



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 6, 2018

Triangle Old Annapolis Associates
453 S. Polk Drive
Sarasota, FL 34236

RE: WP-18-093, Dorsey Overlook
Alternative Compliance Decision

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(b)(4)(ii)a**.

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 Preliminary Plan P-17-003 and the requirements of Section 16.146 of the Howard County Code **as indicated within the DPZ approval letter dated November 13, 2017, within 4 months of the signature date of this alternative compliance approval (or until August 6, 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is not made by the established deadline the plan shall be voided and the application for plan approval considered withdrawn in accordance with Subsection 16.144(r)(1)(ii) of the Code.

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 preliminary plan and pay all the associated fees since recent legislation introduced by the Howard County Council may allow the developer to pursue development options that were not previously available. Approving the requested extension will allow the developer time to consider all potential development options, and choose the one that is best suited for the property.

Alternative Proposal – The only alternative for not granting the requested deadline extensions is to require the submission of a new preliminary plan for this project. Because the project already went through the entire preliminary plan review cycle, received a “technically complete” designation, and has an established file history, the alternative for requiring a new 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 preliminary 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 weigh all of their options and pursue the one that is best suited for this property. 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 – Preliminary 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 preliminary 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 alternative compliance approval will remain valid for one year 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.

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 jjhartner@howardcountymd.gov.

Sincerely,


Kent Sheubrooks, Chief
Division of Land Development

KS/JH

cc: Research
DED
Real Estate Services
Vogel Engineering & Timmons Group
P-17-003