



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

February 1, 2017

Harmony Builders, Inc.
Attn: Scott Godstrem
4228 Columbia Road
Ellicott City, MD 21042

RE: WP-17-062, Robert's Crossing,
Lots 1-15 and Open Space Lots 16 & 17
Approval Letter

Dear Mr. Godstrem:

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 the following sections:

Section 16.144(k)(3)(i) which requires submission of a final plan within four months of preliminary plan approval or preliminary sketch plan approval for subdivisions of 50 or fewer housing units.

Approval is subject to the following conditions:

1. The developer shall submit the final plan to the Department of Planning and Zoning for review within 1 year of the previous deadline date of February 3, 2017 (or until February 3, 2018), as indicated within the DPZ "Original Mylars Signed" letter dated October 3, 2016.

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 preliminary equivalent sketch plan and pay all the associated fees since establishing a "Quiet Zone" around an existing railroad crossing takes time given the number of agencies involved in obtaining approval.

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

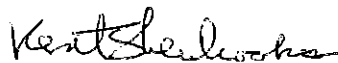
Not Detrimental to the Public Interest – The waiver request will not be detrimental to the public interest since preliminary equivalent sketch plan has already been processed and approved. The requested deadline extensions will not have any adverse effect on the surrounding properties and the community where the property is located. In fact, an extension would allow the developer to establish a “Quiet Zone” around the nearby railroad crossing, benefitting not only this subdivision but also surrounding businesses and residential properties. Therefore, approval of this waiver petition would not be detrimental to the public interest.

Will not Nullify the Intent or Purpose of the Regulations – Preliminary equivalent sketch 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 preliminary equivalent sketch plan, the approval of this requested extension would not nullify the intent or purpose of the regulations. Additionally, approval of this waiver 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 one year from the date of this letter or as long as a subdivision or site development plan remains in active processing.

If you have any questions, please contact J.J. Hartner at (410) 313-2350 or email at jjhartner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/JH

cc: Research
DED
Real Estate Services
Mildenberg, Boender, and Associates
SP-16-005
WP-17-062