



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

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

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

May 9, 2019

David Woessner
308 Magothy Road
Severna Park, MD 21146

RE: WP-19-083, Arnold's Corner

Dear Mr. Woessner:

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 16.134(a) of the Subdivision and Land Development Regulations**, which states, "The developer shall construct sidewalks on both sides of all streets in the project and along the project frontage. The request is not to construct curb, gutter and sidewalk along the property's frontage along Md. Route 108, but to pay a fee-in-lieu."

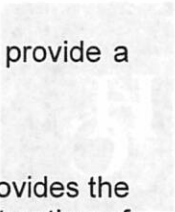
Approval is subject to the following conditions:

1. Post a fee-in-lieu for sidewalk construction for the property frontage along MD Route 108. Coordinate with DED, DPW and SHA regarding the proper agency and process to pay the fee-in-lieu.
2. Coordinate with SHA and the County regarding making any improvements, if necessary, to the ramps, signals or crosswalk or across Route 108 to ensure that pedestrians can safely access the sidewalk on the north side of Route 108.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties: There are sidewalks currently along Phelps Luck Drive. There are no existing sidewalks on the south side of Route 108 west of Phelps Luck Drive. Therefore, there would be no opportunity to connect to an existing system. Further, State Highway Administration (SHA) and the County do not have capital plans to construct sidewalk and/or curb & gutter in the area. SHA prefers that safe connections are made for pedestrians to use the sidewalk on the north side of Route 108.

Alternative Proposal: Providing a fee-in-lieu will provide more benefit to the County than a small portion of sidewalk that will not be connected to any other sidewalk improvement in the foreseeable future.

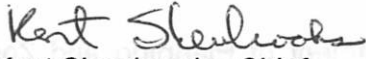


Not Detrimental to the Public Interest: Providing safe access to the north side of Route 108 will provide a better community benefit for access to shopping and Howard High School.

Will Not Nullify the Intent or Purpose of the Regulations: The proposed solution of a fee-in-lieu provides the greatest community benefit to fund projects that will have greater community impact and avoid construction of an isolated facility that will dead-end at the property line with no change for connectivity for the foreseeable future.

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 Jill Manion at (410) 313-2350 or email at jmanion@howardcountymd.gov.

Sincerely,

Kent Sheubrooks, Chief
Division of Land Development

S/JAM

- c: Research
- DED
- Real Estate Services
- Bohler Engineering