because it increases the quality and timeliness of services and reduces costs to the County. There are approximately 74 townhouses lots which will be located beyond 200' from the edge of the public right-of-way. (There are also 30 stacked townhomes which are considered multi-family units and therefore are not subject to the 200' limitation). The proposed private service arrangement is a proven practice and not detrimental to the public's interest.

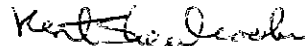
A Homeowner's Association (HOA) will be formed for this development and all private roads, sidewalks, open spaces, storm drains and stormwater management facilities will be owned and maintained by the HOA.

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Indicate this alternative compliance 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 alternative compliance approval will remain valid for one year from the date of this letter or as long as a subdivision or site development plan is being actively processed in accordance with the processing provisions of the Regulations.

If you have any questions, please contact Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at [tmaenhardt@howardcountymd.gov](mailto:tmaenhardt@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/TKM/WP-18-140 Delacour at Blue Stream approval 7-18-18

cc: Research  
DED  
Real Estate Services  
Vogel Engineering/Timmons Group