



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

April 3, 2018

Simpson Oaks CRP3, LLC  
4750 Owings Mills Boulevard  
Owings Mills, MD 21117

RE: WP-18-083, Simpson Oaks  
Alternative Compliance Approval

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 16.144(g)(3) and Section 16.144(r)(1)(i)**.

Approval is subject to the following conditions:

1. The Applicant shall submit to the Department of Planning and Zoning a final plan in accordance with approved Sketch Plan S-15-007 and the requirements of Section 16.146 of the Howard County Code **as indicated within the DPZ approval letter dated December 20, 2016, within 6 months of the previous deadline date of December 31, 2017 (or until June 31, 2018)**. If the submission is not made by the established deadline the plan shall be voided and the application for plan approval considered withdrawn in accordance with Subsection 16.144(r)(1)(i) of the Code.
2. The Applicant is advised that the granting of 55 housing unit allocations to S-15-007 was rescinded upon voiding of the plan due to the missed milestone deadline; therefore upon reactivation allocations must again be granted and the open/closed schools test repeated. According to the DPZ Research Division the plan will receive 55 allocations for the 2020 allocation year in the Established Communities Allocation Area. It will take the open/closed schools test and pass for the West School Region, the Pointers Run Elementary School District, and the Clarksville Middle School District. Given that the APFO tests will pass, the plan will be accepted for processing for this 55-unit phase.
3. The Applicant is strongly advised that additional requests for waivers of Subsection 16.144(r)(1)(i) with respect to S-15-007 may be denied.

Our decision was made based on the following:

**Extraordinary Hardship or Practical Difficulty** – Extraordinary hardship or practical difficulty would result if the applicant is required to submit a new sketch plan and pay all the associated fees since timing is crucial to successfully developing this property. Final plans for phase 1 of this project are currently under review. The developer must coordinate with the schedules of WR Grace, Howard County Department of Recreation and Parks, and other stakeholders in order to complete phase 1 and move on to phase 2 of this project. The requested alternative compliance would allow them the time to coordinate the schedules of these stakeholders and allow enough time to complete phase 1 before moving on to phase 2 of the project. Without proper timing, allocations may be lost and the project may be compromised.

**Alternative Proposal** – The only alternative for not granting the requested deadline extensions is to require the submission of a new sketch plan for this project. Because the project already went through the entire sketch plan review cycle, received a “technically complete” designation, and has an established file history, the alternative for requiring a new sketch 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 sketch plans have already been processed and approved for this project. The requested deadline extension will not have any adverse effect on the surrounding properties and the community where the property is located. In fact, an extension would allow the developer time to prepare the necessary final plan for the project. Therefore, approval of this alternative compliance petition would not be detrimental to the public interest.

**Will not Nullify the Intent or Purpose of the Regulations** – Sketch plans have already been processed and approved for this project. Since there have been no significant policy or regulation changes since the approval of the sketch plan, the approval of this requested extension would not nullify the intent or purpose of the regulations. Additionally, approval of this alternative compliance request will satisfy the intent of the Regulations by permitting fairness and consistency in the application of 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 requested alternative compliance will remain valid for the time period specified in the conditions of approval.

If you have any questions, please contact J.J. Hartner at (410) 313-2350 or email at [jehartner@howardcountymd.gov](mailto:jehartner@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/JH

cc: Research  
DED  
Real Estate Services  
Vogel Engineering & Timmons