



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

October 12, 2017

TSC/B654 BN Pike, LLC
attn: S. Bruce Jaffe
8600 Snowden River Parkway, Suite 207
Columbia MD 21045

RE: WP-18-031 High Point (SDP-16-045)

Dear Mr. Jaffe:

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(l) and 16.156(m) of the Amended Fifth Edition – Within 180 days of receiving approval of the site development plan (SDP) the developer shall pay all required fees and if subject to a developer agreement, post all monies and/or file appropriate surety covering the developer's financial obligations for the required improvements. Within 180 days of approval of the site development plan, the developer shall submit the original mylar plans corrected to meet the requirements of the various State and County agencies; the Department of Planning and Zoning shall coordinate the signature process associated with approval of the site development plan. If the corrected originals are not submitted within 180 days of approval of the SDP, the approval will expire and a new site development plan submission will be required.

Approval is subject to the following two (2) conditions:

- 1) The filing of the DPW Developer Agreement, the payment of fees and the submittal of the SDP originals must be made within 180 days from the September 3, 2017 deadline date (on or before March 2, 2018).
- 2) Provide as a general note on SDP-16-045 this alternative compliance petition file number, request, approval date, and conditions of approval.

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

The applicant failed to file the DPW developer agreement, the payment of fees and the submittal of the SDP originals within the 180-day deadline set forth in the DPZ technical complete letter dated March 7, 2017. The SDP for the redevelopment of a 0.69 acre parcel had met all preliminary site development review requirements and an administrative adjustment (AA-16-019) was approved to reduce the 30-foot setback to 24 feet for a retaining wall and deck. The applicant has stated that there were "temporary difficulties" preventing the completion of the developer agreement. The applicant was aware of the deadline date to file the developer agreement, payment of fees and the submittal of the SDP originals, but was not able to meet those dates due to unforeseen difficulties encountered during the 180-day period to satisfy said requirements.


The applicant took prompt action to file this alternative compliance petition within 2 weeks after failing to meet the 180-day deadline date; thus acknowledging that the SDP had expired and is now requesting that this Department consider reactivating the plan based on the justification (difficulties in filing the developer agreement) provided. The applicant is assured that a 180-day extension will provide ample time to prepare and complete the developer agreement process and the submittal of the SDP originals.

No SRC agency objected to this request.

* Indicate this alternative compliance petition file number, request, section of the regulations, action, conditions of approval, and date of approval on the site development plan. **This requested alternative compliance petition will remain valid for the time period specified in the approval conditions or as long as the site development plan remains in active processing.**

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

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/dj
cc: Research
DED
Real Estate Services
File: SDP-16-045
Vogel Engineering