



Subject: 3704 Red Oak Lane
Board of Appeals Case No. BA-25-022V

To: Howard County Hearing Examiner

From: Julia Sauer, Division Chief
Division of Public Service
and Zoning Administration



Date: December 24, 2025

This is a petition for a Variance from Section 105.0.E.4.a(4)(c) of the Zoning Regulations to encroach into the 10-foot rear setback for a proposed pool. The subject property is identified as Tax Map 22, Parcel 360, Lot 4 and addressed as 3704 Red Oak Lane. The 3.17-acre property is zoned RR-DEO (Rural Residential – Density Exchange Option) and recorded in the Land Records of Howard County on Plat No. 11184 (Lowe Property, Lots 1-4). The northern portion of the property contains forest conservation easement, stream, stream buffer, wetland and wetland buffer. The plat shows a 20-foot easement for existing forest buffer retention along the rear property line. The proposed improvements are located within this easement. Please see Division of Land Development comments for more information. Adjoining properties are zoned RR-DEO and are developed with single-family detached dwellings.

The Division of Public Service and Zoning Administration has the following comments:

- The petition should also include a request for two (2) proposed sheds also encroaching into the required rear setbacks.

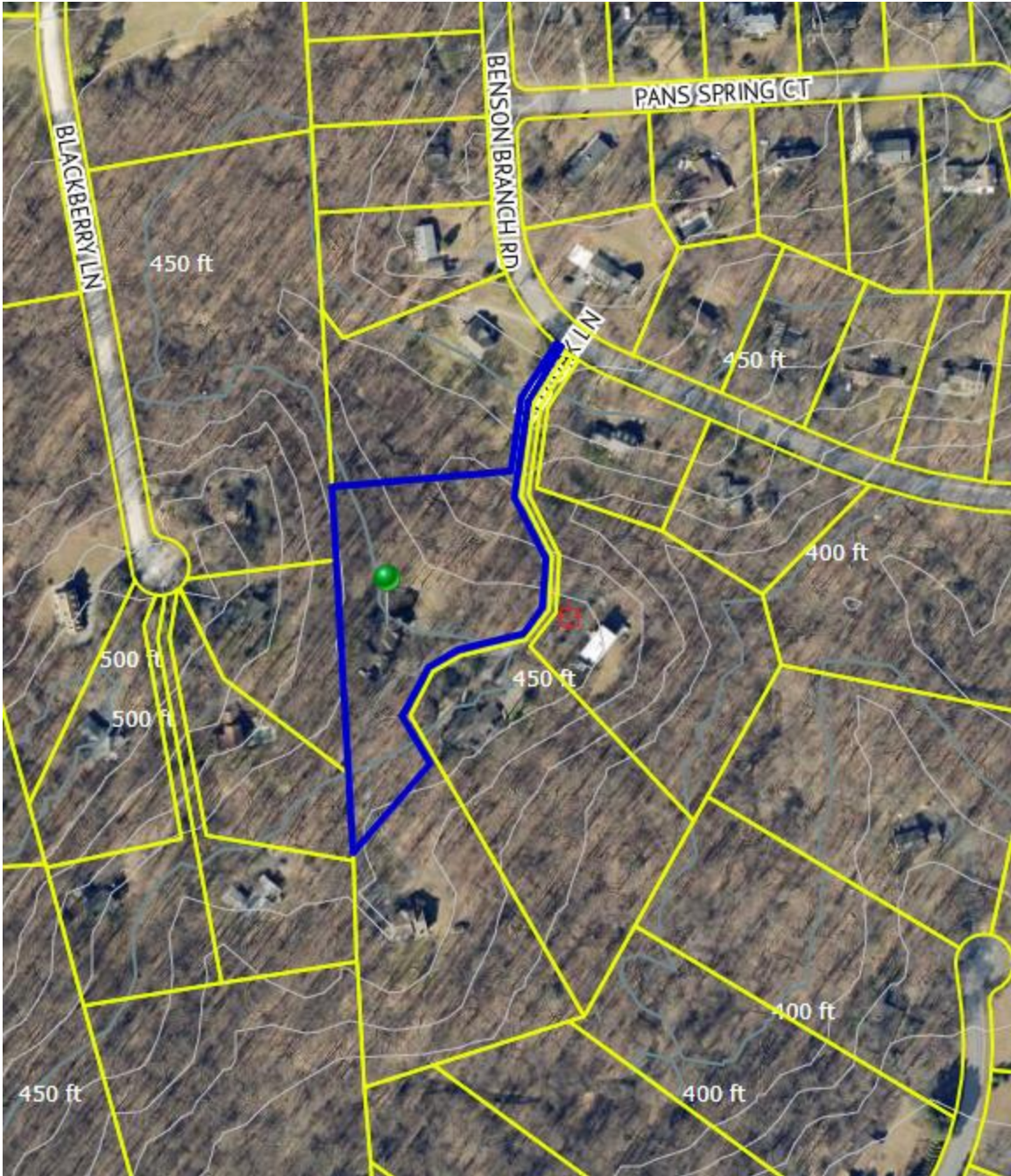
Responses from the following agencies are attached:

