



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 30, 2023

Mr. Mark Thompson
20006 Delaware, Inc.
Triple Bell Farms, LLC
198 Laurel Rack Track Road
Laurel, MD 20725

Dear Mr. Thompson:

RE: WP-23-036, Paddock Pointe, Phases 2, 3 and 4,
SDP-15-063, SDP-21-016 and SDP-21-037 and F-22-047

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.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.144(q), 16.156(l), 16.156(m), 16.156(o)(1)(i) and 16.156(o)(1)(ii) 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.

This alternative compliance request is related to economic challenges post pandemic related to inflation, dramatic increases in the cost of building materials and supply chain limitations. Additionally, through prior re-phasing, the deadline for Phases 2 and 4 (SDP-15-063 and SDP-21-037) have shifted resulting in both projects being constructed at the same time. The applicant is concerned there would be too many units coming on-line to be absorbed into the market over a short period of time, making the projects economically unfeasible. Additionally, it is well known that supply chain delays have been significantly impacting availability of materials and supplies. These global market issues are causing the need for building permit deadline extensions and are not the result of any actions by the developer.

Staggering construction and occupancy of the units would also benefit the County since it will also stagger infrastructure demands. Paddock Point was approved for 1000 units in 2010 and the County has been planning for infrastructure since that time. As recent as last year, DPZ provided the Howard County Public School Systems (HCPSS) projections for 780 units from Paddock Point to be spread between 2025 – 2031, at an average of a little over 100 units per year. Therefore, HCPSS has planned for these units in their annual capacity projections and this extension would push the actual school demand out a year, providing excess capacity in the short term that cannot be used by other projects.

The granting of the requested extensions will provide the time necessary to complete the process in accordance with the Howard County Subdivision and Land Development Regulations while also providing a staggered release of new units within the public market. Absent the extension, the milestone dates would lapse and strict compliance with the Regulations would require the applicant to submit a new plat and site development plans matching what has already been approved for review and processing. This would also require RES to replicate the existing developer's agreement.

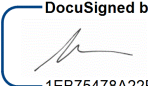
Approval of this Alternative Compliance is subject to the following conditions:

1. The final subdivision plat mylars for (F-22-047) must be submitted for recordation on or before November 13, 2023.
2. The developer agreement and payment of fee for Phase 4 Site Development Plan (SDP-21-037) must be completed on or before November 13, 2023.
3. The original plans for Phase 4 (SDP-21-037) must be submitted for signature on or before November 13, 2023.
4. The developer agreement and payment of fee for Phase 2 Site Development Plan (SDP-15-063) must be completed on or before March 21, 2024.
5. The original plans for Phase 2 (SDP-15-063) must be submitted for signature on or before March 21, 2024.
6. Application for the initial building permit associated with Phase 3 (SDP-21-016) must be submitted on or before July 12, 2024.
7. Application for all building permits associated with Phase 3 (SDP-21-016) must be submitted on or before July 12, 2025.
8. The project must comply with the conditions of approval from all previously approved Alternative Compliances.
9. On all future plan submissions, provide a brief description of alternative compliance petition, WP-23-036, as a general note to include request(s), section(s) 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 Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,

DocuSigned by:


1EB75478A22B49A...
Anthony Cataldo, AICP, Chief
Division of Land Development

AC/bl

cc: Research
DLD - Julia Sauer
Real Estate Services
Vogel + Timmons



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Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

November 16, 2022

Mr. Mark Thompson
20006 Delaware, Inc.
Triple Bell Farms, LLC.
198 Laurel Rack Track Road
Laurel, MD 20725

Dear Mr. Thompson:

RE: WP-23-036, Paddock Pointe

This letter is to inform you that your request for alternative compliance to the Howard County Subdivision and Land Development Regulations for the subject property was reviewed and no action can be taken until the enclosed comments have been addressed, and the following additional information is provided. **If additional sections of the Code are waived, \$50 per section will be required with the resubmission.**

Copies of the exhibit/plan and the supplemental information and a response letter to the comments for each agency should be submitted to this Division for distribution in the following manner:

<u>Agency</u>	<u>#Copies</u>
DLD	1
DED	1

The resubmission must sent electronically to Jennifer Wellen at JWellen@howardcountymd.gov or Justin Schleicher at JSchleicher@howardcountymd.gov. The requested information and revised plans must be submitted within **45 days** of the date of this letter (**on or before December 31, 2022***), or this Division will recommend that the Planning Director or Director Committee deny this alternative compliance petition.


Once the requested information has been received and reviewed, this office will coordinate agency comments and will prepare a recommendation for the Planning Director's action. If you have any questions regarding a specific comment, please contact the review agency prior to preparing the revised plans and information. Compliance with all items indicated above is required before the revised plans and information will be accepted.

In accordance with adopted Council Bill 51-2016, effective 10/05/16, if the deadline date is a Saturday, Sunday or holiday or if the County offices are not open, the deadline shall be extended to the end of the next open County office business day.

Submissions can be mailed to Howard County Planning and Zoning, 3430 Court House Drive, Ellicott City, MD 20143 or dropped in the bin labeled 'DLD' at the Department of Planning and Zoning Public Service Counter located on the first floor of the George Howard Building. Submission materials can also be emailed to planning@howardcountymd.gov for processing.

If you have any questions, please contact Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,

DocuSigned by:

1EB75478A22B49A...

Anthony Cataldo, AICP, Chief
Division of Land Development

AC/BL

Attachments:

cc: Research
DLD - Julia Sauer
Real Estate Services
Vogel Engineering + Timmons Group



DPZ Office Use only:

File No.

Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: Padlock Pointe

Subdivision Name/Property Identification: Padlock Pointe Phase 4 SDP + Plat

Location of property: 10041 American Pharoah Lane + 12100 Laurel Fox Blvd

Existing Use: Vacant **Proposed Use:** Residential

Tax Map: 50 **Grid:** 10 **Parcel No:** B2/C-4 **Election District:** 6th

Zoning District: TOD **Total site area:** 3.69


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:


F-22-047 (Plat)
 SDP-21-037

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
16.144 (g)	MILESTONES FOR PLAT ORIGINAL
16.156 (k) od(m)	SDP MILESTONE - DEVELOPER AGREEMENT - SUBMISSION OF ORIGINALS FOR SIGNATURE

Section Reference No.	Brief Summary of Request

Signature of Property Owner:  Date: 9/28/22

Signature of Petitioner Preparer:  Date: 9/29/22

Name of Property Owner: ^{20006 Delaware Inc} Triple Bell Farms LLC Name of Petition Preparer: Vogel Engineering + Timmons Group

Address: 198 Laurel Rose Track Road Address: 3300 North Ridge Road., Suite 110

City, State, Zip: Laurel MD 20725 City, State, Zip: Ellicott City, Maryland 21043

E-Mail: mark-thompson@strongachgroup.com E-Mail: rob.vogel@timmons.com

Phone No.: 443-794-7161 Phone No.: 410-461-7666

Contact Person: Mark Thompson Contact Person: Robert H. Vogel

Owner's Authorization Attached