



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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August 15, 2012

Quartz Hill II, LLC
c/o c. Alan Sharp
4003 Jennings Chapel Road
Brookville, MD 20833

Dear Mr. Sharp:

RE: WP-13-014, Quartz Hill II Subdivision

The Director of the Department of Planning and Zoning considered your request for 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 16.119(f) (3)** to allow two separate direct driveway access entrances onto a major collector road, Old Frederick Road, a restricted access road.

Approval is subject to the following conditions:

1. On all plans, along the frontage of Old Frederick Road add the following note, "vehicular ingress and egress restricted" except for the two approved access points, each of which shall be allotted a 24' wide opening for driveway access. Show and dimension these approved access points on all future plan submittals.
2. On all future plan submittals, provide a brief description of waiver petition, WP-13-014, as a general note to include request(s), section(s) of the regulations, action and date.
3. Submission of a preliminary equivalent sketch plan is required for subdivision of 5 or more lots including a buildable preservation parcel.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty: Strict compliance with the Regulations will cause unnecessary hardship and practical difficulties to occur if the applicant were not permitted the two access points in this case. The two use-in-common driveways would require less impervious area than the construction of a short public road to serve the proposed lots/parcel. Approving the subdivision with two shared driveways instead of a public road will require the property owners to maintain their driveways instead of the County thus eliminating an expense to the County. Reasonable direct access is provided at two locations for this subdivision due to topography constraints unique to the subject property.


Not Detrimental to Public Interest: Approval of this waiver request will not be detrimental to the public interest because safe vehicular access will be provided. The Development Engineering Division has determined that the proposed access points will provide adequate sight distance and the two driveways will serve the same intent as a public road providing safe vehicular access for this subdivision. Two short length use-in-common driveways are proposed versus an overly elongated public road to serve 8 buildable lots and parcel in this case to preserve existing forested steep slope areas from extensive grading and clearing.

Not Nullify the Intent of the Regulations: The intent of the Regulations is to ensure that properties have sufficient, legal and safe access onto an approved County road. The approval of the waiver request will not nullify the intent or purpose of the Regulations since the proposed accesses comply with all required sight distance requirements and will serve the same intent as a public road. All SRC agencies have recommended approval of this waiver request. The two use-in-common driveways and lot arrangement have been designed to preserve the natural topography and forested areas for this development.

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 Brenda Lubber at (410) 313-2350 or email at BLubber@howardcountymd.gov.

Sincerely,


Kent Sheubrooks, Chief
Division of Land Development

KS/BL

cc: Research
DED
Real Estate Services
Vanmar Associates