1. Division of Land Development
2. Development Engineering Division
3. Resource Conservation Division
4. Department of Recreation & Parks
5. Bureau of Environmental Health
6. Department of Fire and Rescue Services

Attachments

cc: Petitioner

3704 Red Oak Lane





Agency Comment Form

Variance

Date: October 3, 2025
Use: Residential
Zoning: RR-DEO
File No.: BA-25-022V
Petitioner: Kourosh Mechanic
Property Address: 3704 Red Oak Lane
Map No: 22
Parcel: 360, Lot 4

COMMENT REQUEST	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	OOT	FD
Certification that the development shown on the proposed plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x	x	x	x	x

Comments Due: October 20, 2025

COMMENTS: The property owner will have to submit a waiver request to the Health Department Deputy Director (Jeff Williams) asking for a reduced setback from the septic tank to the proposed pool. The minimum setback requirement is 10 feet from a pool to a septic tank. As part of the waiver approval, the Health Department will require that the septic tank be field-located and the proposed pool should be staked out. For the best chance of a waiver approval, a minimum of 5 feet should be maintained from the pool and the septic tank. As part of the waiver process, a site visit from a licensed Health Specialist will occur before approval is given. At the time of a building permit, a site plan should show a measured distance between the pool and septic tank.

Zack Silvast

SIGNATURE



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Comments Due: October 20, 2025

COMMENTS: The Development Engineering Division takes NO EXCEPTION to the request to reduce the rear yard setback to 3' – 6" for the installation of a pool based on the justification presented in the application.

Jim Witmer
SIGNATURE



Agency Comment Form

Variance

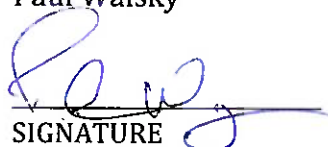
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Comments Due: October 20, 2025

COMMENTS: We have no comments.

Dept. of Rec. & Parks
October 7 2025
Paul Walsky


SIGNATURE



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Comments Due: October 20, 2025

COMMENTS: The Resource Conservation Division has no objection to the proposed variance.

Eric Buschman 10/8/25
SIGNATURE



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Comments Due: October 20, 2025

COMMENTS: The Department of Fire and Rescue Services has no comment on, nor objection to, this request.

Robert Ferguson
Battalion Chief
Office of the Fire Marshal



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

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Comments Due: October 20, 2025

COMMENTS: The Division of Land Development has no objection to granting this rear setback variance and offers the following consideration. The proposed pool encroaches into a 20' easement for existing forest buffer retention. This buffer easement is not part of the Forest Conservation easement and appears to be in place to fulfill the perimeter landscaping obligations that were in effect at the time of development. However, DLD was unable to locate the supplemental plans associated with this subdivision to confirm this landscaping requirement. The proposed pool should be sufficiently buffered from the adjacent property to meet the landscape requirements.

Signed by:

Jason Linker
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SIGNATURE

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