



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

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

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

July 13, 2023

Yali Li  
5972 Trotter Road  
Clarksville, MD 21029

RE: WP-23-014 Yali Li Property

Dear Applicant:

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 1, 2023 and pursuant to Section 16.1216, the Director of the Department of Planning and Zoning, Director of the Recreation and Parks and Administrator of the Office of Community Sustainability considered and **approved** your request for a variance with respect to **Section 16.1205(a)(3)** of the Subdivision and Land Development Regulations to remove three specimen trees on site for the new driveway and dwelling construction. Please see the attached Final Decision Action Report for more information.

On June 4, 2023, 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 16.127(c)(4)(i)** of the Subdivision and Land Development Regulations to allow a separate driveway for an infill subdivision.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.127(c)(4)(i) 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 OR one (1) item] 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;**

The existing lot has just under 120 feet of public road frontage onto Trotter Road and will be subdivided into a frontage lot and a pipestem lot. The existing driveway is located along the southern property line leading to a sideload carport. The new house will be situated behind the existing house via a pipestem lot along the northern property line.

The applicant originally provided a design that would utilize a shared driveway to access the proposed lot. This design was reviewed, and it was determined that the driveway location would not provide the adequate stopping sight distance required by Section 2.1.E.1 of Design Manual Volume 3, Complete Streets. This design also would not allow for the proposed lot to have the full 20 feet of road frontage required by Section 16.120(c)(2)(i) of the Subdivision and Land Development Regulations. Due to the public safety concerns and the issues with the Subdivision and Land Development Regulations, the applicant has proposed a separate driveway along the northern property line which provides the adequate stopping sight distance and required 20 feet public road frontage.

Allowing two separate driveways will provide a better placement for proposed house. Although it includes an additional access point, the result better protects the visual quality of the scenic road which is commonly afforded to others in similar areas along scenic roads. The proposed and existing driveway will have over 100 feet of separation, which is similar to other driveway separations for existing houses on Trotter Road.

**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 existing conditions of Trotter Road limit the sight distance from the existing driveway and does not provide the required 229 feet of stopping sight distance required by Section 2.1.E.1 of Design Manual Volume 3, Complete Streets. Also, the public sewer main in Trotter Road ends north of the existing driveway. The pipestem lot design and second driveway allow for the water and sewer connections to be on the same lot as the proposed house, and therefore, eliminates the need for a private utility easement crossing over the lot containing the existing house.

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

Approval of the alternative compliance will not confer to the applicant a special privilege that would be denied to other applicants as the conditions listed above outline the difficulties in having one driveway for both lots and it provides a safer design that is compatible with the existing houses in the neighborhood.

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

There is no evidence that this proposal for a separate driveway entrance to the new home will be detrimental to the public health. The proposed plan appears to benefit the public interest by allowing for adequate stopping sight distance and creating a design that is compatible with the existing neighborhood while maintaining the driveway and carport access for the existing house.


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

1. Include a note on all plan submissions with this Alternative Compliance file number, a summary of the request, date of approval and conditions of approval.
2. Compliance with all SRC comments F-22-026, Yali Li Property – Lots 1 & 2.
3. The removal of specimen trees #1, #2 and #3 is permitted and requires the onsite planting of six (6) native trees with a DBH of 3". The trees shall be shown on the final subdivision landscape plan sheet and must be bonded as a landscape obligation.

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 Justin Schleicher at (410) 313-2350 or email at [jschleicher@howardcountymd.gov](mailto:jschleicher@howardcountymd.gov).

Sincerely,

DocuSigned by:  
  
1EB75478A22B49A...

Anthony Cataldo, AICP, Chief  
Division of Land Development

AC/JS

cc: Research  
DLD - Julia Sauer  
Real Estate Services  
Anne Gilbert - DNR [anne.gilbert@maryland.gov](mailto:anne.gilbert@maryland.gov)  
FCC



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350  
Mary Kendall, Acting Director FAX 410-313-3467

**ALTERNATIVE COMPLIANCE  
FINAL DECISION ACTION REPORT**

DEPARTMENT OF PLANNING AND ZONING  
DEPARTMENT OF RECREATION AND PARKS  
OFFICE OF COMMUNITY SUSTAINABILITY

**RE:** **WP-23-014 Yali Li Property**  
*Request for a variance to Section 16.1205(a)(3) of the Subdivision and Land Development Regulations.*

**Applicant:** Yali Li  
5972 Trotter Road  
Clarksville, MD 21029

Pursuant to Section 16.1216, the Director of the Department of Planning Zoning, Director of the Department of Recreation and Parks and the Administrator of the Office of Community Sustainability considered and **approved** the applicants request for a variance with respect to **Section 16.1205(a)(3)** of the Forest Conservation Regulations. The purpose is to remove three (3) specimen trees on site for the new driveway and dwelling construction. The Directors deliberated the application in a meeting on June 1, 2023.

