



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
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Marsha S. McLaughlin, Director

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May 29, 2012

Jason Van Kirk  
Elm Street Development  
5074 Dorsey Hall Drive, Suite 205  
Ellicott City, Maryland 21042

Re: Walden Woods  
Waiver Petition WP-12-131

Dear Mr. Van Kirk:

The Director of the Department of Planning and Zoning considered your request for a waiver of Subsections 16.116(a)(2)(i), 16.116(a)(2)(ii) and 16.120(c)(4) of the Howard County Subdivision and Land Development Regulations. Waiver approval allows development activities to take place within 50 feet of an intermittent streambank and within 75 feet of a perennial stream and allows single-family attached lots to have minimum public road frontage of less than 15 feet.

As of the date of this letter the Planning Director approved your request, subject to the following conditions:

1. Petitioner or designee shall be responsible for maintenance of safe vehicular access to all residential units upon completion of said units. This shall include but not be limited to maintenance of the private road providing access from Gorman Road to residential units and snow removal from the private road.
2. Upon completion of any portion of the proposed residential development, petitioner or designee shall provide private trash removal services to the development.
3. Petitioner shall investigate design measures, including but not limited to the use of 2:1 slopes and retaining walls, to avoid or minimize impacts to the stream buffers resulting from the project.

Our decision to approve the waiver was made based on the following:

*Extraordinary hardship or practical difficulty may result from strict compliance with the regulations.*

The petitioner would incur an extraordinary hardship if required to comply strictly with the regulations, and modify the plan to provide the required frontage to all single-family attached units and avoid all stream buffers. The proposed stormwater management plan, consisting of permeable pavement, dry wells and rain gardens in the front of the lots, and features not typically allowed in the County right-of-way, would have to be revised radically should the waiver be denied (and result in potentially greater impacts to environmental areas, including stream buffers and forest, than those proposed).

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*Waiver approval is not detrimental to the public interest.*

Approval of this waiver based on the petition submitted, in conjunction with adherence to the conditions enclosed, will not be detrimental to the public interest. It will have no adverse effect on adjacent properties, the surrounding community, or Howard County as a whole.

The justification for recommendation was supported by information provided by the petitioner.

Indicate this waiver petition file number, section of the regulations, date and conditions of approval on all related subdivision and site development plans and grading permit applications. This waiver will remain valid for one year from the date of this letter or as long as the development referenced remains in active processing.

Should you have any questions please contact Dave Boellner by telephone at 410-313-3956 or by e-mail at [dboellner@howardcountymd.gov](mailto:dboellner@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
DPZ, Division of Land Development

KS/DBB:dbb

CC: DPZ, Research  
DPZ, DED  
Bohler Engineering  
Joseph and Sharon Sanchez  
Harry and Lena Speorl  
George and Irene Voneiff  
Anthony Riggilo  
Cindy DelZoppo