



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

May 8, 2024

South Trotter LLC
c/o Justin Boy
321 Rogers Height Road
Annapolis MD 21401

RE: WP-24-087 Trotter's Retreat (SDP-24-017)

Dear Mr. Boy:

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 May 8, 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 16.119(f)(3)** of the Subdivision and Land Development Regulations to for two (2) points of access at a major collector (restricted) roadway.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.119(f)(3) 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. This development contains two groupings of residential dwellings that will be separated by a riparian area. A group of 9 single-family (condo) dwellings are planned for the western side, and 16 single-family (condo) dwellings are planned for the eastern side. The 9 condo dwellings that are proposed on the western side shall front South Trotter Road, which is a major collector road that has restricted access. The design proposes a shared driveway for the 9 units that runs parallel to South Trotter Road with two access points. The 16 condo dwellings will front Swimmers Row Way, a local non-restricted road. The Regulations prohibit direct access to and from South Trotter Road and requires that access be derived from a lower classified, unrestricted road (Swimmers Row Way). Strict conformance to this regulation would require this development to have its access point for the nine (9) single family residential units from Swimmers Way Road near the existing road intersection, to respect the environmental buffers, and would terminate into a T-turnaround. A private driveway with access to and from South Trotter Road would provide for a more efficient, safe, and practical design for conventional and large vehicles to maneuver entering and exiting the western side of this development. Furthermore, South Trotter Road was created sometime between 1993 and 1998 when Route 32 and Great Star Drive were completed and placed into operation, bisecting Trotter Road into two segments. The 2000 General Plan retained South Trotter Road and this designation was carried through to Plan Howard 2030 and HoCo by Design. The Office of Transportation has expressed that based on the existing and proposed land use, and its limited function connecting communities, a neighborhood yield street may be a more appropriate designation for South Trotter Road, which would not restrict access for the development.

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 ultimate design for this age-restricted condominium development shall feature an environmentally preserved area that will be situated west-central of the development and creates a divide of the property. This preserved area shall consist of a restored stream within a riparian buffer and floodplain. The proposed development shall occur on each side of the preserved area, with no disturbances proposed to the environmental areas. For the most optimal and responsible use of the land, the three points of access (two at South Trotter Road and one at Swimmer Row Way) are proposed for this development that are outside of the environmental areas and comply with sight distance and intersection spacing requirements.

3. The Variance will not confer to the applicant a special privilege that would be denied to other applicants. This variance is not being sought under the assumption that a special privilege will be conferred to the applicant. Residents in this neighborhood who have access to South Trotter Road have direct driveway access to each house. Allowing two access points for 9 houses would not confer to the applicant a special privilege.

4. The modification is not detrimental to the public health; safety or welfare, or injurious to other properties. There is no evidence or reason to be concerned that the modification is detrimental to the public health, safety or welfare or be injurious to other properties. The proposed driveway access points comply with adequate sight distance requirements and intersection spacing.

Approval of this Alternative Compliance is subject to the following two (2) conditions:

1. Access to South Trotter Road is restricted to the two 22-foot-wide access points as shown on the SDP. The statement "vehicular egress and ingress is restricted" shall be shown along the frontage on both the final plat and the SDP, except for where the two approved access points are located.
2. Include this alternative compliance approval as a note on both the final plan (F-24-035) and the site development plan (SDP-24-017).

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 the site development plan is being actively processed in accordance with the processing provisions of the Regulations.

If you have any questions, please contact Derrick Jones at (410) 313-2350 or email at djones@howardcountymd.gov.

Sincerely,

DocuSigned by:

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Anthony Cataldo, AICP, Chief
Division of Land Development

AC/dj

cc: Research
DLD - Julia Sauer
Benchmark Engineering
File: SDP-24-017



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

(410) 313-2350

DPZ Office Use only:
 File No. WP-24-087
 Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: 6479 & 6485 South Trotter Road

Subdivision Name/Property Identification: Trotter's Retreat

Location of property: 6479 & 6485 South Trotter Road

Existing Use: Vacant **Proposed Use:** Age Restricted Single Family Condo

Tax Map: 35 **Grid:** 20 **Parcel No:** 338 **Election District:** 5

Zoning District: R-20 **Total site area:** 9.75 Ac

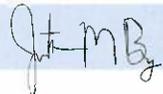
Please list all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, alternative compliance petitions, etc.). If no previous plans have been submitted, please provide a brief history of the site and related information to the request:

ECP-23-014, F-76-64 (Plat 3469), BA-22-007C, WP-23-015, F-24-035, SDP-24-017

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
Subtitle 1. Article II. Section 16.119.(f)(3)	Section indicates that a property may not have a driveway on a major collector, but that DPZ may approve a single driveway. This project requests approval of two access points to facilitate both residential access and emergency vehicle access.

Section Reference No.	Brief Summary of Request

Signature of Property Owner:  Date: 3/23/24

Signature of Petitioner Preparer:  Date: 3/24/24

Name of Property Owner: South Trotter LLC Name of Petition Preparer: Benchmark Engineering, Inc.

Address: 321 Rogers Heights Road Address: 3300 North Ridge Road, Suite 140

City, State, Zip: Annapolis, MD 21401 City, State, Zip: Ellicott City, MD 21043

E-Mail: justin@cornerstone-homes.com E-Mail: bei@bei-civilengineering.com

Phone No.: 443-676-2417 Phone No.: 410-465-6105

Contact Person: Justin Boy Contact Person: Alice Miller

Owner's Authorization Attached