



# 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

August 9, 2016

Mr. Steve Allnut  
Lanall Renovations  
8171 Maple Lawn Blvd, Suite 150  
Fulton, MD 20759

RE: WP-17-001, Friendship Pines  
(F-16-070 & ECP-15-070)

Dear Mr. Allnut:

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 16.119(f)(1) Access Restrictions, Section 16.119(f)(3) Access Restrictions, and Section 16.120(a)(1) Lot Layout.**

Approval is subject to the following conditions:

1. Compliance with all SRC Agency comments generated with the review of the subdivision plan, F-16-070.
2. The proposed driveway and entrance onto Maryland Route 144 (Frederick Road) should be designed to protect the scenic roadway per Section 16.125 of the Howard County Subdivision and Land Development Regulations and/or approved by an SHA access permit.
3. Include the alternative compliance request number, description, and decision on all associated and future plans.

Approval was based on the following:

#### **Self-Created Hardship:**

The applicant would have experienced hardship and practical difficulty with the development of the property through strict compliance with the regulations. Both the Howard County Design Manual and the Maryland State Highway Guidelines for Residential Entrances were reviewed in reference to the property and the proposed layout. The regulations suggested a shared driveway would require the removal of historic features in order to meet the 20 foot wide minimum width required for a use in common driveway access onto a State highway. Furthermore a use in common driveway would run through the front yard of the existing house and the required access easements would cross over the existing septic system. The existing house is a historic property, and utilizing the existing access would intrude into the historic resources in contradiction to Section 16.118(b)(4) of the Subdivision Regulations. By allowing the independent access the existing historic house and amenities would remain undisturbed and protected.

**Implementation of Alternative Proposal:**

The intent of the regulations is to restrict the amount of access entrances onto minor arterial roads to reduce potential dangers and maintain fluid traffic patterns. Alternatively, an access could have been utilized along a point on McKendree Road. It was determined however that a driveway access along McKendree Road was slightly deficient with regard to sight distance for vehicles exiting the property heading south. Sight distance is limited by mature landscaping, the curvature of the roadway, and the topography of the area. Utilizing an access point along McKendree Road was deemed to be a major undertaking as it would require extensive earthwork, the removal of extensive landscaping and the removal of two specimen trees. The proposed entrance along Maryland Route 144 was evaluated and deemed to be a better choice. The Division of Resource Conservation (Historic Preservation) has recommended approval of the request to maintain the integrity and setting of the historic property. Additionally SHA has issued the petitioner approval for the new access entrance onto MD. Route 144.

**Detrimental to the Public Interests:**

The majority of the existing historic property will be protected on site and will not be impacted by the proposed development. The public interest and existing views along the scenic road will be best served with the preservation of these features. The brick entrance features and the existing landscaping would be preserved in allowing the proposed driveway to access Maryland Route 144 at the western end of the property.

**Nullifies the Intent or Purpose of the Regulations:**

The intent of the regulations is to inhibit the amount of access onto major roads and to reduce potential dangers and maintain fluid traffic patterns. The petitioner has met the minimum sight distance required for the proposed entrance onto Maryland Route 144 as the sight distance does not work for the property along McKendree Road. The petitioner therefore feels that the proposed design is not a nullification of the regulations and the proposed design provides a safer access the alternative designs within the regulations.

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 requested alternative compliance 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 Nicholas Haines at (410) 313-2350 or email at [nhaines@howardcountymd.gov](mailto:nhaines@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/NH

Attachments: DED

cc: Research  
DED  
Real Estate Services  
Leon A. Podolak and Associates