



September 26, 2019

Patrick James Byrne
KB Companies
7 Old Cistern Court
Catonsville, MD 21228

RE: WP-20-009, Hidden Ridge (F-18-087)

Dear Mr. Byrne:

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 the following sections of the Subdivision and Land Development Regulations:

- **Section 16.144(p):** Within 120 days of receiving approval of the final plan, the developer shall pay all required fees to the County and if subject to a developer agreement or major facility agreement, shall post all monies and file appropriate surety covering the developer's financial obligations for the required public or private improvements.
- **Section 16.144(r)(5):** Failure to pay fees, sign developer's agreement, provide surety. Except where delay is caused by government action, failure to pay fees post monies, sign developer agreements and major facility agreement, and provide appropriate surety within 180 days of final plan approval shall void previous approvals and the application shall be considered withdrawn.
- **Section 16.144(q)&(r)(6):** Except where the delay is caused by government action, failure to submit the final plat within 180 days of final plan approval shall void previous approvals and the application shall be considered withdrawn.

Approval is subject to the following conditions:

1. The Developer's Agreement and payments of fees and surety related to F-18-087, Hidden Ridge must be submitted and paid within 60 days of the original deadline of August 16, 2019 (**on or before October 15, 2019**). Please provide documentation of the approval for this alternative compliance with the submission of the developer agreements and the payment of fees.
2. The plat must be submitted within 60 days of the original deadline of October 15, 2019 (**on or before December 14, 2019**). Please provide documentation of the approval for this alternative compliance with the submission of the plat originals for recordation.
3. Add a note regarding this alternative compliance request to all plans for this project which includes the sections specified, decision date, and conditions of approval.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties: The property owner of Lot 2, Pentecostal Church of God, will be closing on the property sale with the Developer. In order to avoid the Church's leadership from becoming party to the development responsibilities, the owner is seeking to transfer ownership ahead of the final submission of the documents and recordation of the plat.

Alternative Proposal: Allowing this alternative compliance avoids having to amend the Developer's Agreements documents associated with this project to reflect the developer's ownership and responsibility to fulfill the agreement(s).

Not Detrimental to the Public Interest: The request is for a short extension of time to allow for the paperwork to reflect the accurate responsible party and does not negate the enforcement of regulations or prohibit other projects from obtaining allocations.

Will Not Nullify the Intent or Purpose of the Regulations: The request is for a short extension of time to allow for the paperwork to reflect the accurate responsible party and does not negate the enforcement of regulations or prohibit other projects from obtaining allocations.

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 Jill Manion at (410) 313-2350 or email at jmanion@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/JAM

cc: Research
DED
Real Estate Services
Phoenix Engineering
Ryan Homes
Jerome Carr
Janine Ratcliff