



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

June 14, 2021

Dave Woessner
9172 Willow Walk
Estero FL 34135

Sent via email to dwoessner2012@gmail.com

RE: WP-21-129 Dorsey's Ridge

Dear Mr. Woessner:

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 June 14, 2021 and pursuant to Section 16.104, the Director of the Department of Planning and Zoning, considered and **approved** your request for alternative compliance with respect to **Section 16.120(c)(4)** of the Subdivision and Land Development Regulations to allow access for Lots 1-3 and 9-22 from a private alleyway that exceeds 200 feet in length.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.120(c)(4) would result in an unreasonable hardship or practical difficulty. This determination is made with consideration of your alternative compliance application and the four (4) items you were required to address, pursuant to Section 16.104(a)(1):

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

Dorsey's Ridge development consists of 55 townhouse lots and two apartment units with a community meeting space within the existing historic Pue-Fulton House. The existing Pue-Fulton House was designed as the focal point of the community in the approved CEF-R plan. A new public road extension is proposed from the terminus of Cooks Lane and will circle around the approximate one-acre Pue-Fulton House lot. The townhouses are arranged on the outside of the public road loop in order to frame the Pue-Fulton House and are oriented to face the public spaces and streets.

Lots 1-3 and 9-11 face the entrance of the development from Cooks Lane and have rear load garages that are accessed from private alleys. Lots 12-22 face the entrance of the Pue-Fulton House, front on a public road with community parallel parking spaces and have rear load garages that are accessed from the private alley shared with Lots 1-3 and 9-11. The alley length for Lots 1-3 and 9-22, however, exceeds the 200-foot maximum length. To comply with Section 16.120(c)(4) of the regulations, the alley could be converted to a public road with a 50-foot public road right-of-way. This would shift the development closer to the Pue-Fulton House and reduce the approximate one-acre lot size which would not be desirable. Lots 12-22 could be designed with front load garages that are accessed from the public road loop and Lots 9-11 could be oriented to face the rear yard of the adjoining

detached residence on Cooks Lane. This would impact the approved plan goals of eliminating garage doors facing the historic Pue-Fulton house and main street approach to the development.

This development was awarded a Community Enhancement Floating (CEF) Zone through a rezoning process, which was based on certain community enhancements and improvements to be provided as part of the development proposal. A major enhancement is the restoration of the Pue-Fulton House and use as apartments and a community meeting space with outdoor amenities. Lots 12-22 were specifically designed with rear load garages to discourage garage doors from facing the front of the Pue-Fulton House. And Lots 1-3 and 9-11 were specifically designed to face the public road and not the side or rear of existing adjoining residences. Strict conformance with the frontage requirements would result in reducing the Pue-Fulton House lot size and green space area. Since the private roads would be constructed to County standards, the appearance and function of the roads would match those commonly enjoyed by others in similar areas and eliminate the need to reduce green open and promote the Pue-Fulton house enhancement.

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

The property's developable area is constrained by limited public road frontage and certain physical conditions such as floodplain, wetlands, streams, their buffers, and forest resources. The overall layout and organization of the public roads have been designed to provide the central focus of the proposed development on the historic Pue-Fulton House, which is situated in the center of the parcel. As such, the placement of the townhouses and their access alleyways have been set in the area available after accommodating those elements. Practical difficulties can be attributed to limited placement options for the townhouses given the fixed position of the Pue-Fulton House, public roads, and the location of the environmental features. To accomplish optimal placement of the townhouses, the applicant has opted to use private roads to achieve a more compact design and create a larger green space for the Pue-Fulton House focal point. This is accomplished because a private alley or road does not have a designed road right-of-way and setbacks can be taken from the road bed itself, thereby reducing the distance between structures and maximizing the space around the historic home. A design alternative to meet the regulations would feature Lots 12-22 with front load garages, and Lots 9-11 facing the rear of the adjoining detached residence. This would not be practical because the development was designed to highlight the Pue-Fulton House and discourage visually distracting elements, such as garage openings, from facing the historic structure and providing optimal privacy from existing residences. Therefore, given all the site constraints and design goals of the approved CEF-R Plan, the preferred alternative is to allow the private roads to exceed 200 feet in length resulting in reduced right-of-way and a larger green space area for the Pue-Fulton House.

