



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

December 2, 2016

Yoriko Harigaya
3 Leatherwood Court
Burtonsville, MD 20866

RE: Alternative Compliance Request, WP-17-042
Yoriko Property (F-15-044)

Dear Mr. Harigaya:

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 16.144(p) and Section 16.144(q)** which require that that within 120 days of receiving approval of the final plan the developer shall pay all required fees to the County; and within 180 days of final plan approval, the developer shall submit the final subdivision plat original to the Department of Planning and Zoning for signatures and recordation.

Approval is subject to the following conditions:

1. Compliance with all SRC Agency comments generated with the review of the submitted Plat of Subdivision, F-15-044.
2. The Developers Agreement and payment of fees must be completed on or before (60 days from the original submission deadline date of November 8, 2016) **on or before January 7, 2017**.
3. The original final plat must be submitted (60 days from the original submission deadline date of the approval letter) **on or before March 8, 2017**.
4. Include the alternative compliance request number, description, and decision on all associated plans, plats, and future site plans.

Our decision was made based on the following:

Self-Created Hardship:

The applicant would have experienced hardship and practical difficulty with the development of the property through strict compliance with the regulations. The subject minor subdivision was approved on February 3, 2015 and the allocations were provided by letter dated July 11, 2016. The property owner has been working toward completion of the developer's agreement and paying the necessary fees. The owner has just completed the title report to submit to Real Estate Services to prepare the developers agreement missing the November 8, 2016 deadline. The owner is requesting the additional 60 days in order to complete the developers agreement process and for the owner to execute the documents and provide the required surety.

Implementation of Alternative Proposal:

The intent of the regulations is to keep the project submissions on a schedule for the timely and efficient submission of documents and information. A new final plan submission could be submitted to the County. However the submission of a new plan would require a new review of the same proposed layout that has already been

reviewed by County personnel. Alternatively an extension could be granted allowing final plan F-15-044 to continue processing for continuity of file records, which would allow the owner to progress forward with the development.

Detrimental to the Public Interests:

Allowing the Yoriko Property Final Plan, F-15-044 to continue processing would not be detrimental to the public interest as the plan extension would only allow the project to proceed forward with the processing of the developers agreement and the original plat submission.

Nullifies the Intent or Purpose of the Regulations:

The intent of the regulations is to keep the project submissions on a schedule for the timely and efficient submission of documents and information. Approval of this alternative compliance request for an extension would not nullify the intent of the regulations as the plat can continue to move forward with its submission.

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 one year from the date of this letter or as long as this subdivision plan remains in active processing.

If you have any questions, please contact Nick Haines at (410) 313-4333 or email at nhaines@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/NH

cc: Research
DED
Real Estate Services
Vogel Engineering