



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

July 15, 2016

David P. Scheffenacker, Jr.
Kellogg – CCP, LLC
100 West Road, Suite 304
Towson, Maryland 21204

Re: Oxford Square, "River Overlook", Mass Grading Plan
Alternative Compliance No. WP-16-157
(Site Development Plan SDP-16-052, Oxford Square, "River Overlook")

Dear Mr. Scheffenacker:

The Director of the Department of Planning and Zoning considered your request for an alternative compliance of Section 16.155(a)(2)(i) of the Howard County Subdivision and Land Development Regulations. Alternative compliance of this regulation would allow the petitioner to conduct mass grading without an approved site development plan. As of the date of this letter the Planning Director approved your request, subject to the following conditions:

1. The petitioner shall obtain an approved grading permit to conduct the proposed mass grading.
2. Limits of disturbance shall not encroach into wetland buffers or forest conservation easements.
3. The petitioner shall observe the conditions of approval of the DPZ, Development Engineering Division.

Our decision to approve the request for alternative compliance was made based on the following justification submitted by Fisher, Collins & Carter, Inc.:

"Summarize any extraordinary hardships or practical difficulties which may result from strict compliance with the Regulations."

The mass grading of these parcels is necessary such that the overall Oxford Square project from an earthwork balancing viewpoint can be achieved this summer and fall. Some of the parcels of land are now owned by the Howard County Board of Education for which grading can only occur during the summer months. In order to accomplish this mass grading task within the summer window a waiver is required to allow construction to begin as soon as possible. The standard review period for a formal site development plan will take too long to process.

"Verify that the intent of the regulations will be served to a greater extent through the implementation of the alternative proposal."

It is felt that the intent of the regulation will be served to a greater extent through the implementation of the standard mass grading plan process through the Department of Licenses and Permits. Since previous discussions with the County have determined that the proposed grading effort will not require a building permit this permit process will provide the County adequate opportunity to review the proposed site

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development plan.

"Substantiate that approval of the alternative compliance will not be detrimental to the public interest."

Approval of this alternative compliance request will not be detrimental to the public interest because it will allow for a timely review of the proposed site development plan by the County. In addition, to mass grade the public school parcels during the school year will be more detrimental to the children than during the summer months.

"Confirm that approval of the alternative compliance will not nullify the intent of the Regulations."

Approval of this alternative compliance will allow the development of Parcels 'A-A', 'Z' and Open Space Lot 244 to proceed as currently shown on site development plan SDP-16-052 without any conflict with this grading effort.

Indicate the alternative compliance file number, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This approval will remain valid for one year from the date of this letter or as long as this grading plan remains in active processing.

Should you have any questions please contact Dave Boellner at 410-313-3956 or by email at dboellner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/DBB:dbb

Enclosure: DED comments

C: DPZ, Research
DPZ, DED
Fisher, Collins & Carter, Inc.