



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

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

Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

August 5, 2021

Darnell Taylor  
5456 Wild Lilac  
Columbia MD 21045

RE: **WP-21-142 Columbia Village of Long Reach**, Sect. 1, Area 1, Lot F-34

Dear Mr. Taylor:

This letter is to inform you that your request for alternative compliance to the Howard County Subdivision and Land Development Regulations for the subject project was reviewed.


On August 3, 2021 and pursuant to Section 16.116(d), the Director of the Department of Planning and Zoning, Director of the Department of Public Works and Administrator of the Office of Community Sustainability considered and **approved** your request for alternative compliance with respect to **Section 16.116(a)(2)(i)** of the Subdivision and Land Development Regulations to construct a 240 SF wooded deck addition in the 50-foot stream bank buffer.

Please see the attached Final Decision Action Report for more information.

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.

If you have any questions, please contact Derrick Jones at (410) 313-2350 or email at [djones@howardcountymd.gov](mailto:djones@howardcountymd.gov).

Sincerely,

DocuSigned by:  
  
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Anthony Cataldo, AICP, Chief  
Division of Land Development

AC/dj

cc: Research  
DED  
DLD - Julia Sauer  
Zoning – Annette Merson  
DILP – Permit Review



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## ALTERNATIVE COMPLIANCE FINAL DECISION ACTION REPORT

DEPARTMENT OF PLANNING AND ZONING  
DEPARTMENT OF PUBLIC WORKS  
OFFICE OF COMMUNITY SUSTAINABILITY

**RE:** **WP-21-142 Columbia Village of Long Reach, Section 1, Area 1, Lot F-34**  
*Request for an alternative compliance to Section 16.116(a)(2)(i) of the Subdivision and Land Development Regulations.*

**Applicant:** Darnell Taylor

Pursuant to Section 16.116(d), the Director of the Department of Planning Zoning, Director of the Department of Public Works and the Administrator of the Office of Community Sustainability considered and **approved** the applicants request for an alternative compliance with respect to **Section 16.116(a)(2)(i)** of the Subdivision and Land Development Regulations. The purpose is to construct a 240 SF wooded deck addition to a townhome dwelling in the 50-foot stream bank buffer. The Directors deliberated the application in a meeting on August 3, 2021.

Each Department hereby determines that the applicant has demonstrated to its satisfaction that strict enforcement of the above-cited regulation would result in unreasonable hardship or practical difficulty. This determination is made with consideration of the alternative compliance application and the seven (7) items the applicant was required to address, pursuant to Section 16.104(a)(1) and Section 16.116(d):

**1. Strict conformance with the requirements will deprive the applicant rights commonly enjoyed by others in similar areas.**

A stream channel and a 100-year floodplain is situated in an open space lot (Lot F-133) that abuts the rear of the subject property. The 50-foot stream bank buffer covers most of the property, including the townhome dwelling and the entire rear yard. There are 27 townhome lots that either abut the open space from the rear or the side and all 27 lots are encumbered with the 50-foot stream bank buffer. The neighborhood was platted prior to the Subdivision and Land Development Regulations requiring buffers to streams. As such, the 50' stream buffer impacts many lots on either side of the stream and there are many homes with previously constructed decks that project into that buffer. The applicant seeks the same opportunity here with an elevated deck projecting from the second level of the home. The ground plane disturbance will be limited to the minimum necessary for footers needed for the deck construction.

**2. The uniqueness of the property or topographical conditions would result in practical difficulty, other than economic, or unreasonable hardship from strict adherence to the regulations.**

This lot was created in 1974 before stream bank buffers were regulations by the Howard County Subdivision and Land Development Regulations; therefore, no stream bank buffers is shown on the recorded plat. This creates a practical difficulty in complying with the regulations since the lot was created and the house was constructed prior to being subject to the stream bank regulations.

**3. The variance will not confer on the applicant a special privilege that would be denied to other applicants.**

Approval of this alternative compliance would not confer the applicant a special privilege that would be denied to other applicants. The neighboring properties are affected by the 50-foot stream bank buffer, as there are 27 existing townhome dwellings that are situated within the stream bank buffer. Many of the neighboring properties already have decks constructed with impact the stream buffer.

**4. The modification is not detrimental to the public health, safety or welfare or injurious to other properties**

The approval of this alternative compliance is not detrimental to the public health, safety or welfare, or injurious to other properties. The disturbance is minimal and limited to the installation of footers and will not change the grade of the existing rear lawn.

