



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

www.howardcountymd.gov

FAX 410-313-3467

TDD 410-313-2323

January 30, 2015

Thomas Samuel & Sissy Ambily
5517 Trotter Road
Clarksville, MD 21029

RE: WP-15-090, Criswood Manor, (F-14-125)

Dear Mr. Samuel & Mrs. Ambily:

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 16.132(a)(2)(i)** – Requiring construction of road improvements on one side of a local road fronting the proposed subdivision to current standards; **Section 16.134(a)** – The construction of sidewalks. The applicant is requesting a waiver of road improvements including curb, gutter and sidewalk.

Approval is subject to the following conditions:

1. The developer shall provide a fee-in-lieu for the required road improvements for the street lights, sidewalks and paving section for the public road frontage of the subject property along Trotter Road. Payment of the fee-in-lieu shall be provided and placed in an appropriate account designated by the Development Engineering Division with the processing of F-14-125. (See DED comments dated 1/12/15)
2. Compliance with comments issued for the final plat, F-14-125.
3. See attached recommendation from the Public School System for a school bus waiting area.

Our decision was made based on the following:

Extraordinary hardship or practical difficulties

Strict compliance with the above regulations would create practical difficulty, as the provision of curb, gutter sidewalks and street lights would create an impractical and unattractive discontinuity of the existing, well-established open section streetscape. Additionally, if required to provide sidewalks along Trotter Road they would not provide connection to any existing improvements. The owner/developer proposes to pay a fee-in-lieu of roadway improvements for this project.

Alternative Proposal

The alternative proposal would require the applicant to provide curb, gutter and sidewalks, street lights along the property frontage during the subdivision process. Requiring the developer to provide these features would create an impractical and unattractive discontinuity of the existing, well-established streetscape for an open section of the road. Therefore, this Division does not recommend the installation of sidewalks and street lights in this situation. Existing trees adjacent to the public road are being saved as street trees.

Not Detrimental to the public interest

The waiver request will not be detrimental to the public interest since there are no sidewalks, street lights

or street trees along this portion of Trotter Road, the installation of these features would be inconsistent with the character of the neighborhood, and may serve to disturb vicinal residents who are accustomed to the existing open road section condition containing no curbs, gutter and sidewalks.

Will not nullify intent or purpose of the regulations

Approval of this waiver request will not nullify the Intent or Purpose of the Regulations because not requiring the applicant to provide sidewalks and street lights will help preserve the existing character of the neighborhood. Additionally, the developer proposes providing a fee-in-lieu of the required road improvements. Finally, approval of this waiver request will satisfy the intent of the Regulations by permitting fairness and consistency in the application of plan processing procedures


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

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/MS
cc:  Research
DED
Real Estate Services
F-14-125
FCC