Each Department hereby determines that the applicant has demonstrated to its satisfaction that strict enforcement of the above-cited regulation would result in an unwarranted hardship. This determination is made with consideration of the alternative compliance application and the six (6) items the applicant was required to address, pursuant to Section 16.1216:

**1. Describe the special conditions peculiar to the property which would cause the unwarranted hardship;**

There are five specimen trees on site and the applicant is proposing to remove three (Specimen Trees #1, #2 and #3) to allow for the construction of the new SFD. The R-20 zoning regulations require a 20,000 square foot minimum lot size, limiting the lot design to a pipestem lot situated behind the existing house. Specimen trees #1 & 2 are located on Lot 1 and require removal in order to provide a driveway location for Lot 2 which will provide adequate stopping sight distance and an on-lot private sewer house connection. Specimen trees #3, 4 & 5 are located on Lot 2 and their critical root zones encompass most of the building area. Specimen tree #3 is a large silver maple (known to be weak and brittle trees due to their rapid growth) and will be located roughly 30' from the rear of the proposed house. Although the proposed disturbance for the home construction to the CRZ of specimen tree 3 is slightly less than the maximum disturbance allowed, there is still significant impacts and any future back yard improvements made by the homeowner would impact that CRZ. As such, the applicant is requesting to remove the tree for future impact and safety concerns. Specimen trees #4 & 5 will be retained. Based on the site layout, lot shape, utility connections and stopping site distance requirements, the specimen trees #1-3 will need to be removed. Denying the removal of the three specimen trees would cause the applicant an unwarranted hardship.

**2. Describe how enforcement of the regulations would deprive the landowner of rights commonly enjoyed by others in similar areas;**

Enforcement of the Regulations would deprive the applicant from rights commonly enjoyed by others in similar areas. Adjacent residential lots are approximately one-half acre in size and are improved with single-family homes. Denying removal of the requested specimen trees which are located at necessary access points and within the developable area of the existing site would not allow the owner to develop his property in a similar way.

**3. Verify that the granting of a variance will not adversely affect water quality;**

There is no evidence that the granting of a variance will adversely affect water quality. The site will meet the current MDE design standards by using permeable paving with underdrains and drywells to treat for water quality. The proposed grading is minimal and directs water runoff to the outfall in the same direction as the existing conditions. The site will be stabilized after construction and sediment control measures will be used during construction.

**4. Verify that the granting of a variance will not confer on the applicant a special privilege that would be denied to other applicants;**

The property is zoned R-20 and surrounded by R-20 properties. Subdividing the property into half acre lots is not a special privilege that would be denied to others in the same zoning district. The removal of the specimen trees will require mitigation by planting six native trees with a 3" DBH. The current regulations require the same mitigation of all applicants.

**5. Verify that the variance request is not based on conditions or circumstances which are the result of actions by the applicant;**

The variance request is not based on conditions or circumstances which are a result of actions by the applicant. The location of Specimen Trees #1 and # 2 and the respective critical root zones are located within the area of the proposed driveway along the northern property line of the existing lot. Specimen Tree #3 is located along the southern property line close to the rear of the proposed house. The applicant would not be able to provide a safe access or reasonably develop the lot should the specimen trees remain on the site.

**6. Verify that the condition did not arise from a condition relating to land or building use, either permitted or nonconforming on a neighboring property;**

There is no evidence that the site conditions arise from a condition relating to land or building use on a neighboring property.

**7. Provide any other information appropriate to support the request.**

A drawing showing proposed minor subdivision was submitted along with photos. A representative from Recreation and Parks did a site visit and determined that the trees are in good to fair condition with branch dieback present. They also confirmed that the significant impacts to the CRZ of ST 3 would be concerning and may lead to long term damage to the health of the tree, agreeing that the removal of the tree at this time with the required mitigation provided.

**Directors Action:** Approval of alternative compliance of Section 16.1205(a)(3) is subject to the following conditions:

1. Include a note on all plan submissions with this Alternative Compliance file number, a summary of the request, date of approval and conditions of approval.
2. Compliance with all SRC comments F-22-026, Yali Li Property – Lots 1 & 2.
3. The removal of specimen trees #1, #2 and #3 is permitted and requires the onsite planting of six (6) native trees with a DBH of 3". The trees shall be shown on the final subdivision landscape plan sheet and must be bonded as a landscape obligation.

DocuSigned by:

*Mary Kendall*

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Mary Kendall, Acting Director  
Department of Planning and Zoning

DocuSigned by:

*Nicola Morgal*

4A49AA84DE9480

Nicola Morgal, Acting Director  
Department of Recreation and Parks

DocuSigned by:

*Lindsay DeMarzo*

954C4983F005481

Lindsay DeMarzo, Acting Administrator  
Office of Community Sustainability

cc: Research  
OCS, Lindsay DeMarzo  
DRP, Nicola Morgal



# 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

December 27, 2022

Yali Li  
5972 Trotter Road  
Clarksville, MD 21029

RE: WP-23-014 Yali Li Property

Dear Applicant:

This letter is to inform you that your request for alternative compliance to the Howard County Subdivision and Land Development Regulations for the subject property was reviewed and no action can be taken until the enclosed comments have been addressed, and the following additional information is provided.

