



Howard County Department Of Planning And Zoning
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Valdis Lazdins, Director

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January 13, 2017

Triangle Montgomery Associates
Triangle Old Annapolis Associates
attn: Chris Pippen
453 S. Polk Drive
Sarasota FL 34236

RE: WP-17-056 Long Gate Overlook and Bethel Baptist Church (F-16-048)

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 to the following section of the Subdivision and Land Development Regulations:

Section 16.144(m) 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 final plan, the developer shall provide the information within 45 days of receiving such indication.

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

- 1) Within 45 days from the date of the alternative compliance approval letter, the developer/owner shall resubmit a revised final plat (F-16-048) to the Department of Planning and Zoning for review and comment **on or before February 27, 2017**.
- 2) Provide a brief description of this alternative compliance petition, WP-17-056, as a general note on the final plat that includes the requests, section of the regulations, action and date of approval.

Justification for Approval

Extraordinary Hardship:

The purpose of this alternative compliance is to reactive a voided final plat that missed the deadline date of October 13, 2016 to resubmit a revised plat. On that same date, the developer informed this Department to cease all processing for this plat and on October 21, 2016 the plat was officially voided. On December 12, 2016, the developer and his engineering consultant met with the Planning staff to discuss his intent to reactivate the voided plat and to discuss site design and engineering matters. The extraordinary hardship is based on the fact that the plat had made progress through the review process and by requiring the developer to submit a new plat application would be an unnecessary and burdensome hardship.

Not detrimental to public interest:

By granting this alternative compliance, it will not have any detrimental impacts to the public interests, will not alter the essential character of the area and will not impair the use or development of the surrounding properties since the subject properties are properly zoned for the intended uses and have demonstrated that the proposed land uses are suitable for the site. The plat shall comply with all County and State laws and this alternative compliance approval shall not affect the design and function of this development.

Not nullify the intent or purpose of the regulations:

Approval of this alternative compliance request will not nullify the intent of the Regulations which requires the developer to provide additional information within 45 days of receiving staff comments from DPZ. The developer had made efforts to comply with development standards during the review process and through the reactivation of the plat, it will allow the County to review the additional information that must be provided before a plat approval can be considered.

Alternative:

The only other alternative is to restart the review process over through the filing of a new plat. The developer had already progressed through the review process and, although no plat approval has been granted, significant progress had already been made during the review process.

This alternative compliance approval will remain valid for 45 days 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
File: F-16-048
DED
Bethel Baptist Church
Vogel Engineering