



# 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

April 4, 2017

Mark and Patricia Wheeler  
10617 Hunting Lane  
Columbia, MD 21044

RE: WP-17-090, Holiday Hills, Lots 125 & 126 (F-17-071)

Dear Mr. & Ms. Wheeler:

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 16.132(a)(2)(I)** – Construct one side of the road up to one-half of the full designated pavement width; **Section 16.134(a)(1)(i)** - In residential subdivisions and site developments, the developer shall construct sidewalks along the project frontage; **Section 16.135** – Street Lighting and **Section 16.136** – Street tree requirements

Approval is subject to the following conditions:

1. Compliance with the attached DED comments dated March 29, 2017 and Office of Transportation comments dated March 9, 2017 requiring the payment of a fee-in-lieu for the sidewalks and road improvements along the property frontage to be determined and provided with F-17-071.
2. Add a general note referencing the file number, sections requested, the approval date and any approval conditions for WP-17-090.
3. The existing front yard landscape trees shall remain as a suitable substitute for required street trees.

Our decision was made based on the following:

*Extraordinary hardship or practical difficulties* - There are no existing road improvements along Hunting Lane. To create improvements along the property frontage would not provide connection to the existing improvements and would put the pedestrians in a very unsafe situation. Only one additional house is being added to the property and fee-in-lieu will be required for payment for the sidewalks and street lighting. Existing front yard landscape trees shall remain in place as substitution for required street trees.

*Alternative Proposal* - The alternative proposal would require the applicant to provide sidewalks, along the property frontage of an already established neighborhood. 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 which has no destinations for a pedestrian connection.

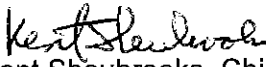
*Not Detrimental to the public interest* - The Alternative Compliance Petition request will not be detrimental to the public interest since there are no sidewalks, existing on Hunting Lane, the installation of these features would be inconsistent with the character of the neighborhood, and may serve 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 Alternative Compliance Petition request will not nullify the Intent or Purpose of the Regulations because not requiring the applicant to provide sidewalks will help preserve the existing character of the neighborhood. Additionally, the developer would be required to provide a fee-in-lieu of the required sidewalks. Finally, approval of this Alternative Compliance Petition request will satisfy the intent of the Regulations by permitting fairness and consistency in the application of plan processing procedures.

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,

  
Kent Sheubrooks, Chief  
Division of Land Development

KS/jw

cc: Research  
DED  
Real Estate Services  
FCC  
F-17-071  
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