



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

January 22, 2019

Burkard Homes, LLC.  
Attn: Tim Burkard  
5850 Waterloo Road, Suite 140  
Columbia, Maryland 21045

RE: WP-19-062 Serio Estates (SDP-12-082)

Dear Mr. Burkard:

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 16.156.(o)(1)(iii) Building Permits** – For single-family detached site development plans involving multiple lots, the developer shall apply for building permits for all construction authorized by the approved site development plan within five years of approval.

**Approval is subject to the following conditions:**

1. The petitioner shall apply for a building permit for construction on Lots 1-4 & 6-8 within one (1) year from the date of the approval letter (**on or before January 22, 2020**), or the site development plan, SDP-12-082, will expire, and a new site development plan submission will be required.

**Our decision was made based on the following:**

**Extraordinary Hardships or Practical Difficulties:** Requiring the petitioner to process a new site development plan (SDP) for the subject property would create an extraordinary hardship. The SDP has been through the review process and was approved in 2013. The current owner, Burkard Homes LLC, purchased the property from the original developer mid-2018. At the time of purchase only one house was constructed. Requiring a new SDP would unnecessarily increase the time and cost for the new owner to complete the development.

**Alternative Proposal:** The alternative to providing relief from the requirements of the requested section, would be to require that a new plan be submitted for review. This would waste County resources as this SDP has thoroughly been reviewed and approved by all departments. This SDP has an established file history and has been through previous review cycles.

**Not Detrimental to the Public Interest:** Approval of this Alternative Compliance would not be detrimental to the public interest. The site has received approval for the SDP and further review would not change the development. The reactivation of this plan will not have any adverse effects on the surrounding properties. The new owner, Burkard Homes LLC., has already taken ownership of the Developer's Agreements for this project to make sure that all required work from the original approved plans will be completed.

**Will Not Nullify the Intent or Purpose of the Regulations:** The approval of this Alternative Compliance will not nullify the intent or purpose of the regulations as it does not offer relief from the regulations, but only reactivates a previously approved SDP. The development will meet all current, applicable regulations as the development is completed.

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.

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

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/ktb

cc: Research  
DED  
Real Estate Services  
Vogel/Timmons  
SDP-12-082