



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

November 13, 2018

Mr. James Irvin, Director
Department of Public Works
3430 Courthouse Drive
Ellicott City, MD 21043

Mr. Caleb C. Gould
Chase Land, LLC
Annapolis Junction Holdings, LP
14401 Sweitzer Lane, suite 200
Laurel, MD 20707

Dear Messrs. Irvin and Gould:

RE: WP-19-027, Mission Road/County Water Tower

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 16.147. Final subdivision plan and final plat**, which requires the submission of a final subdivision plan for all division of lands in Howard County to be approved by the Department of Planning and Zoning and recorded in the Land Records Office. The applicants are proposing to reconfigure seven (7) existing parcels into 3 parcels by recording adjoinder deeds.

Approval is subject to the following conditions:

1. Approval of this alternative compliance request is for the reconfiguration of seven adjoining parcels under three different ownerships. No other parcels are being endorsed and no other parcels will be created.
2. The seven parcels shall be reconfigured by utilization of the Adjoinder Deed process. The Adjoinder Deed conveying land to Howard County shall be recorded at Land Records of Howard County, Maryland on or before July 12, 2019.
3. A recorded copy of the Adjoinder Deed conveying land to Howard County shall be submitted to the Department of Planning and Zoning for file retention on or before August 12, 2019.
4. The Adjoinder Deed conveying land between Chase Land, LLC and Annapolis Junction Holdings, L.P. shall be recorded at Land Records of Howard County, Maryland on or before December 31, 2024.
5. A recorded copy of the Adjoinder Deed conveying land between Chase Land, LLC and Annapolis Junction Holdings, L.P. shall be submitted to the Department of Planning and Zoning for file retention on or before January 30, 2025.
6. The Adjoinder Deed shall reference this Alternative compliance request file number, WP-19-027, and its approval date. The addition of this reference helps anyone who may be reviewing the deed to readily determine that the deed adjoinder was done with the acknowledgement of the Department of Planning and Zoning.
7. Compliance with State Highway Administration comments dated October 18, 2018.
8. Compliance with all applicable County and State Regulations is required.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty –

The purpose of the reconfiguration of the parcels is to reconfigure and merge 7 existing parcels to establish 3 parcels. If the applicants were required to go through the typical process of a subdivision plat this process would incur considerable expenses and an extended time frame. Since all proposed improvements will require a site development plan and possible plat of easement, this is the most efficient solution to allow the reconfiguration through the Adjoinder Deed process. Allowing this process will allow each owner to independently pursue the future development of their own parcel.

Not Detrimental to the Public Interest - The approval of this Alternative Compliance will not be detrimental to public interest because the Adjoinder Deed is only to reconfigure parcels so that the County is able to acquire land needed for a public school site and a public water storage facility site. The approval will not create additional parcels and will bring the properties onto compliance with current regulations by providing the required fee-simple frontage to the parcels. Allowing the Adjoinder Deed process will not create any impacts to public water and sewer, housing allocations, or traffic. Any subsequent site development plans will be required to satisfy any required APFO laws. Approval will also eliminate the need to use additional County time and resources to review the final plans, which would not provide additional information than that provided on the Alternative Compliance exhibit.

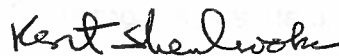
Will Not Nullify the Intent or Purpose of the Regulations - Approval of this alternative compliance request will not nullify the intent or purpose of the regulations. The applicants will configure the parcels by deed instead of the plat which will provide similar results. Subsequent subdivision/site plans will address the construction of any improvements proposed of the parcels.

Alternative Proposal: Alternatively, the utilization of the Adjoinder Deed process, along with the submitted exhibit, could act in place of the submission of the final plat. The proposal only reconfigures the existing deeded parcels, and does not create any new parcels. The petitioners are not trying to circumvent the regulations, but are trying to quickly reconfigure the 7 existing parcels into 3 parcels to meet a deadline stipulated by the Purchase and Sales Agreement. As each property owners develops their parcels, the submission of a site development plan will be required.

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 Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/BL

Enclosure

cc: Research
DED
Real Estate Services
Talkin and Oh
Lisa O'Brien, OOL
WP-19-027