



Howard County Department Of Planning And Zoning

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Valdis Lazdins, Director

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October 24, 2016

Triangle Montgomery Associates, LLC
Triangle Old Annapolis Associates, LLC
attn: Mr. J. Chris Pippen
4291 Montgomery Road
Ellicott City MD 21043

RE: **WP-17-027 Long Gate Overlook, Lots 1-43 and Open Space Lot 44**
(F-13-028, SDP-12-058)

Dear Mr. Pippen:

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 petition of the following sections of the Subdivision and Land Development Regulations:

Section 16.144(m) of the Amended Fifth Edition – The Department of Planning and Zoning shall provide the developer with a written report of the findings of the review committee, including the comments of the review committee and its recommendations. If the Department of Planning and Zoning or the review committee indicates that additional information is needed in order to decide whether to approve the final plan, the developer shall provide the information within 45 days of receiving such indication.

Section 16.156(g)(2) of the Amended Fifth Edition – If the Department of Planning and Zoning or the review committee indicates that additional information is needed in order to decide whether to approve the plan, the developer shall provide the information (revised plans) within 45 days of receiving such indication.

Approval is subject to the following two (2) conditions:

- 1) The applicant must submit the required additional information requested (in the form of revised plans) for the final plan and the site development plan within **1 year** from the date of this alternative compliance approval (on or before **October 24, 2017**).
- 2) On the final plat and the site development plan, provide a brief description of alternative compliance petition, WP-17-027, as a general note that includes the alternative compliance requests, sections of the regulations, action and date of approval.

Justification for Recommendation of Approval

Hardship:

The purpose of this alternative compliance petition is to grant the applicant additional time to resubmit the revised final plat and SDP while a modified plan (that includes acreage from an adjacent church property) remains on hold due to closed schools. This extension will provide the petitioner with adequate time for the modified plans to pass the Elementary and Middle School Open/Closed charts. In addition, the petitioner is requesting additional time to resubmit revised plans due to pending legislation in regards to stormwater management, potential changes to the stormwater management requirements, and a potential building permit moratorium.

Alternative:

Should the modified plans be considered feasible, the developer will request that the older version of these plans (F-13-028 and SDP-12-058) be voided and removed from processing.

Not detrimental to 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 residential and institutional use properties, since no waivers to the site design, access, environmental areas or infrastructure improvements are being requested.

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 overall and current purpose of the project is to reconfigure four separate tax parcels into a subdivision of fee-simple lots for the purpose of developing single-family attached residential dwellings. The applicant is requesting additional time to resubmit additional information for this plan design while modified plans (as explained above) are under consideration.

*** This requested alternative compliance petition will remain valid for one year from the date of this letter.**

If you have any questions, please contact Derrick Jones at (410) 313-2350.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/dj
cc: Research
DED
Vogel Engineering
Files: F-13-028, SDP-12-058