**5. Any area of disturbance is returned to its natural condition to the greatest extent possible.**

Approval of the alternative compliance is to permit minimal disturbance to install footers and construct an above-ground deck. The applicant is not permitted to grade the property or remove vegetation. All disturbed areas will be seeded after construction.

**6. Mitigation is provided to minimize adverse impacts to water quality and fish, wildlife, and vegetative habitat.**

There is no evidence that this proposal will have any adverse impacts to water quality and fish, wildlife, and vegetative habitat. The only disturbance is to install the deck footings. The construction will not result in grading or removal of vegetative and any disturbance will be seeded after construction and returned to planted lawn.

**7. Grading, removal of vegetative cover and trees, or construction shall only be the minimum necessary to afford relief and to the extent required to accommodate the necessary improvements. In these cases, the least damaging designs shall be required, such as bridges, bottomless culverts or retaining walls, as well as environmental remediation, including the planting of the areas where grading of vegetative cover or trees has taken place, utilizing best practices for ecological restoration and water quality enhancement projects.**

The construction of the above-ground deck does not require removal of vegetation or trees. The disturbance required for construction is minimal necessary to install proper footing to support the elevated deck and will not require a grading permit.

**Directors Action:** Approval of alternative compliance of Section 16.116(a)(2)(i) is subject to the following conditions:

1. The disturbance to the stream bank buffer shall be limited to the 240 SF area that is shown on the plan exhibit filed with this petition.
2. No grading or removal of vegetative cover or trees is permitted within the 50-foot stream bank buffer. Disturbance is limited to that necessary to install footings and construct the deck. All disturbed areas shall be seeded after construction is complete.
3. The applicant shall comply with all building permit requirements from the Department of Inspections, Licenses and Permits.

WP-21-142 Village of Long Reach, Lot F-34

Page 3

DocuSigned by:

*Amy Gowan*

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Amy Gowan, Director  
Department of Planning and Zoning

DocuSigned by:

*Thomas Meunier*

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Thomas Meunier, Director  
Department of Public Works

DocuSigned by:

*Joshua Feldmark*

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Joshua Feldmark, Administrator  
Office of Community Sustainability

cc: Research  
DED  
OCS, Joshua Feldmark  
DPW, Thomas Meunier



DPZ Office Use only:
File No.
Date Filed

**ALTERNATIVE COMPLIANCE APPLICATION**

**Site Description:** Townhome Community  
**Subdivision Name/Property Identification:** Wood Creek  
**Location of property:** 5456 Wild Lilac. Columbia MD 21045  
**Existing Use:** **Proposed Use:**  
**Tax Map:** **Grid:** **Parcel No:** **Election District:**  
**Zoning District:** **Total site area:**

Please list all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, alternative compliance petitions, etc.). If no previous plans have been submitted, please provide a brief history of the site and related information to the request:

Townhome community built in the 1970s.

In the area below, the petitioner shall enumerate the specific numerical section(s) from the Subdivision and Land Development Regulations for which an alternative compliance is being requested and provide a brief summary of the request. Please use the additional page if needed.

Section Reference No.	Brief Summary of Request
16.116.a.2	Build Deck structure into stream bank buffer

Section Reference No.	Brief Summary of Request

Signature of Property Owner:

Darnell Taylor

Date:

6/16/2021

Signature of Petitioner Preparer:

Date:

Name of Property Owner:

Darnell Taylor

Name of Petitioner Preparer:

Address:

5456 Wild Lilac  
Columbia, MD 21045

Address:

City, State, Zip:

↑

City, State, Zip:

E-Mail:

darnelltayloris@yahoo.com

E-Mail:

Phone No.:

443-538-3285

Phone No.:

Contact Person:

Darnell Taylor

Contact Person:

