



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

December 23, 2019

Magnolia Manor, LLC
Attn: Michael Pfau
3675 Park Avenue
Ellicott City, MD 21043

RE: WP-20-050, Falcon Place
Alternative Compliance Request

Dear Mr. Pfau:

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)**.

Approval is subject to the following conditions:

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 as indicated within the "Technically Complete" letter dated July 23, 2019, within 60 days of the previous deadline date of November 14, 2019 (or until **January 13, 2020**).

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty – Extraordinary hardship or practical difficulty would result if the applicant is required to submit a new final plan and pay all the associated fees since a glitch in Project Dox caused a delay in receiving the cost estimates in a timely manner.

Alternative Proposal – The only alternative for not granting the requested deadline extensions is to require the submission of a new final plan for this project. Because the project already went through the entire final subdivision plan review cycle, received a "technically complete" designation, and has an established file history, the alternative for requiring a new final plan is not recommended by this Division.

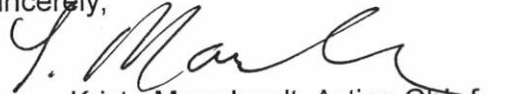
Not Detrimental to the Public Interest – The alternative compliance request will not be detrimental to the public interest since final subdivision plans have already been processed and approved for this project. The requested deadline extension will not have any adverse effect on the surrounding properties and the community where the property is located. In fact, an extension would allow the developer time to execute the necessary Developer's Agreements for the project. Therefore, approval of this alternative compliance petition would not be detrimental to the public interest.

Will not Nullify the Intent or Purpose of the Regulations – Final subdivision plans have already been processed and approved for this project. Since there have been no significant policy or regulation changes since the approval of the final plan, the approval of this requested extension would not nullify the intent or purpose of the regulations. Additionally, approval of this alternative compliance request will satisfy the intent of the Regulations by permitting fairness and consistency in the application of plan processing procedures.

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 JJ Hartner at (410) 313-2350 or email at jjhartner@howardcountymd.gov.

Sincerely,



Tanya Krista-Maenhardt, Acting Chief
Division of Land Development

TM/JH

cc: Research
DED
Real Estate Services
Robert H. Vogel Engineering, Inc.