



# 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

November 16, 2017

Horse Farm, LLC  
Attn: Richard Hayward  
9200 Rumsey Road, Suite 200  
Columbia, MD 21045

RE: WP-18-043, Trotter's Knoll, Section II  
Alternative Compliance Determination

Dear Mr. Hayward:

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 16.121(a)(4)(iv)** which requires at least 20 feet of the perimeter of the recreation land front on a public or private road.

Approval is subject to the following conditions:

A 5 foot wide asphalt pathway must be installed as shown on the Alternative Compliance Exhibit submitted with this plan. The pathway must extend from the proposed Trotters Chase roadway to the Recreational Open Space area as shown on the plan.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

Extraordinary hardship would result from requiring at least 20 feet of the perimeter of the recreation land front on a public or private road since the Department of Recreation and Parks is requiring that a state champion specimen tree be preserved in the vicinity of the proposed recreational open space area. The proposed Recreational Open Space areas are the only areas in which all of the Recreational Open Space requirements can be met (with the exception of the frontage requirement). The grading that is necessary to preserve the state champion specimen tree prevents the recreational open space area from fronting on a public or private road. The only way that the developer is able to save the state champion specimen tree (required by Recreation and Parks) and provide the required Recreational Open Space is if and alternative compliance is granted, allowing a 5 foot wide pathway from the private road to the proposed Recreational Open Space in lieu of the road frontage requirement.

Alternative Proposal

The alternative proposal would require the applicant provide at least 20 feet of public or private road frontage for the Recreational Open Space. However, the only way that the developer is able to save the state champion specimen tree (required by Recreation and Parks) and provide the required Recreational Open Space is if and alternative compliance is granted, allowing a 5 foot wide pathway from the private road to the proposed Recreational Open Space in lieu of the road frontage requirement. Additionally, the regulations will be served to a greater extent by preserving the state champion specimen tree and providing an alternate means of access to the Recreational Open Space area. Therefore, requiring at

least 20 feet of public or private road frontage for the Recreational Open Space is not recommended by this Division.

Not Detrimental to the Public Interest

The alternative compliance request will not be detrimental to the public interest since an alternate means of access will be provided to the Recreational Open Space area. Also, granting this alternative compliance will allow the developer to preserve a state champion specimen tree. Therefore, not requiring at least 20 feet of public or private road frontage for the Recreational Open Space will not be detrimental to public interest in this case.

Will not nullify the intent or purpose of the regulations

Approval of this alternative compliance request will not nullify the Intent or Purpose of the Regulations since granting this alternative compliance will allow the developer to preserve a state champion specimen tree while still providing public access to the Recreational Open Space area.

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 J.J. Hartner at (410) 313-2350 or email at [jehartnerhowardcountymd.gov](mailto:jehartnerhowardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/JH

cc: Research  
DED  
Real Estate Services  
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