



# 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

January 14, 2022

Mr. Chris Armstrong  
U.S. Home Corporation  
7035 Albert Einstein Drive, Suite 200  
Columbia, MD 21046

RE: WP-22-062 Potters Place, Oaks at Waters Edge Phase III  
Parcel A

Dear Mr. Armsrtong:

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 January 14, 2022 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 16.156(l)** of the Subdivision and Land Development Regulations for a 30 day extension to complete the execution of the documents, payment of fees and posting of surety.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.156(l) would result in an unreasonable hardship or practical difficulty. This determination is made with consideration of your alternative compliance application and the 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 developer is moving forward and completing the required items in the April 17, 2020 approval letter. The applicant has executed the documents provided by DPW Real Estate Services. At the time the extension was requested, the developer did not have the required bonds in hand and RES would not accept the Developers Agreement for execution by the Executive without the bonds. As of the writing of this staff report, RES now has the required documents and bond agreement from the developer and will forward them to the Executive for execution presently. Granting the Alternative Compliance request and extending the deadlines does not change or modify any technical requirements which have already been met as there have been no changes to the Regulations or technical criteria during this time. The purpose of the request is to provide the time necessary to complete the developer's agreement, payment of fees, posting of surety and processing originals for signature. Denial would create an unreasonable hardship as the developer have to formally submit new plans for review with no physical changes to those plans. Approval of the alternative compliance promotes efficiency of the plan review process.

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

1. The deadline to complete the Developers Agreement and payment of fees shall be February 13, 2022.
2. The deadline to complete all items outlines in the technically complete letter of April 17, 2020 letter and submit original mylars for signature approval shall remain February 7, 2022.

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 Donna Despres at (410) 313-3429 or email at [ddepres@howardcountymd.gov](mailto:ddepres@howardcountymd.gov).

Sincerely,

DocuSigned by:



Anthony Catalano, AICP, Chief  
Division of Land Development

AC/DD

cc: Research  
DED  
DLD - Julia Sauer  
Real Estate Services  
Vogel Engineering + Timmons Group  
SDP-20-004 Potters Place  
O's Only file – Oaks at Waters Edge



**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: Potters Place

Subdivision Name/Property Identification: The Oaks at Waters Edge Phase III Parcel 'A'

Location of property: Port Capital Drive

Existing Use: Vacant Proposed Use: Apartments

Tax Map: 43 Grid: 3 Parcel No: 644 Election District: 15+

Zoning District: R-A-15 Total site area: 1.79 AC.

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:

SPP-20-004  
WP-21-143

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
<u>16.156(1)</u>	<u>Deadline to submit Developer Agreement, Posting of surety, Payment of fees</u>

Section Reference No.	Brief Summary of Request

Signature of Property Owner:  Date: 12-10-21  
 (on behalf of Chris Armstrong)

Signature of Petitioner Preparer:  Date: 12-10-21

Name of Property Owner: U.S. Home Corporation Name of Petition Preparer: Vogel Engineering + Timmons Group

Address: 7035 Albert Einstein Drive, Site 200 Address: 3300 N. Ridge Road, Suite 110

City, State, Zip: Columbia, MD 21046 City, State, Zip: Ellicott City, MD 21043

E-Mail: chris.armstrong@lemar.com E-Mail: rob.vogel@timmons.com

Phone No.: 410-423-0407 Phone No.: 410-461-7666

Contact Person: Chris Armstrong Contact Person: Robert H. Vogel

Owner's Authorization Attached