



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

August 3, 2016

7410 Grace Drive, LLC
13007 Twelve Hills Road
Clarksville, MD 21029

Dear Sir or Madam:

RE: WP-17-004, Grace Drive, Fino Vino (SDP-15-078)

The Director of the Department of Planning and Zoning considered your request for an alternative compliance from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request for an alternative compliance of **Section 16.156(l) – Payment of Fees; Posting of Financial Obligations**, which requires the payment of fees and posting of financial obligations within 180 days of receiving approval of the site development plan, and **Section 16.156(m) – Submission of Originals for Signature**, which requires the submission of the original mylar within 180 days of approval of the site development plan.

Approval is subject to the following conditions:

1. The payment of fees and posting of financial obligations must be completed **on or before November 1, 2016**.
2. The original mylar of the Site Development Plan must be submitted for County signatures **on or before November 1, 2016**.

Our decision was made based on the following:

Extraordinary hardship or practical difficulties which may result from strict compliance with the Regulations - The extraordinary hardship or practical difficulty involved with this alternative compliance request would require the developer to submit a new site development plan. The developer has requested the extension to allow additional time to acquire the securities needed for the completion of the developer's agreement. If the alternative compliance petition was not approved, the developer will miss the deadline date for the submission of the original mylars, and a new Site Development Plan would be required thus placing a hardship on the applicant.

Not Detrimental to the Public Interest - Approval of the alternative compliance request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding properties. The design of the site development plan will not change, but will allow the developer additional time to acquire the funds needed to post their developer's

agreement. The granting of the alternative compliance petition for an extension of the APFO milestone deadline date will not change the design of the site and will not be detrimental to the public interest. The alternative compliance request does not request a relaxation in the design regulations; therefore, the approval of this alternative compliance request will not be detrimental to the public.

Will Not Nullify the Intent or Purpose of the Regulations - Approval of this alternative compliance request will not nullify the intent or purpose of the regulations since the design of the site development plan will not change, but will allow the developer's additional time to arrange for the financial sureties required for the developer's agreement.

Indicate this alternative compliance petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This requested alternative compliance will remain valid for the time period specified in the conditions of approval.

If you have any questions, please contact Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/BL

cc: Research
DED
Real Estate Services
Vogel Engineering
SDP-15-078