

January 22, 2015

Tim Goodfellow
Frederick County Development Review
30 North Market Street
Frederick, MD 21701

Re: Bowers Property R-3 Concept Cluster Plan
Section 1-16-161(B), Lot Area, Width, & Yard Modifications; and
Driveway Separation Distance for Lots 4 & 7 Staff Review Justification

Dear Tim:

This letter serves as the formal request for a Planning Commission modification as allowed by Section 1-16-161(B) to modify lot area, lot width and required yards in a cluster subdivision, and also provides the justification for a Staff level modification for driveway separation for Lots 4 & 7 as shown on the plan.

Section 1-16-161(B) – Request for Modification of Lot Areas, Widths, & Yards

Inherent in the concept of a Residential Cluster Plan, the Frederick County Subdivision Ordinance in Section 1-16-161(A) states that “The purpose of cluster development is to provide a method of development that permits variation in lot sizes without an increase in the overall density of population; that allows home buyers a choice of lot sizes according to their needs; that preserves green space, tree cover, scenic vistas, natural drainage ways, or preserves features of outstanding national topography; in order to prevent soil erosion and provide green areas for rest and recreation.”

In order to accommodate those variations in lot sizes, Section 1-16-161(B) provides that the “...the Planning Commission may permit modifications in lot area, lot width, yards (building restriction areas) including zero lot lines...”

The applicant believes that, due to the existence of a stream and tree cover on the property, and their desire to preserve as much of those natural features as possible, coupled with the properties long-standing R-3 Residential Zoning, a Residential Cluster approach is appropriate for this property.

In order to accommodate the proposed cluster design, and preserve the natural features on the property, the applicant requests the following modifications in accordance with Section 1-16-161(B) of the Frederick County Subdivision Ordinance:

	<u>R-3 Standard</u>	<u>Proposed</u>
Minimum Lot Size:	12,000 s.f.	6,000 s.f.
Minimum Lot Width:	80'	55'
Minimum Front Yard:	30'	15'
Minimum Side Yard:	10'	6'
Minimum Rear Yard:	30'	20'

Driveway Separation Lots 4 & 7 Distance Staff Review Justification

The current plan shows a proposed common drive for Lots 4 & 7 accessing from Bells Lane approximately 155' south of the intersection of Bells Lane and Baltimore Road. As stated previously, the only point of entry into the Bowers Property which meets public road standards for sight and separation distance is the location currently shown for the Street "A" access point. The proposed location of the common drive serving lots 4 & 7 is approximately equidistant between Baltimore Road and the Street "A" access, providing the maximum amount of distance from both.

The applicant felt that this was a better approach than proposing that these two lots access from their frontages along Street "A", which would have provided a driveway entrance as soon as entering the subdivision from Bells Lane along Street "A". The proposed common drive approach requires rear garages for the homes on Lots 4 & 7 and also requires a retaining wall, which creates additional development expense, but the applicant feel creates a safer access for these lots.

Also, an 11/12/14 comment from Ron Burns had us add note #17 to the plan stating that the SSD for the common drive to serve Lots 4 & 7 meets SSD by his inspection.

This note has been added to the plan and by this letter, we request Staff approval of this 155' separation distance for the common driveway to serve Lots 4 & 7.

Please feel free to contact me with any questions or comments. Thank you for your consideration of these matters.

Sincerely,

Lingg Property Consulting


David A. Lingg, RLA
President
