



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

October 31, 2017

Dorsey's Ridge, LLC
308 Magothy Road
Severna Park, MD 21146

RE: WP-18-038, Dorsey's Ridge
Alternative Compliance Request

Dear Sir or Madam:

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 16.146**, requiring a Preliminary Plan if a Sketch Plan is approved or approved with modifications for a property.

Approval is subject to the following conditions:

1. Submission of a final plan application, including a final subdivision plat and road construction plan drawings within 6 months from the date of the alternative compliance approval letter (50 to 100 units). A final plan must be submitted for Phase 1 to show the 5 lots, with all other lots shown as non-buildable bulk parcel(s) and open space lots.
2. All proposed infrastructure and improvements for the ENTIRE project (57 units) must be shown and bonded through a Developer's Agreement with the initial subdivision plat and supplemental plans, even if that plan will only use the 5 allocation credits associated with the property.
3. Any necessary unit-size changes must be made on the subsequent subdivision plat, supplemental plans, and site development plans.
4. A phasing schedule must be provided on the final plan for this project (if needed, please contact Jeff Bronow at (410) 313-4370 for guidance regarding the wording within the phasing schedule). The plat should indicate that 5 units will be Phase 1 and the remaining units will be Phase 2. Phase 2 will remain in the APFO hold bin until the schools test is passed in the related Planning Area.
5. An easement from BGE must be obtained prior to recordation of the final plat for this project. A note must be provided on the plat indicating date of recordation of the easement and LIBER/FOLIO numbers associated with the easement.
6. A separate final plan is required for each of the following:
 - Cooks Lane road improvements
 - The proposed pathway

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

Extraordinary hardship would result from requiring a Preliminary Plan prior to submitting a Final Plan since an Environmental Concept Plan and a Sketch Plan that address many of the Preliminary Plan requirements have already been submitted and approved. Additionally, the Final Plan, when submitted, will have more detailed information with which to evaluate the proposed subdivision design.

Alternative Proposal

The alternative proposal would require the applicant to submit a Preliminary Plan prior to submitting a Final Plan. However, since the public roads for this project were submitted in preliminary form with the Sketch Plan, no significant redesign of the lots and roadways will result from additional reviews. Additionally, the regulations will not be served to a greater extent by requiring submission of a Preliminary Plan since an Environmental Concept Plan and a Sketch Plan that addresses many of the Preliminary Plan requirements has already been submitted and approved. Therefore, requiring a Preliminary Plan is not recommended by this Division.

Not Detrimental to the Public Interest

The alternative compliance request will not be detrimental to the public interest since an Environmental Concept Plan and a Sketch Plan that addresses many of the Preliminary Plan requirements has already been submitted and approved. Additionally, a Final Plan will be submitted which will have more detailed information with which to evaluate the proposed subdivision design. Requiring the applicant to submit a Preliminary Plan would not provide any additional details regarding this project. Therefore, not requiring a Preliminary Plan will not be detrimental to public interest in any way.

Will 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 approved plans for this development comply with all Subdivision, Land Development, and Zoning Regulations. Since there have been no changes to the regulations since approval of the Sketch Plan, not requiring a Preliminary Plan would promote fairness and consistency in the application of the 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 alternative compliance approval will remain valid for 6 months 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. You should also note that a final plan application, including a final subdivision plat and road construction plan drawings must be submitted within 6 months from the date of the alternative compliance approval letter per the conditions of approval. Failure to meet that deadline date will make this alternative compliance approval null and void.

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
File # S-17-006