3. The Variance will not confer to the applicant a special privilege that would be denied to other applicants and;

The granting of the alternative compliance will not confer a special privilege that would be denied to other applicants. Construction of private roads exceeding 200 feet in length is commonly permitted to allow townhomes that front a public road to be accessed by a rear load garages on a private alleyway.

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

The modification allows for a safe alleyway and therefore, there is no evidence it will be detrimental to the public health, safety or welfare, or injurious to other properties. The applicant has stated that the modifications will provide the affected lots with safe roads that will be constructed to public road standards and will be maintained

privately, with public utilities provided through easements. The allowance for private roads over 200 feet in length to service the townhouses will provide for a larger lot to accentuate the historic Pue-Fulton House as a focal point by eliminating the additional public road right-of-way.

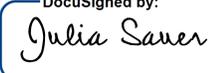
Approval of this Alternative Compliance is subject to the following conditions:

1. The alleys must meet the design standards as required by the DPW's Design Manual.

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 Julia Sauer at (410) 313-2350 or email at jsauer@howardcountymd.gov.

Sincerely,

DocuSigned by:
 for
29266B221B8841E...

Anthony Cataldo, AICP, Chief
Division of Land Development

JS/js

cc: Research
DED
DLD - Julia Sauer
FCC – frankm@fcc-eng.com



ALTERNATIVE COMPLIANCE APPLICATION

Site Description: Cooks Lane

Subdivision Name/Property Identification: Dorsey's Ridge

Location of property: Cooks Lane (Alley 'B')

Existing Use: Residential **Proposed Use:** Residential

Tax Map: 24 **Grid:** 18 **Parcel No:** 260 **Election District:** Second

Zoning District: CEF-R **Total site area:** 7,867 Sq. Ft. / 0.18 acres

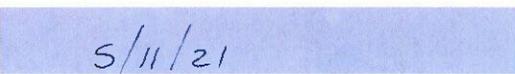
Please list all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, alternative compliance petitions, etc.). If no previous plans have been submitted, please provide a brief history of the site and related information to the request:

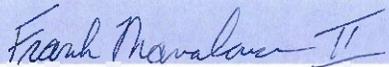
S-89-014, P-89-040, F-89-158, F-05-129, F-09-074, ZB1106M, S-17-006, WP-17-084, WP-18-038, WP-18-136, WP-20-053, and F-19-047

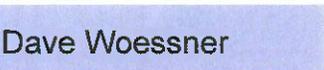
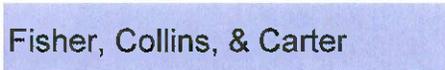
In the area below, the petitioner shall enumerate the specific numerical section(s) from the Subdivision and Land Development Regulations for which an alternative compliance is being requested and provide a brief summary of the request. Please use the additional page if needed.

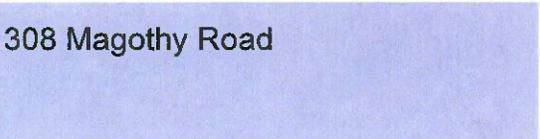
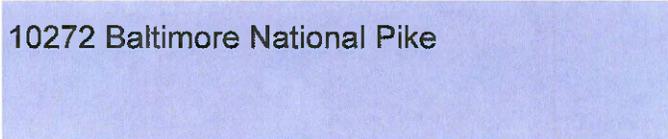
Section Reference No.	Brief Summary of Request
Section 16.120 (c)(4)	(c) Minimum Frontages. (4) Single-family attached. Single-family attached lots may be approved without public road frontage provided they front on a commonly owned area containing a parking area or private road not exceeding a length of 200 feet measured from the edge of the public right-of-way along the centerline of the private road.

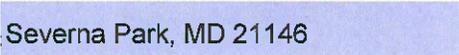
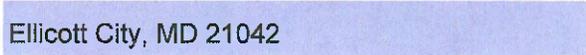
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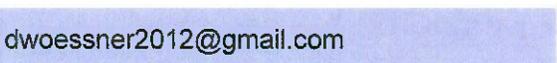
Signature of Property Owner:  Date: 

Signature of Petitioner Preparer:  Date: 

Name of Property Owner:  Name of Petition Preparer: 

Address:  Address: 

City, State, Zip:  City, State, Zip: 

E-Mail:  E-Mail: 

Phone No.:  Phone No.: 

Contact Person:  Contact Person: 

Owner's Authorization Attached