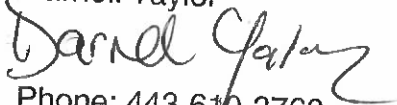
Owner's Authorization Attached

To Whom it may concern,

Good day. I own property 5456 Wild Lilac in the Wood Creek neighborhood in Columbia, 21045. I'm seeking approval to add an addition to my home. A 2nd floor deck that would extend 12' off the back of my home. My property line at the rear of my home, ends at the tree line of a stream/creek. There is roughly 40' between my home and the stream bank. We were informed by our deck builder that the county requires a 100' buffer from the stream/creek. We have 2 creeks that line our neighborhood. None of the homes that back up to or align with the stream/creek are outside of 100'. How the homes are located/positioned in my neighborhood make it difficult to adhere to the regulations of the county. Majority of the homes in my neighborhood have decks, platform decks, and/or fenced in backyards. Some of which line directly up to the tree line of the creek. Some neighboring additional structures (decks, platform decks, and/or fenced in backyards) actually reach directly up to the stream/creek tree line. This is due to the peculiar way Wood Creek was built. Many homes do not have much outside space between the home and stream/creek. The deck I'm requesting will still leave grass space between the deck and the stream/creek. The deck will not interfere with the natural conditions of the stream/creek. There will be no uprooting/removal of vegetation or trees. If by chance an area is disturbed, we will go through the greatest extent to return it back to its natural condition. Please grant this request, and allow my family to enjoy what many of my immediate neighbors have had the rights to enjoy. I have attached some photos and a plat grid of my surrounding neighbors who all line the stream/creek, and who all have decks.

Thank You for your time for this review

Darnell Taylor



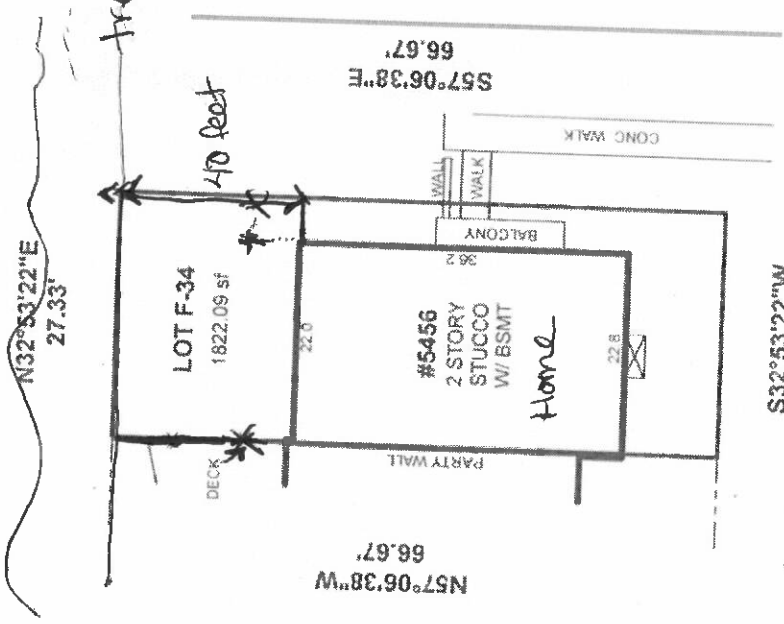
Phone: 443-610-3760

Email: [darnelltayloris@yahoo.com](mailto:darnelltayloris@yahoo.com)

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Wood Creek Townhome Community

