



# 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

October 21, 2021

Hill Huang  
1819 Panarama Court  
McLean, Virginia 22101

RE: WP-22-013 The Aerie in Elkridge

Dear Mr. Huang:

This letter is to inform you that your request for alternative compliance to the Howard County Subdivision and Land Development Regulations for the subject project was reviewed. On October 20, 2021 and pursuant to Section 16.104, the Director of the Department of Planning and Zoning, considered and **approved** your request for alternative compliance with respect to **Section 16.144(p) and Section 16.144(q)** of the Subdivision and Land Development Regulations to reactivate the final plan and an extension of the deadline dates.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.144(p) and Section 16.144(q) would result in an unreasonable hardship or practical difficulty. This determination is made with consideration of your alternative compliance application and the [four (4) items OR one (1) item] you were required to address, pursuant to Section 16.104(a)(1):

**1. Unreasonable hardship or practical difficulties may result from strict compliance with the regulations.**

The applicant is requesting a 9-month extension for each of the deadlines for the submission of the Developer's Agreement and the record plat so that they can rework the current layout of the proposed development. The developer would like to explore alternatives to the proposed layout of the 12-lot subdivision due to the large amount of earth movement and infrastructure that the approved layout required. Approval of the extension will allow the team time to investigate alternatives and determine if they will be moving forward with the currently approved plan or pursuing a revised sketch plan application. The applicant would endure unreasonable hardship if the request was denied, as they would lose the ability to explore alternatives that reduce grading and would be required to move forward with the current plan or forfeit the Plan's status. The goal is to achieve a design that better addresses resources and limits the intensity of construction, while maintaining the current milestones and status in plan review. The changes anticipated may result in a revision to the existing Sketch plan, modify or create a new F-Plan and plat, and set new deadlines for the subsequent plan submission deadlines. As such, DLD is recommending approval of the 9-month extension of time for the applicant to determine the development's path forward and work through the revised Sketch Plan review process if needed.

Approval of this Alternative Compliance is subject to the following conditions:


1. Completion of Developer's Agreements and payment of fees within **9 months** of the original August 14, 2021 milestone date (**on or before May 14, 2022**). The Department of Public Works will provide a written receipt indicating this requirement has been met. The receipt from Real Estate Services Division **must** accompany the submission of the record plat originals.

2. Submission of the original Final Plat of the Division of Land Development for signature approval and recordation within **9 months** of the original September 9, 2021 milestone date (**on or before June 9, 2022**).
3. One the final plat, and all subsequent plans, provide a general note with a brief description of the alternative compliance approval (include requests, sections of the regulations, action and date).

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 alternative compliance approval will remain valid for the time period specified in the conditions of approval.

If you have any questions, please contact Kathryn Bolton at (410) 313-2350 or email at [kbolton@howardcountymd.gov](mailto:kbolton@howardcountymd.gov).

Sincerely,

DocuSigned by:  
  
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Anthony Cataldo, AICP, Chief  
Division of Land Development

AC/kb

cc: Research  
DED  
DLD - Julia Sauer  
Real Estate Services  
Chris Malagari, Benchmark Engineering, Inc.



**Howard County Maryland**  
**Department of Planning and Zoning**  
 3430 Courthouse Drive, Ellicott City, MD 21043

(410) 313-2350

**DPZ Office Use only:**  
 File No.  
 Date Filed

**ALTERNATIVE COMPLIANCE APPLICATION**

**Site Description:** 12 SFD lots and 1 open space lot

**Subdivision Name/Property Identification:** The Aerie in Elkridge

**Location of property:** located at the terminus of South Hanover Road

**Existing Use:** residential      **Proposed Use:** residential

**Tax Map:** 38      **Grid:** 14      **Parcel No:** 232      **Election District:** 1

**Zoning District:** R-12      **Total site area:** ~5.25 acres

Please list all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, alternative compliance petitions, etc.). If no previous plans have been submitted, please provide a brief history of the site and related information to the request:

ECP-19-028; S-19-004; WP-19-053; P-20-003; F-20-070

In the area below, the petitioner shall enumerate the specific numerical section(s) from the Subdivision and Land Development Regulations for which an alternative compliance is being requested and provide a brief summary of the request. Please use the additional page if needed.

Section Reference No.	Brief Summary of Request
<del>16.114</del> (p) & (q) 16.144	We are requesting a time extension for the execution of the Developer's Agreement and recordation of the Plat of Subdivision.

Section Reference No.	Brief Summary of Request

Signature of Property Owner: *Will S. Huang* Date: August 9, 2021

Signature of Petitioner Preparer: *Chris Malagari* Date: August 9, 2021

Name of Property Owner: Hill Huang Name of Petition Preparer: Benchmark Engineering, Inc

Address: 1819 Panarama CT Address: 8480 Baltimore National Pike Suite 315

City, State, Zip: McLan, VA 22101 City, State, Zip: Ellicott City, MD, 21043

E-Mail: hillhuang@yahoo.com E-Mail: bei@bei-civilengineering.com

Phone No.: Phone No.: 410-465-6105

Contact Person: Hill Huang Contact Person: Chris Malagari

Owner's Authorization Attached