



# Howard County

Department of Planning and Zoning

**Subject:** Dorsey Overlook, LLLP  
Board of Appeals Case No. BA-20-003V

**To:** Howard County Hearing Examiner

**From:** Geoff Goins, Division Chief  
Division of Public Service  
and Zoning Administration



**Date:** October 14, 2020

This is a petition for variances from Section 112.1.D.4.a(1)(a) to reduce the 30-foot setback for a retaining wall to 8.74 feet, to reduce the 30-foot setback to 10.41 feet for a private drive, sidewalk and parking. Section 112.1.D.4.c(2)(a) to reduce the 50-foot setback for apartment dwellings to 40.67 feet, to reduce the 50-foot for apartment dwellings to 20.70 feet. Section 112.1.D.4.c(2)(b) to reduce the 20-foot other structures or uses setback to 16.05 feet for a sidewalk along the northern boundary and to reduce the 20-foot setback to 5 feet for a side walk along the east boundary, and Section 112.1.D.4.b(1)(c) to reduce the 20-foot structure and use setback to 16.39 feet for a clubhouse along a private street. The property is identified as Tax Map 30 Parcels 51,52,53,54,55,67,288 (the "Property") and addressed as 9562,9566,9570,9580,9584,9590,9598 Old Route 108. The 4.49-acre property is developed with several single-family detached dwelling units and is located in the R-APT (Residential: Apartment) zoning district.

All adjoining properties are zoned B-1 (Business: Local), R-A-15 (Residential: Apartments), R-20 (Residential: Single), NT (New Town) and contain single family detached dwellings, commercial properties and single-family attached dwelling units. An aerial photograph of the vicinity is attached.

The Division of Public Service and Zoning Administration has no comments on this petition. I am transmitting responses to the request for comments from the reviewing agencies. Responses are attached from the following agencies:

1. Division of Land Development
2. Development Engineering Division
3. Department of Public Works
4. Howard County Health Department

Attachments

cc: Petitioner





# Howard County

## Internal Memorandum

**Subject:** BA-20-003V, Dorsey Overlook, LLLP

**To:** Geoff Goins, Chief  
Division of Public Service and Zoning Administration

**From:**  Anthony Cataldo, AICP, Chief  
Division of Land Development

**Date:** March 6, 2020

This Division is in receipt of your request for comments on the above referenced variance petition. Our comments are provided below.

1. If the variance is approved by the Hearing Authority, the applicant will be required to submit a Site Development Plan to the Department of Planning and Zoning for the proposed site improvements prior to applying for permits with the Department of Inspections, Licenses and Permits. An Environmental Concept Plan may also be required, please verify with DPZ- Development Engineering Division.
2. The Site Development Plan must address Forest Conservation requirements in accordance with Section 16.1200 of the Howard County Code. Per Section 16.1209(b)(2), residential developments with more than one acre of forest conservation obligation shall meet a minimum of 75% of their obligation on-site. Provide a completed forest conservation worksheet and demonstrate on the plan exhibit how the proposed development will comply with this requirement. The stream buffer, wetlands and wetland buffer are considered priority areas for forest conservation.
3. The applicant should revise the proposed layout to preserve all onsite specimen trees or approval of Alternative Compliance to Section 16.1205(a)(3) will be required. Delineate all state champion trees, trees 75% of the diameter of state champion trees and trees 30" in diameter or larger on the plan exhibit and include a chart referencing the size, species and condition of each specimen tree. Be advised, the previously approved Alternative Compliance petition to remove specimen trees (WP-16-112) is no longer valid since the previous plans are void (S-16-004, P-17-003, SDP-19-009).
4. In accordance with Section 16.120(b)(4)(iii)(d) of the Subdivision Regulations, protected environmental features shall be located in open space with units no closer than 15 feet from the protected features. Units #17 and #18 are proposed within the 15' Environmental Setback. Revise the plan to comply with this requirement. Be advised, WP-16-112 is no longer valid since the waiver review criteria has been amended per Council Bill 61-2019 (refer to Section 16.104(a)(1) of the Subdivision Regulations).
5. A minimum of 10 feet must be provided between the retaining walls and any environmental feature or buffer, to allow space for construction and maintenance of the wall.