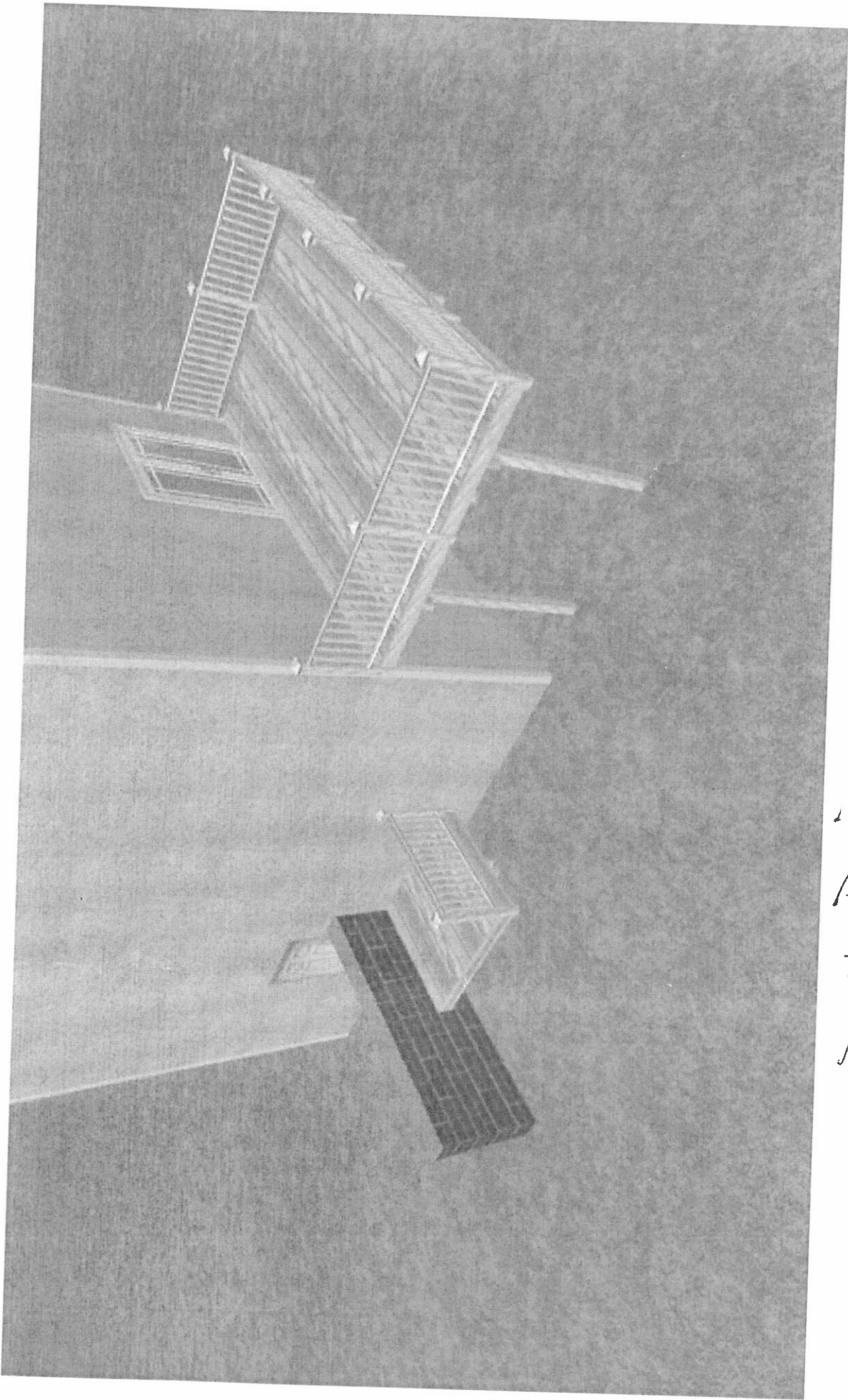
stream bank  
tree line



LEGEND







Deck Design

my Home →

Neighbor  
platform  
deck  
fence

Potential  
deck

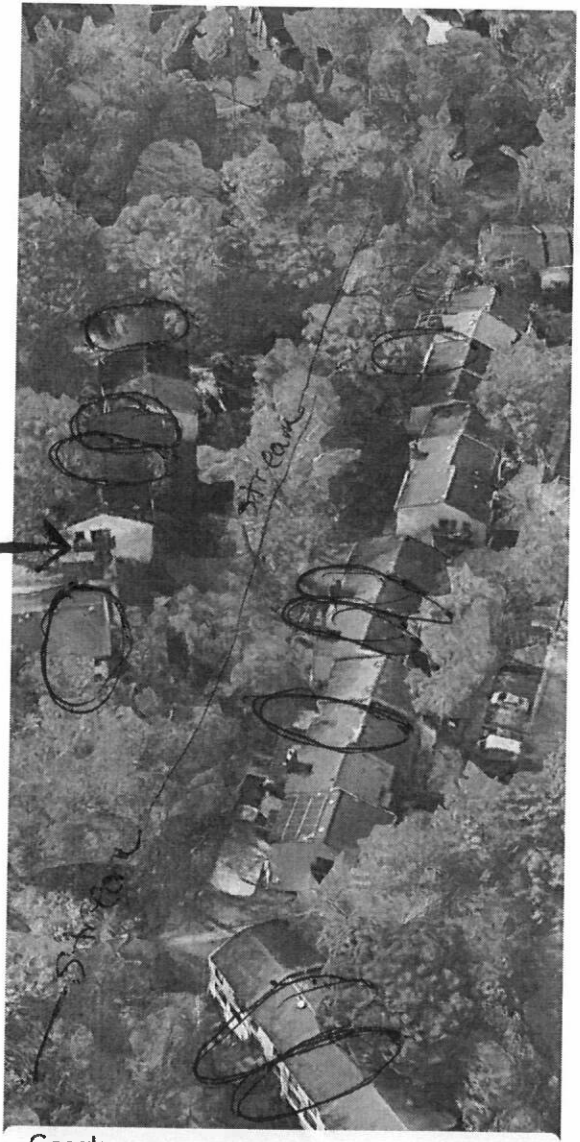
← 10 feet →

post  
post



Circled Nearby Neighbors with deck additions  
Not counting fences or platforms

my townhome



Google (39°13'25"N 76°49'15"W) 944 ft