



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

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Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

August 15, 2017

Patrick James Byrne
7 Old Cistern Court
Catonsville, MD 21228

RE: Hidden Ridge, WP-17-132

Dear Mr. Byrne:

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 **Section 16.104(b)(1)** which states that the Department of Planning and Zoning may approve a waiver (Alternative Compliance Request) to a provision of this subtitle provided that the developer has presented a petition demonstrating the desirability of the waiver (Alternative Compliance Request). If the County requests additional justifying information, the information must be submitted within 45 days of the Department's letter of request. **Section 16.144(d)(2) Report Review Committee** which states that If the Department of Planning and Zoning or the Review Committee indicates that additional information is needed in order to decide whether to approve the plan, the developer shall provide the information within 45 days of receiving such indication. **Section 16.144(r)(3) Provide Additional Information** which states that if additional information needed for plan approval is not provided within 45 days of request, the plan shall be denied.

Approval is subject to the following conditions:

1. The revised preliminary equivalent sketch plan (SP-17-008) must be submitted (90 days from the original resubmission deadline date of June 30, 2017) **on or before September 28, 2017**.
2. The new information requested for the alternative compliance request WP-17-099 must be submitted 90 days from the resubmission deadline of June 23, 2017 to **September 21, 2017**. Please include correspondence of this extension with your resubmission materials.
3. Include the alternative compliance request number, description, and decision on all associated and future plans.

The Planning Directors' decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

The applicant would have experienced hardship and practical difficulty with developing the property through strict compliance with the regulations. The property owner has been working toward completion of the requested updated wetland delineation requested by Howard County per review comments. The amount of time required to complete the request and adjust the site design accordingly prevents the re-submission prior to the deadline date. The results of the new wetland report and the project re-design will directly impact which alternative compliance requests will be required. The owner has requested an additional 90 days in order to complete the wetland report and update the plans per the issued comments. Further the applicant is adjusting an alternative compliance request based on a redesign, so it should not be submitted until changes to the request are known.

Implementation of Alternative Proposal:

The intent of the regulations is to keep the project submissions on a schedule for the timely and efficient submission of documents and information. A new Sketch Preliminary Plan submission could have been submitted to the County. However, the applicant has been working diligently on a redesign to address staff comments. Alternatively an extension could have be granted allowing Sketch Preliminary Plan SP-17-008 to continue processing and the new wetland report to be completed. This would allow continuity of file records and more accurate site data, which would allow the owner to progress forward with the proposed development.

Detrimental to the Public Interests:

Allowing the Hidden Ridge Sketch Preliminary Plan, SP-17-008 to continue processing would not be detrimental to the public interest as the plan extension would only allow the project to proceed forward with the evaluation of the wetland resources and updates to the proposed plans, and to have the most up to date information for the alternative compliance.

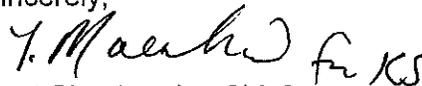
Nullifies the Intent or Purpose of the Regulations:

The intent of the regulations is to keep the project submissions and alternative compliance requests on a schedule for the timely and efficient submission of documents and information. Approval of this alternative compliance request for an extension would not have nullified the intent of the regulations as the updated wetland report will provide more accurate data so the Sketch Preliminary Plan can continue to move forward with its review, and the applicant will have a better idea of what code sections they will require relief from and the revised justification for that relief.

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 one year from the date of this letter or as long as a subdivision or site development plan is being actively processed in accordance with the processing provisions of the Regulations.

If you have any questions, please contact Jill Manion Farrar at (410) 313-4338 or email at jfarrar@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/NH

cc: Research
DED
Real Estate Services
SP-17-008
Phoenix