



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

February 27, 2023

Arthur Wells  
5008 Waterloo Road  
Ellicott City, MD 21043

RE: WP-23-072, Wells Property

Dear Mr. Wells:

This letter is to inform you that your request for alternative compliance to the Howard County Subdivision and Land Development Regulations for the subject project was reviewed.

On February 27, 2023 and pursuant to Section 16.104, the Director of the Department of Planning and Zoning, considered and **approved** your request for alternative compliance with respect to **Section 16.119(f)(i)** of the Subdivision and Land Development Regulations to for access for Lot 1 Wells Property remain at MD Route 104 (Waterloo Road) and not via Grove Angle, a lower classification.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.119(f)(i) would result in an unreasonable hardship or practical difficulty. This determination is made with consideration of your alternative compliance application and the four (4) items you were required to address, pursuant to Section 16.104(a)(1):

**1. Strict conformance with the requirements will deprive the applicant of rights commonly enjoyed by others in similar areas.**

Section 16.120(a) of the regulations dictates that residential lots shall not derive direct access from arterial highways or major collector roads. Where residential lots abut such roadways, access to the lots shall be in accordance with section 16.119. Section 16.119(f)(1) of the Regulations requires that street layout provide vehicular access to the subdivision by a lower classification public road when a subdivision fronts on an arterial road. Lot 1 of the proposed Wells Property has an existing house and two garages that will remain and currently face and derive access from Waterloo Road (minor arterial). To comply with the regulation and provide vehicular access from a lower classification public road, the new driveway from Grove Angle Road (local road) for proposed Lot 2 would need to be constructed through the rear of both lots, and the existing driveway to Lot 1 from Waterloo Road would need to be abandoned. This would cause the applicant to demolish the existing garage and remove trees to create a new 3,600 square foot impervious surface driveway. This would deprive the applicant of the right to continue driveway access from Waterloo Road, which is currently enjoyed by neighboring houses in this area that face Waterloo Road.

**2. Uniqueness of the property or topographical conditions would result in practical difficulty; other than economic, or unreasonable hardship from strict adherence to the regulations.**

The property is unique because it abuts two public roads at the front and rear property lines. The existing house to remain faces and has access to Waterloo Road, and the new house will face and gain access from Grove Angle Road. Strict adherence to the regulations results in a less desirable layout and an unreasonable hardship since the

driveway exists and the house and garages, all to remain, currently face Waterloo Road. Strict adherence would require the existing driveway to be re-routed to access Grove Angle Road and would require demolition of the existing garage, removal of trees, and an additional 3,600 sf. of impervious surface.

**3. The Variance will not confer to the applicant a special privilege that would be denied to other applicants.**

Approval of this alternative compliance request will not confer to the applicant a special privilege; it would merely allow the owner to continue their access from Waterloo Road as exists today.

**4. The modification is not detrimental to the public health, safety, or welfare, or injurious to other properties.**

The proposed subdivision does not create any additional lots that would utilize the access point from Waterloo Road. Therefore, it would not be detrimental to the public health; safety or welfare, or injurious to other properties as site conditions for the existing house would remain the same.


Approval of this Alternative Compliance is subject to the following conditions:

1. Access to the site is restricted to the access points approved under F-23-025.
2. Add the Alternative Compliance Request number, purpose, section, date, and conditions on all subsequent plan submissions.

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 Jennifer Wellen at (410) 313-2350 or email at [jwellen@howardcountymd.gov](mailto:jwellen@howardcountymd.gov).

Sincerely,

DocuSigned by:  
  
1EB75478A22B49A...

Anthony Cataldo, AICP, Chief  
Division of Land Development

AC/jw

cc: Research  
DLD - Julia Sauer  
Real Estate Services  
Benchmark Engineering



**DPZ Office Use only:**  
 File No. *Wp 23072*  
 Date Filed

**ALTERNATIVE COMPLIANCE APPLICATION**

**Site Description:** existing unrecorded parcel with existing house and driveway

**Subdivision Name/Property Identification:** Wells Property F-23-025

**Location of property:** 5008 Waterloo Road

**Existing Use:** residential      **Proposed Use:** residential

**Tax Map:** 31      **Grid:** 13      **Parcel No:** 45      **Election District:** 2nd

**Zoning District:** R-20      **Total site area:** 1.30 Ac+/-

Please list all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, alternative compliance petitions, etc.). If no previous plans have been submitted, please provide a brief history of the site and related information to the request:

ECP-23-012 signed on 12.5.2022  
 F-23-025 submitted for 2nd review on 2.1.2023

In the area below, the petitioner shall enumerate the specific numerical section(s) from the Subdivision and Land Development Regulations for which an alternative compliance is being requested and provide a brief summary of the request. Please use the additional page if needed.

Section Reference No.	Brief Summary of Request
16.119(f)(1)	Request to allow the existing driveway to continue to access off a minor arterial road (Waterloo Road)

Section Reference No.	Brief Summary of Request

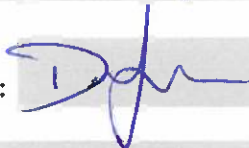
Signature of Property Owner:



Date:

2-2-2023

Signature of Petitioner Preparer:



Date:

2/2/2023

Name of Property Owner: Arthur Wells

Name of Petition Preparer: Benchmark Engineering, Inc

Address: 5008 Waterloo Road

Address: 3300 N. ~~Chatham~~ Ridge Road, Suite 140

City, State, Zip: Ellicott City, MD 21043

City, State, Zip: Ellicott City, MD 21043

E-Mail: jwells@globalwinemd.com

E-Mail: dthompson@bei-civilengineering.com

Phone No.: 410-207-2188

Phone No.: 410-465-6105

Contact Person: Jackie Wells

Contact Person: D. Thompson

Owner's Authorization Attached