



# 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 24, 2024

Robert Flack  
12945 Linden Church Rd  
Clarksville, MD 21029  
Email: [rnflack@gmail.com](mailto:rnflack@gmail.com)

RE: WP-24-113 Flack Property

Dear Mr. Flack:

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 July 24, 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 16.144(r)(3)** of the Subdivision and Land Development Regulations to reactivate and extend the resubmission deadline for the existing Final Plan (F-23-055) after missing the resubmission deadline of January 18, 2024.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.144(r)(3) would result in an unreasonable hardship or practical difficulty. This determination is made with consideration of your alternative compliance application and the one (1) item you were required to address, pursuant to Section 16.104(a)(1):

**1. Unreasonable hardship or practical difficulties may result from strict compliance with the regulations.**

A revised plan letter for F-23-055, Flack Property was issued to the applicant on December 4, 2023, which required that a revised plan submission was due to DPZ on or before January 18, 2024. The applicant did not meet this deadline and is now requesting reactivation of the plan to continue review by the County SRC Agencies. The delay in resubmission was due, in part, to the applicant waiting for the outcome of the Alternative Compliance request to remove 5 (five) specimen trees and to allow forest conservation easements on lots of less than 10 acres in size. The development team needed time to finalize discussions and designs with the property owner and County agencies before rectifying the remaining issues and resubmitting the plans to the County. Strict compliance with the regulations would require the applicant to submit a new formal Final Plan for the proposed project. This would result in an unreasonable hardship since the plan can continue active processing and receive approval by all SRC Agencies through the typical plan review process. Approval of the alternative compliance promotes efficiency of the plan review process.

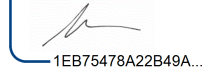
Approval of this Alternative Compliance is subject to the following conditions:

1. The revised Final Plan for F-23-055 (Flack Property) shall be submitted within 30 days of the approval date of this Alternative Compliance request (**on or before August 23, 2024**).

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 Kathryn Bolton at (410) 313-3369 or email at [kbolton@howardcountymd.gov](mailto:kbolton@howardcountymd.gov).

Sincerely, DocuSigned by:

A blue DocuSigned signature box containing a handwritten signature in black ink. Below the signature is a long alphanumeric string: 1EB75478A22B49A...

Anthony Cataldo, AICP, Chief  
Division of Land Development

AC/kb

cc: Research  
DLD - Julia Sauer  
Development Design Solutions, Dan Blevins – [dblevins@dev-designsolutions.com](mailto:dblevins@dev-designsolutions.com)



**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 24-113**  
 Date Filed

## ALTERNATIVE COMPLIANCE APPLICATION

The proposed site is in Howard County, Maryland which is located approximately 1,000' west from the intersection of Route 32 and Linden Church Road in Clarksville, Maryland, which is known as 12945 & 12965 Linden Church Road and recorded in the Howard County Land Records as deed liber 15733 folio 00309 and liber 20224 folio 00294 which consisted approximately 438,766 SF (10.07 ac +/-) of a wooded area with several scattered trees with underbrush and vegetation, and lawn areas within the project. The site contains an existing single family residential dwelling which is being accessed by an existing paved driveway from the public right-of-way along Linden Church Road. The site is being currently served by an existing private sewage disposal system and private well. The property is currently zoned RR-BEO (Rural Residential).

**Site Description:**

**Subdivision Name/Property Identification:** Final Plan #F-23-055 - Flack Property

**Location of property:** 12945 & 12965 Linden Church Road

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

**Tax Map:** 0026      **Grid:** 0016      **Parcel No:** 0146 & 0155      **Election District:** 5th

**Zoning District:** RR-BEO      **Total site area:** 438,766 SF / 10.07 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-22-076 - Environmental Concept Plan showing a three lot subdivision and retaining the existing dwelling on Lot 1, with Lot 2 and Lot 3 containing new proposed dwelling and associated improvements. The Environmental Concept Plan originals were signed on July 10, 2023.

A revised plans letter for F-23-055 (Flack Property) was issued to the development team on December 4, 2023, which outlined a resubmission date of January 16, 2024, to address comments issued. The development team did not meet this deadline and is requesting the reactivation of the plan in order to continue review with the County SRC agencies. The development team is requesting additional time to finalize discussions with the owner, and county agencies to rectify the remaining issues for resubmission for county review. The requested extension will have no negative impacts on the site design and there have been no regulatory changes that would impact on the development. All SRC agencies have previously reviewed and will continue to review the revised submission for compliance. Strict conformance with the regulations would require the submission of a new final plan which would match the current plan in review. Approval of this alternative compliance promotes efficiency of the plan review process.

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
16.144(r)(3)	A revised plans letter for F-23-055 (Flack Property) was issued to the development team on December 4, 2023, which outlined a resubmission date of January 16, 2024, to address comments issued. The development team did not meet this deadline and is requesting the reactivation of the plan in order to continue review with the County SRC agencies. The development team is requesting additional time to finalize discussions with the owner, and county agencies to rectify the remaining issues for resubmission for county review. The requested extension will have no negative impacts on the site design and there have been no regulatory changes that would impact on the development. All SRC agencies have previously reviewed and will continue to review the revised submission for compliance. Strict conformance with the regulations would require the submission of a new final plan which would match the current plan in review. Approval of this alternative compliance promotes efficiency of the plan review process.

Section Reference No.	Brief Summary of Request

Signature of Property Owner:

*Robert A. Flack*

Date:

6/13/24

Signature of Petitioner Preparer:

*Daniel M. Blevins*

Date:

6/13/24

Name of Property Owner:

Robert A. Flack

Name of Petition Preparer:

Development & Design Solutions, LLC

Address:

12945 Linden Church Road

Address:

3202 Acton Road

City, State, Zip:

Clarksville, Maryland 21029

City, State, Zip:

Baltimore, Maryland 21234

E-Mail:

mflack@gmail.com

E-Mail:

dblevins@dev-designsolutions.com

Phone No.:

443-386-1261

Phone No.:

410-905-0778

Contact Person:

Robert A. Flack

Contact Person:

Daniel M. Blevins



Owner's Authorization Attached



Section Reference No.	Brief Summary of Request