



Howard County Department Of Planning And Zoning
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Valdis Lazdins, Director

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FAX 410-313-3467
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March 12, 2018

Triangle Montgomery Associates LLC
attn: Chris Pippen
453 S. Polk Street
Sarasota FL 34236

RE: WP-18-082 Long Gate Overlook (F-16-048, SDP-14-074)

Dear Mr. Pippen:

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 sections of the Subdivision and Land Development Regulations:

Section 16.144(q) of the Amended Fifth Edition - 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.

Section 16.156(1) and (m) of the Amended Fifth Edition – Within 180 days of receiving approval of the site development plan the developer shall pay all required fees to the County and 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.

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

- 1) Within 60 days from the April 29, 2018 deadline date (on or before **June 28, 2018**), the developer/property owner shall submit the **final plat** original mylars to DPZ.

Within 60 days from the May 7, 2018 deadline date (on or before **July 6, 2018**), the developer/property owner shall complete the developer's agreement process, pay required sureties and submit the **SDP** original mylars to DPZ.

- 2) Provide as a general note on the final plat and the SDP 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:

Hardship:

The petitioner is seeking a 60-day extension to complete the developer's agreements and to submit the final plat and SDP mylar originals due to incomplete agreements and contractual transactions between the property owner and the contract purchaser of the property. Therefore, the petitioner (owner) would experience an undue hardship should this 60-day extension is not granted, since the property transfer must be completed, with new property deeds, before a complete title report can be filed with the Real Estate Services Division to complete the developer's agreement.

Alternative proposal:

The petitioner has stated that there are incomplete agreements between the owner and contract purchaser and, therefore, additional time is being requested to satisfy title reports to complete the developer's agreement process. There is not an alternative proposal to this request; the petitioner has provided satisfactory justification for why this project warrants additional time to complete the developer's agreements and to file the plat and SDP mylar originals.

Not detrimental to public interest:

By granting this alternative compliance petition, it will not have any detrimental impacts to the public interests, will not alter the essential character of the area and will not impair the use or development of the surrounding properties, because the final plat and the SDP are both approved for with no further plan review comments or outstanding site /subdivision design issues to resolve.

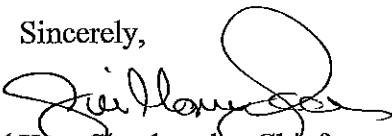
Not nullify the intent or purpose of the regulations:

The approval of this alternative compliance request will not nullify the intent of the Regulations which requires the developer, within 180 days of receiving final plat and SDP approval, to satisfy the developer's agreements and to submit the final plat and SDP mylar originals. Since the filing of this petition, there has not been changes to either the plat or SDP and both plans remains in compliance with all regulations. The petitioner understands that the approved final plat and SDP must remain compliant with all plat and site development regulations and procedures.

*** This alternative compliance petition will remain valid for the time period specified in the conditions of approval (stated above).**

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

Sincerely,


for Kent Sheubrooks, Chief
Division of Land Development

KS/dj
cc: Research
DED
Real Estate Services
Files: SDP-14-074 and F-16-048
Vogel Engineering + Timmons Group