



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

July 15, 2016

Jonas and Joan Cash
3925 Folly Quarter Road
Ellicott City, Maryland 21042

RE: WP-16-149, Folly Equine Estates
(formerly Cash Property)

Dear Mr. and Mrs. Cash:

The Director of the Department of Planning and Zoning considered your request for 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 alternative compliance to **Section 16.144(p)** of the Subdivision and Land Development Regulations, which requires payment of all fees and posting of financial obligations within 120 days of final plan approval; and **Section 16.144(q)** of the Subdivision and Land Development Regulations, which requires the final subdivision plat to be submitted to the Department of Planning and Zoning within 180 days of final plan approval. The applicant is requesting an extension to the submission due dates.

Approval is subject to the following conditions:

1. The deadline date to pay all fees and post all financial obligations, and submit the final plat originals, is hereby extended an additional 90 days from the date of this letter (**on or before October 13, 2016**).
2. Compliance with all agency comments generated with the review of the final plan, F-16-021.

Review Comment – The alternative compliance petition file number, requested section, approval date and conditions of approval shall be indicated on the final subdivision plat and plan as a general note.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

The Developer's Agreement is in process, but the paperwork is at the bank for signatures and the owner has no control over the time required to acquire the bank approval. Currently, additional information has been requested, and while that information is available, and will be provided in a timely manner, it appears unlikely that the remaining issues will be resolved by the milestone date. The applicant would endure a financial hardship this plan was voided and a new subdivision plat was required.

Alternative Proposal will be Served to a Greater Extent

Allowing additional time for the applicant to complete the Developer's Agreements and submit the plat original to DPZ will serve the intent of the regulations to a greater extent. The plat has already been reviewed and approved by the Subdivision Review Committee for compliance with all applicable regulations. Submission of the same subdivision under a new plan file would be redundant.

Not Detrimental to the Public Interest

Approval of this alternative compliance request will not have a detrimental effect on the public interests, alter the essential character of the neighborhood or impair the development of the surrounding properties as the property is being designed and reviewed in accordance with the County Code.

Will Not Nullify the Intent or Purpose of the Regulations

The granting of the alternative compliance request would not compromise the intent of the Regulations. This petition does not request relaxation of any development requirements. The alternative compliance request is to allow additional time to pay all fees and post all financial obligations and submit the final plat original for final DPZ approval.

Please 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 request will remain valid for the time period specified in the conditions of approval or as long as the subdivision remains in active processing.

If you have any questions, please contact Julia Boone at (410) 313-2350 or email at jboone@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/jb

cc: Research
DED
Real Estate Services
Benchmark Engineering
F-16-012 (PDox)