



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

September 21, 2018

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

RE: WP-18-136, Dorsey's Ridge

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)** and deferred your request for an alternative compliance of **Section 16.1205(a)**.

Approval for an alternative compliance to **Section 16.144(g)** 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) (**March 21, 2019**). 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

Deferral of an alternative compliance of **Section 16.1205** is due to the following:

In accordance with Council Bill No. 56-2018 adopted on July 27, 2018, the bill temporarily prohibits issuing certain permits, development plan approvals and zoning changes for

properties located within the Tiber Branch and Plumtree Branch Watersheds for 'one year'. While the bill allows the development plan review process to continue, plans (including alternative compliance petition plans) cannot be considered for approval by DPZ until the bill expires.

The bill also requires DPZ to notify current or future applicants in the development review process of potential changes to County laws that could apply to the plans before a permit is issued. Likewise, the Department of Inspections, Licenses and Permits cannot issue a permit for any property within the Tiber Branch and Plumtree Branch Watersheds during the effective period of this bill.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

Extraordinary hardship would result from requiring the petitioner to start the process from the beginning since an Environmental Concept Plan and a Sketch Plan have already been submitted and approved.

Alternative Proposal

The alternative proposal would require the applicant to start the review process all over again from the beginning. However, since an Environmental Concept Plan and a Sketch Plan have already been submitted and approved, requiring the petitioner to start the process from the beginning 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 has already been submitted and approved. Requiring the applicant to start the review process from the beginning would not provide any additional details regarding this project. Therefore, not requiring the petitioner to start the process from scratch 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. Additionally, while Council Bill No. 56-2018 prohibits approving plans until July 27, 2019, it does allow the development plan review process to continue. In this case, DPZ would be reactivating the plan so that the development plan review process may continue, but would not consider plan approval until the bill expires on July 27, 2019.

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.

Sincerely,


for Kent Sheubrooks, Chief
Division of Land Development

KS/JH

cc: Research
DED
Real Estate Services *FCC*