



Howard County Department Of Planning And Zoning

3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Valdis Lazdins, Director

www.howardcountymd.gov

FAX 410-313-3467

TDD 410-313-2323

March 8, 2017

VRE, LLC
c/o Mildenberg Boender Assoc.
attn: Diana Gupta
7350 Grace Drive, Suite B
Columbia MD 21044

RE: **WP-17-076 Holiday Hills, Section 6, Lot 100 (SDP-06-118)**

Dear Ms. Gupta:

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 to the following two sections of the Subdivision and Land Development Regulations:

Section 16.156(o)(1)(i) of the Amended Fifth Edition – Within 1 year of signature approval of the site development plan (SDP) original, the developer shall apply to the Department of Inspections, Licenses and Permits for building permits to initiate construction on the site.

Section 16.156(o)(2) of the Amended Fifth Edition – If the developer does not apply for building permits as required by Paragraph (1) of this Subsection, the site development plan shall expire and a new site development plan submission will be required.

Approval is subject to the following four (4) conditions:

- 1) Approval of SDP-06-118 is hereby reactivated and extended for 1 year from the date of the Alternative Compliance approval letter to apply for building permit to initiate construction on the subject property (on or before **March 8, 2018**). The petitioner shall comply with all building permit application requirements of the Department of Inspections, Licenses and Permits.
- 2) Satisfying the well and septic concerns of the Health Department prior to applying for permits.
- 3) The petitioner shall submit a standard plan revision (red-line) of SDP-06-118 to the Development Engineering Division to update SWM calculations/devices and to add a general note on sheet 1 referencing this alternative compliance file number, request, sections of the Regulations and approval date of the 1 year extension to apply for permits.
- 4) The petitioner shall be advised that this may be the last extension to be granted for this lot.

The decision of this alternative compliance petition is based on the following justification:

Hardship:

Extraordinary hardship would result if the petitioner were required to process a new SDP for the subject property. The petitioner has an approved SDP on file, which still conforms to all County regulations and requirements. Requiring the petitioner to go through the SDP process again for the approval of one single-family detached dwelling would create unnecessary time delay and effort and cause practical difficulties and extraordinary hardship on the petitioner.

Alternative:

Based on the hardship and practical difficulty stated above, the petitioner has no other alternative than to request alternative compliance to meet the intent of these Regulations. The submission of a new SDP would require new fees and would have to be re-circulated through the County for review even though the SDP has not been altered in any way.

Not detrimental to public interest:

Approval of the alternative compliance request will not alter the essential character of the area and will not impair the use or development of the surrounding properties. The SDP has received approval and the petitioner is not requesting to change the design of the SDP.

Not nullify the intent or purpose of the regulations:

Approval of this alternative compliance request will not nullify the intent or purpose of the regulations since the overall proposal of the project is to site a single-family detached house. The petitioner is requesting a 1 year extension to apply for building permits and to reactive an expired SDP that had met all requirements for plan approval.

No SRC agency opposed the approval of this alternative compliance petition.

* Indicate this alternative compliance petition file number, request, section of the regulations, action, conditions of approval, and date of approval on SDP-06-118. **This requested alternative compliance will remain valid for the time period stated in the conditions of approval.**

If you have any questions, please contact Derrick Jones at (410) 313-2350.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/dj
attach: DED, Health Dept.
cc: Research
DED
DILP
Zoning – Annette Merson
File: SDP-06-118
Mildenberg and Boender