



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

August 16, 2017

Todd C. Norris
6044 Montgomery Road
Elkridge, Maryland 21075

RE: WP-18-005, Norris Property, Lots 1 & 2
(F-17-040)

Dear Mr. Norris:

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 16.144(p)** which requires payment of fees and posting of financial obligations within 120 days of receiving approval of the final plan and alternative compliance to **Section 16.144(q)** which requires that within 180 days of final plan approval, the developer shall submit the final subdivision plat to the Department of Planning and Zoning for signatures and recordation.

Approval is subject to the following conditions:

1. This Department will grant a **60-Day extension** from the date of this Alternative Compliance approval by which to complete the Developer's Agreement, pay all required fees, post all sureties and to submit final plat originals. The new deadline date by which to complete the Developer's Agreement, pay all required fees, post all sureties and to submit final plat originals for F-17-040 is **on or before October 15, 2017**.
2. Compliance will all comments generated with the review of the ECP-16-066, F-17-040, and WP-18-005.
3. Add a general note on the final plat describing this Alternative Compliance petition and the conditions.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties: Strict compliance with the Subdivision Regulations will result in extraordinary hardships and practical difficulties for the present property owner if they are required to prepare and process a new subdivision plat. The final plan, F-17-040, received a technically complete letter on December 1, 2016. However, the owner is now facing complications with the bank. The bank has recently requested a list of documents the client needs to provide, including an appraisal on the property. This request affected completing the financial bonding with the banking entities, which in turn, affects the Developer's Agreement bonding requirements. The owner is currently returning the information package to the bank for completion. Denying the request would result in the voiding of all previously approved plans and cause considerable financial hardship to the owner. An extension of time will allow for bonding and financing to be obtained, allowing this project to move forward.

Alternative Proposal: The intent of the regulations will still be served through implementation of an alternative proposal and approval of the Alternative Compliance request and will not nullify the intent of the Regulations. The owner is not circumventing any of the regulations, but only requesting an extension of time to allow the completion of the remaining financial obligations and the submittal of the final plat originals.

Not Detrimental to the Public Interest: The requested Alternative Compliance will not be detrimental to the interest of the public. This development has been reviewed by all County and State agencies and has been approved under F-17-040. No adverse comments were received from the public regarding the proposed project. Any further requests to the deadline dates will require submission of a new Alternative Compliance petition application.

Will Not Nullify the Intent or Purpose of the Regulations: The Alternative Compliance, if approved, will not nullify the intent and purpose of the Howard County Subdivision and Land Development Regulations as the Alternative Compliance plan will ensure sufficient time for the owner to complete the financial obligations and to submit the final plat originals for signature and recordation. Therefore, approval of this Alternative Compliance request will not nullify the Intent or Purpose of the Regulations, which is to ensure that all development proposals follow uniform procedures and standards.

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 Jennifer Wellen at (410) 313-2350 or email at jwellen@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/ktb

cc: Research
DED
Real Estate Services
MBA