# Howard County

## Internal Memorandum

6. Perimeter landscaping, internal landscaping, parking lot landscaping and street trees will be required in accordance with Section 16.124 of the Howard County Code and the Landscape Manual. The landscaping plan will be reviewed as part of the Site Development Plan.
  - Sufficient area must be provided between the proposed retaining wall and the Columbia Road right-of-way for the required perimeter landscaping. Revise the plan exhibit to demonstrate where the required landscaping will be located along Perimeter #2.
  - Sufficient area must be provided between the proposed sidewalk and the eastern property line for the required perimeter landscaping. Revise the plan exhibit to demonstrate where the required landscaping will be located along Perimeter #4.
  - Perimeter #5, as currently shown on the plan exhibit, should require a 'Type B' landscape edge (apartments adjacent to single-family attached, per page 19 of the Landscape Manual).
7. Revise the Parking Tabulation to include the 2,520sf clubhouse. Refer to Section 131.0 of the Zoning Regulations for parking requirements.
8. The construction of sidewalk along Old Route 108 to connect to existing sidewalk at Old Annapolis Road should be considered to provide additional pedestrian connections to the Dorsey's Search Village Center.
9. The recordation of a subdivision plat will be required to reconfigure the parcels and to record any proposed easements.
10. R-APT developments shall include an amenity area per Section 112.1.G of the Zoning Regulations. A minimum of 10% of the net acreage shall be provided as open space which must be designed as an amenity area. All proposed amenity areas shall be shown on the Site Development Plan.
11. The existing sheds, pavement, gravel and retaining walls will be required to be removed from the streams, wetlands and their buffers as part of the site development plan approval. No other disturbance will be permitted within steep slopes, wetlands, streams or their required buffers. All onsite steep slopes, streams, wetlands and buffers must be accurately delineated on the Site Development Plan.
12. Several historic sites exist on the property per the Howard County Historic Sites Inventory (HO-965, 966, 967 & 968). Be advised, an advisory meeting with the Historic Preservation Commission (HPC) is required for new development located on a historic site prior to the submission of a site development plan (if not previously addressed with this petition request). Please contact the Department of Planning and Zoning, Resource Conservation Division for more information on the HPC meeting.
13. A meeting with the Design Advisory Panel will be required prior to submission of a site development plan, per Section 112.1.H of the Zoning Regulations.
14. Moderate Income Housing Units (MIHU) must be provided in accordance with Section 112.1.F of the Zoning Regulations. At least 15% of the dwelling units shall be MIHU.
15. The communal parking areas shall include electric vehicle charging stations in accordance with Section 16.138(c) of the Subdivision and Land Development Regulations. Details will be required on the site development plan.



# HOWARD COUNTY DEPARTMENT OF PUBLIC WORKS

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-4401

James Irvin, Director  
jirvin@howardcountymd.gov

FAX 410-313-3408  
TDD 410-313-2323

March 18, 2020

John E. Hartner  
Planning Supervisor  
Howard County Government  
Department of Planning and Zoning

RE: Dorsey Overlook Project

John,

Legislation CR89-2019 has been filed to convey Old Maryland Route 108, as well as a small triangular piece of property (approximately 0.11420 acres), to Dorsey Overlook, LLLP.

The legislation has been tabled and being considered by the County Council. At this time, the parcels remain the property of Howard County.

Thank you,

Melanie A. Bishop  
Chief, Real Estate Services  
410.313.2330



# Howard County

Department of Planning and Zoning

**Subject:** Board of Appeals Case No: BA-20-003v  
**Applicant:** *Dorsey Overlook, LLLP*  
**Petition:** A variance to reduce the 30' structure setback to 8.74' for the purpose of a retaining wall along Columbia Road, reduce the 50' apartment setback to 33.70' for the purpose of an apartment building at the north building site boundary, and reduce the 20' other structure and use setback to 15.61' for the purpose of a sidewalk along the northern site boundary.

**To:** Division of Public Service and Zoning Administration  
Department of Planning and Zoning

**From:** Development Engineering Division  
Department of Planning and Zoning

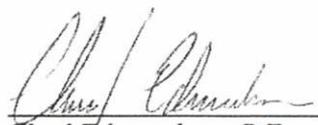
**Date:** January 31, 2020

The Development Engineering Division has reviewed the above referenced petition and has no objection.

Based on an examination of the petition, we offer the following comments:

1. The request appears to have no adverse engineering impact on the adjacent properties.
2. All improvements must comply with current Howard County design criteria including APFO requirements and stormwater management.

If you have any questions concerning this matter please contact me at extension 2350.

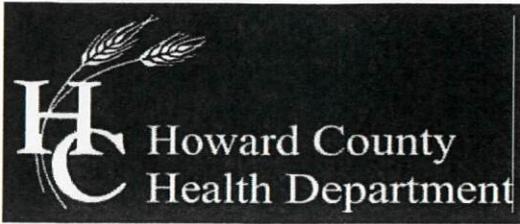


Chad Edmondson, P.E.

Chief

CE/pmt

cc: James M. Irvin, Director, Department of Public Works  
Philip M. Thompson, Engineer, Development Engineering Division  
Tom Butler, Chief, Bureau of Engineering, Department of Public Works  
Reading File



**Bureau of Environmental Health**

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[www.hchealth.org](http://www.hchealth.org)

Facebook: [www.facebook.com/hocohealth](https://www.facebook.com/hocohealth)

Twitter: [HowardCoHealthDep](https://twitter.com/HowardCoHealthDep)

**Maura J. Rossman, M.D., Health Officer**

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**MEMORANDUM**

TO: Geoff Goins  
Division of Zoning Administration and Public Service

FROM: Jeff Williams  
Program Supervisor, Well & Septic Program  
Bureau of Environmental Health

RE: **BA-20-003V**

DATE: February 27, 2020

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The Health Department has reviewed the above referenced petition and has no comments