



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

February 15, 2018

Benchmark Engineering
8480 Baltimore National Pike, Suite 315
Ellicott City, MD 21043
Attn: John Carney

RE: WP-18-075 Bonnie Ridge- Lots 15 & 16

Dear Sir/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 16.156(l)** and **Section 16.156(m)**.

Approval is subject to the following conditions:

1. The approval of SDP-17-001 is hereby reactivated. The completion of the Developer's Agreements and payment of fees for SDP-17-001 must be completed within 90 days from the date of the Alternative Compliance approval letter (**on or before May 16, 2018**).
2. Site Development Plan originals for SDP-17-001 must be submitted to DPZ within 90 days from the date of the Alternative Compliance approval letter (**on or before May 16, 2018**).
3. Please add the file number, section, decision, date of decision and conditions of approval as a general note on SDP-17-001 and all related plans.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

Strict compliance with the regulations would require the developer to submit an entirely new site development plan for review and approval. This would result in additional fees and effort for the developer and a substantial time delay. The previous managing member of Lawyer's Hill LLLP passed away in mid-October 2017, which had a direct result on the missed milestone dates. The partnership is now being managed by his daughter and executor, Jessie Newburn.

Alternative Proposal:

The developer is requesting an extension of the milestone dates, as established in Sections 16.156 (l) and (m) of the Subdivision and Land Development Regulations, for a period of 3 months from the date of approval of this Alternative Compliance petition. The developer wishes to retain the "technically complete" status and to keep the plan in active processing during the time that it takes to obtain the funds necessary to complete the Declaration of Covenants. This will allow the developer an opportunity to fulfill his obligations and will not void the previous efforts to get the plan to "technically complete" status.

Not Detrimental to the Public Interest:

Approval of this Alternative Compliance request will not be detrimental to the public interest. Extending the deadline to submit the Site Development Plan originals for signature approval will allow the project to progress towards completion without the substantial delay caused by the review and approval of a new SDP. The Site Development Plan has been reviewed by the Subdivision Review Committee for compliance with all applicable State and County regulations.

Will not nullify the intent or purpose of the regulations:

Approval of this Alternative Compliance request will not nullify the intent of the Regulations. The stormwater management has been previously approved under ECP-16-032. The water service contract drawing (14-4008-D) has been signed and redlines and Design Manual Waivers have been approved for the proposed project. The Site Development Plan has received preliminary approval from the Subdivision Review Committee and the plan meets all current regulations.

Indicate this alternative compliance petition file number, request, section of the regulations, action, conditions of approval and date on all site development plans and building permits. This alternative compliance approval will remain valid for the time period specified in the conditions of approval.

If you have any questions, please contact Eric Buschman at (410) 313-2350 or email at ebuschman@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development



KS/eb

cc: Research
DED
Real Estate Services
Jessie Newburn
James Fraser- IS Land