



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 18, 2024

Mr. Thomas H. Price, III
4203 Buckskin Lake Drive
Ellicott City, MD 21042

Dear Mr. Price:

RE: WP-24-074, Buckskin Woods, Los 39, 40, 58 and 63

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 15, 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)(ii)** of the Subdivision and Land Development Regulations to allow Lots 39, 40 and 58 to obtain vehicular access via a shared driveway easement instead of requiring these lots to have the minimum lot frontage within a public right-of-way.

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

The Buckskin Woods community has had numerous subdivisions, re-subdivisions and revision plats. This application is referencing Lots 39, 40 and 63 (plat no. 25356-58) and Lot 58 (plat no. 22437-40). Specifically, Lot 58 has fee simple frontage on two public streets (Folly Quarter Road and Buckskin Lake Drive) and utilizes an existing private shared driveway onto Buckskin Lake Drive. Lots 39, 40 and 63 have dual frontages along private Maisel Farm Lane and pipestems to Folly Quarter Road.

The applicant cannot utilize the recorded pipestems for Lots 39, 40 and 63 to access Folly Quarter Road since portions of these pipestems are located across water surface of the existing pond; blocked by pond earthen supporting embankment, and across recorded floodplain and forest conservation easement. These lots were recorded in their current configuration to provide public road frontage and meet the intent of the Subdivision and Land Development Regulations. However, the provided road frontage cannot provide vehicular access to the lots due to the environmental constraints within their pipestems rendering the pipestems unusable. In addition, these lots were provided access to a private road, Maisel Farm Lane, which these lots will use to access Folly Quarter Road. The Howard Soil Conservation District supports merging pipestems containing the area of the pond and associated pond

embankment into Lot 58. This action serves to more closely align with the currently developed lots and recorded access easements.

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;

Lots 39, 40 and 63 contain portions of the private pond; pond embankment; floodplain and forest conservation easement. Utilizing the pipestem area for Lots 39, 40 and 63 for access to Folly Quarter Road results in practical difficulties for the applicant. Removing these features from Lots 39, 40 and 63 and merging the associated areas into Lot 58 will remove the unique physical constraints and continue to allow access onto Maisel Farm Lane as represented on the previously recorded plats. The Regulations will be served to a greater extent through the implementation of this alternative proposal as these environmental features will be merged into one lot.

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

The purpose of this Alternative Compliance request is to reconfigure Lots 39, 40 and 63 to remove the unusable pipestem access and relocate this area within Lot 58. This condition is specifically unique to this property and would not confer to the applicant a special privilege. The lots will continue to use Maisel Farm Lane for access, as permitted by previous subdivision plats and a private access easement.

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

Approval of the Alternative Compliance will not nullify the intent of the Regulations. Removing the unusable pipestems from Lots 39, 40 and 63 that contain the pond embankment; floodplain and forest conservation easement and providing access onto Maisel Farm Lane in a similar fashion as the other lots along Maisel Farm Lane, will not adversely affect the neighboring community.

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

1. A red-line to the road construction drawings (F-13-071) must be submitted and completed within 60 days **(by May 18, 2024)** from the decision date of this alternative compliance.
2. A plat of re-subdivision must be submitted within 120 days **(by July 16, 2024)** from the decision date of this alternative compliance.

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 Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,

DocuSigned by:


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Anthony Cataldo, AICP, Chief
Division of Land Development

AC/bl

cc: Research
DLD - Julia Sauer
Real Estate Services
FCC – Terry Fisher



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: PROPERTY OF THOMAS H. PRICE, III (RESUBDIVISION LOTS 39,40,63 AND 68)BUCKSKIN WOODS

Subdivision Name/Property Identification: BUCKSKIN WOODS, LOTS 67, 68, 69 AND 70

Location of property: WEST OF MAISEL FARM LANE AND SOUTH OF FOLLY QUARTER ROAD

Existing Use: UNDEVELOPED **Proposed Use:** RESIDENTIAL (SFD)

Tax Map: 22 **Grid:** 22 **Parcel No:** 535 **Election District:** FIFTH

Zoning District: RR-DEO **Total site area:** 29.228 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:

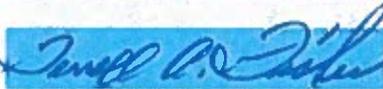
VP-86-055, P-86-007, S-85-014, F-81-005, F-86-086, F-87-028, F-87-073, F-92-078, F-93-126, F-95-116, F-02-075, F-01-031, WP-92-08, AND F-13-071

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
16.120(c)(2)(ii)	SINGLE FAMILY DETACHED: ALL LOTS, PRESERVATION PARCELS, OR BULK PARCELS FOR SINGLE-FAMILY DETACHED DWELLINGS SHALL HAVE A MINIMUM LOT FRONTAGES ON APPROVED STREETS WITHIN A PUBLIC RIGHT OF WAY WHICH PROVIDES ACCESS TO THE PROPERTY. LOTS OR PREWSERVATION PARCELS WHICH SHARE ACCESS SHALL HAVE SUFFICIENT FRONTAGE COLLECTIVELY TO MEET THE DRIVEWAY EASEMENT REQUIREMENTS IN THE DESIGN MANUAL.

Section Reference No.	Brief Summary of Request

Signature of Property Owner:  Date: FEBRUARY 7, 2024

Signature of Petitioner Preparer:  Date: FEBRUARY 7, 2024

Name of Property Owner: THOMAS H. PRICE, III Name of Petitioner Preparer: FISHER, COLLINS AND CARTER, INC.

Address: 4203 BUCKSKIN LAKE DRIVE Address: 10272 BALTIMORE NATIONAL PIKE

City, State, Zip: ELLICOTT CITY, MD 21042 City, State, Zip: ELLICOTT CITY, MD 21042

E-Mail: tom@thprice.com E-Mail: tfisher@fcc-eng.com

Phone No.: 301-704-8918 Phone No.: 410-461-2855

Contact Person: THOMAS PRICE Contact Person: TERRY FISHER

Owner's Authorization Attached