



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

March 12, 2024

Joseph Snodgrass
5705 Landing Road
Elkridge, MD 21075

RE: WP-24-044 Elkridge Heights (SDP-23-046)

Dear Mr. Snodgrass:

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 March 11, 2024, 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)(2)** of the Subdivision and Land Development Regulations to allow access to an off-site shared private right-of-way, instead of the sites public road frontage.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.120(c)(2) 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.

As part of the subdivision of Parcel 447, Lots 1 and 2 were provided access onto Elkridge Heights Road and the private right-of-way which serves the surrounding community. SDP-23-046, Elkridge Heights provides a design on Lot 2 which will gain access from the private right-of-way instead of the public road frontage. While there is space along Elkridge Heights Road to provide a driveway, the steep slopes and existing foliage would make the physical placement of the driveway difficult and require significant grading and subsequently a greater loss in vegetative cover. Allowing the proposed dwelling to obtain access from the private right-of-way will allow for a much more level driveway and keep the house orientation similar to the immediate surroundings. Requiring strict conformance with the regulations would deprive the applicant rights commonly enjoyed by others who also have access to multiple, existing right-of-ways.

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 topography and vegetation along the frontage of Elkridge Heights Road creates a practical difficulty for constructing a driveway. Allowing the proposed dwelling to obtain access from the existing privateright-of-way through the existing pipestem created during the subdivision process, would require less grading and provide the ability to retain the existing vegetation along the steeper slopes on site. The property naturally drains from south to north and constructing the driveway in the proposed location will

provide adequate drainage and allow the stormwater management facility to capture the runoff from the driveway.

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

Approval of this alternative compliance request will not confer to the applicant a special privilege that would be denied to other applicants. Approval of this request does not provide relief from compliance with the requirement to provide a driveway constructed to Design Manual standards but allows the driveway to gain access from a private right-of-way which the lot has pipestem access to. This design is consistent with other homes in the community.

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

This modification would not be detrimental to the public health; safety or welfare, or injurious to other properties. This request is being asked due to the steep nature of the property and existing vegetation along the public road frontage. The proposed driveway will be located entirely on Lot 2 and all stormwater will be managed on the site.

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

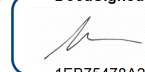
1. The applicant shall provide a Type B landscape buffer along the rear property line as required by the Landscape Manual.
2. A plat of revision is required to change the Building Restriction Lines on Lot 2 to match the orientation of the dwelling, as shown on SDP-23-046, Elkridge Heights.
3. Access to the driveway within the 20-foot right-of-way may only be granted if the lot has legal rights to use the off-site right-of-way for access to Elkridge Heights Road. This lot must be party to the maintenance responsibilities of the shared driveway located within existing 20-foot right-of-way.
4. Compliance with all Subdivision Review Committee comments for SDP-23-046, Elkridge Heights.

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.

Sincerely,

DocuSigned by:



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Anthony Cataldo, AICP, Chief
Division of Land Development

AC/JS

cc: Research
DLD - Julia Sauer
Real Estate Services
MBA



ALTERNATIVE COMPLIANCE APPLICATION

Site Description: 5726 Elkridge Heights Rd. , ELKRIDGE 21075

Subdivision Name/Property Identification: CURRY ACRES lots 1 & 2

Location of property: ADC MAP: 35, GRID F-1

Existing Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL

Tax Map: 38 **Grid:** 04 **Parcel No:** 447 **Election District:** FIRST

Zoning District: R-12 **Total site area:** 0.246 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:

F-88-74
 SDP-23-046

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.

Section Reference No.	Brief Summary of Request
16.120(c)(2)	allow access from an existing ROW rather than from the public road.

Signature of Property Owner: *Joseph F. Snodgrass* Date: *10-20-2023*
Signature of Petitioner Preparer: *[Signature]* Date: *10-20-23*
Name of Property Owner: JOSEPH SNODGRASS Name of Petitioner Preparer: Mildenberg Boender & Assoc.
Address: 5705 LANDING RD Address: 8318 Forrest st.
City, State, Zip: ELKRIDGE MD 21075 City, State, Zip: Ellicott City MD 21043
E-Mail: joe@mainstreetbuildersinc.com E-Mail: salomer@mba-eng.com
Phone No.: *410-796-2003* Phone No.: 410-997-0296
Contact Person: *Joe Snodgrass* Contact Person: Sam Alomer

Owner's Authorization Attached