

Report to the Charles County Planning Commission  
Request for Section 46M of the  
Charles County Subdivision Regulations  
Meeting Date: February 11, 2013

**PROJECT NAME:** Holly Hall Woods

**PROJECT #:** XRS 11-0022

**PROJECT REQUEST:** The Applicant is requesting approval for an access easement greater than 750 feet per the Charles County Subdivision Regulations Section 46M for the *Holly Hall Woods Property, XRS 11-0022*, submitted by *Lorenzi, Dodds, & Gunnill, Inc.* They are requesting an access easement of approximately 1,597.83 feet be approved. This request is part of the Holly Hall Woods plat that is currently under review.

**SUBJECT PROPERTY:** The subject property, known as Tax Map 70, Grid 19, Parcel 101, contains approximately 35.3172 acres with three (3) purposed lots and a residue. The request is for Lots 2 and 3, and future Lot 4. The property is located off of Holly Hall Court in the 3rd election district and is zoned Agricultural Conservation (AC).

**PROPERTY OWNER:** *Courtney Ann Davis.*

**APPLICANT:** *Courtney Ann Davis* through the engineering company *Lorenzi, Dodds, & Gunnill, Inc.*

**BACKGROUND:** The lots which are the subject of this Section 46M request are on 35.3172 acres. The proposed lots are surrounded on all sides by residential properties. The applicant has stated that the use of panhandle lots is to avoid development in areas with environmentally sensitive features.

**CRITERIA FOR APPROVAL AND FINDINGS:** The following is a discussion of specific issues identified by Staff for consideration by the Planning Commission. The applicant is requesting approval for an access easement to be longer than 750 feet. The Minimum Standards are found in the Subdivision Regulation, Section 46(m), Access for Flag Lots, and the Zoning Ordinance, Section 297-25, General Lot Requirements, F, Panhandle Lot Requirements. The principal issue is whether the request meets and is consistent with the requirements of the regulations listed below. Justification for the access easement provided by *Lorenzi, Dodds, & Gunnill, Inc.* states that the access easement was designed due to the following constraints:

**Subdivision Regulation, Section 46(m), Access for Flag Lots.** In order to provide adequate and safe access for residents and for the provision of emergency services, access easements to flag lots shall not be longer than seven hundred fifty (750) feet in length unless specifically approved by the Planning Commission.

- a) These easements are not to be less than twenty-five (25) feet in width for any access easement for two (2) or more residential lots, and

*The total width of the joint/common access easement is thirty-seven point five (37.5) feet.*

- b) Must be found to be a useable alignment based on topography and property limits.

*The proposed panhandle lot design is to avoid development in areas with environmentally sensitive features. "The panhandle lots follow the natural topography and provide access to suitable building and septic areas, while minimizing clearing and grading impacts to adjacent steep slopes and forested areas. By placing the panhandle lots along the property line, the existing farmstead, entitled "Residue", has been completely retained in its historical manner."*

- c) For longer easements the Planning Commission may require additional pavement widths, passing areas, or alignment variations to provide for the safe use and provision of emergency services to the lots as required by the *Zoning Ordinance* and the *Road Ordinance*.

*The engineer has delineated two (2) passing areas along the easement on the plat with a total usable width on Maple View Place in this area of 20 feet wide for a length of at least 50 feet. The total length of the access easement is 1,594.89 feet.*

**Zoning Ordinance, Section 297-25, General Lot Requirements, F, Panhandle Lot Requirements.** Panhandle lots shall be permitted for residential use only to:

- b) To avoid development in areas with environmentally sensitive features; or

*The proposed use of a panhandle lot is to avoid development in areas with environmentally sensitive features and;*

- c) (1) the minimum lot frontage shall be 12 1/2 feet.

*Each flag lots frontage is at least the minimum 12 1/2 feet, for a total width of 37.5 feet.*

**RECOMMENDATION:** Staff recommends that should the Planning Commission grant the access easement to be longer than 750 feet that it be with the two (2) *pullover areas* shown on the plat provided by the engineer and *delineated on the plan* with a total usable width on *Maple View Place* in this area of at least 20 feet wide for a length of at least 50 feet and that it (the access easement) not exceed 1,594.89 feet, and that all other *Charles County Subdivision and Road Ordinance requirements are met*. This application meets the minimum requirement for approval.

**ATTACHMENTS:** For a more detailed view of the property, site, location, zoning, and aerial maps are attached. A copy of the applicant justification letter is included. A copy of the Emergency Vehicle Passing Area Plan is also attached.

Prepared by the Charles County Planning Division, Department of Planning and Growth Management.