Copies of the exhibit/plan and the supplemental information and a response letter to the comments for each agency should be submitted to this Division for distribution in the following manner:

Agency: DLD	#Copies: 1
Agency: DED	#Copies: 1

The requested information and revised plans must be submitted within **45 days** of the date of this letter (**on or before February 10, 2023\***), or this Division will recommend that the Planning Director or Director Committee deny this alternative compliance petition.

Once the requested information has been received and reviewed, this office will coordinate agency comments and will prepare a recommendation for the Planning Director's action. If you have any questions regarding a specific comment, please contact the review agency prior to preparing the revised plans and information. Compliance with all items indicated above is required before the revised plans and information will be accepted.

**In accordance with adopted Council Bill 51-2016, effective 10/05/16, if the deadline date is a Saturday, Sunday or holiday or if the County offices are not open, the deadline shall be extended to the end of the next open County office business day.**

Submissions can be mailed to Howard County Planning and Zoning, 3430 Court House Drive, Ellicott City, MD 21043 or dropped in the bin labeled 'DLD' at the Department of Planning and Zoning Public Service Counter located on the first floor of the George Howard Building. Submission materials can also be emailed to [planning@howardcountymd.gov](mailto:planning@howardcountymd.gov) for processing.

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

Sincerely,

DocuSigned by:

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Anthony Cataldo, AICP, Chief

Division of Land Development

AC/JS

Attachments: DLD Comments

cc: Research  
DLD - Julia Sauer  
Real Estate Services  
FCC





# 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

October 28, 2022

Yali Li  
5972 Trotter Road  
Clarksville, MD 21029

RE: WP-23-014 Yali Li Property

Dear Applicant:

This letter is to inform you that your request for alternative compliance to the Howard County Subdivision and Land Development Regulations for the subject property was reviewed and no action can be taken until the enclosed comments have been addressed, and the following additional information is provided.

Copies of the exhibit/plan and the supplemental information and a response letter to the comments for each agency should be submitted to this Division for distribution in the following manner:

Agency: DLD	#Copies: 1
Agency: DED	#Copies: 1

The requested information and revised plans must be submitted within **45 days** of the date of this letter (**on or before December 12, 2022\***), or this Division will recommend that the Planning Director or Director Committee deny this alternative compliance petition.


Once the requested information has been received and reviewed, this office will coordinate agency comments and will prepare a recommendation for the Planning Director's action. If you have any questions regarding a specific comment, please contact the review agency prior to preparing the revised plans and information. Compliance with all items indicated above is required before the revised plans and information will be accepted.

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

Sincerely,

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Anthony Cataldo, AICP, Chief  
Division of Land Development

AC/JS

Attachments: DLD Comments

cc: Research  
DLD - Julia Sauer  
Real Estate Services  
FCC



**Howard County Maryland**  
**Department of Planning and Zoning**  
 3430 Courthouse Drive, Ellicott City, MD 21043

(410) 313-2350

DPZ Office Use only:

File No.

Date Filed

## ALTERNATIVE COMPLIANCE APPLICATION

**Site Description:** 5972 TROTTER RD

**Subdivision Name/Property Identification:** YALI LI PROPERTY

**Location of property:** 5972 TROTTER RD

**Existing Use:** Residential

**Proposed Use:** Residential

**Tax Map:** 28

**Grid:** 14

**Parcel No:** 140

**Election District:** Fifth

**Zoning District:** R-20

**Total site area:** 1.00 acre

**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:**

**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 16.1205 (a)(3)	(a) On-Site Forest Retention Required. (3) State champion trees, trees 75 percent of the diameter of state champion trees, and trees 30 inches in diameter or larger.  Request removal of 1 Specimen Tree
Section 16.120(c)(2)(i)	(c) Minimum Frontages. (2) Single-family detached. All lots, preservation parcels, or bulk parcels for single-family detached dwellings shall have minimum lot frontages on approved streets within a public right-of-way which provides access to the property as follows (i) Twenty feet for single pipestem and nonpipestem lots and preservation parcels which cannot be further divided under current zoning;

Section Reference No.	Brief Summary of Request

**Signature of Property Owner:** *Yali Li* **Date:** 7/19/2022

**Signature of Petitioner Preparer:** *Frank Manalansan II* **Date:** 7/28/2022

**Name of Property Owner:** Yali Li **Name of Petition Preparer:** Fisher, Collins, & Carter

**Address:** 5972 Trotter Road **Address:** 10272 Baltimore National Pike

**City, State, Zip:** Clarksville, Md 21029 **City, State, Zip:** Ellicott City, MD 21042

**E-Mail:** huanwu@umd.edu **E-Mail:** frankm@fcc-eng.com

**Phone No.:** 301-385-9758 **Phone No.:** 410-461-2855

**Contact Person:** Yali Li **Contact Person:** Frank Manalansan II

**Owner's Authorization Attached**