



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

February 4, 2018

Bruce Taylor
Autumn Development Corporation
8 Park Center Court, Suite 200
Owings Mills, MD 21117

RE: WP-19-068, Village Crest Senior Towns
(SDP-17-007)

Dear Dr. Taylor:

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), which states (1) Within 1 year of signature approval of the site development plan original, the developer shall apply to the Department of Inspections Licenses and Permits for building permits to initiate construction on the site. (2) If the Developer does not apply for building permits as required by Paragraph (1) of this Subsection, the site development plan shall expire and a new site development plan submission will be required.

Approval is subject to the following conditions:

1. The applicant shall apply for initial building permits within 6 months of the October 2, 2018 deadline date (on or before April 2, 2019).
2. The applicant shall apply for building permits on all residential lots on or before April 2, 2020.
3. A copy of the letter regarding the approval of this alternative compliance extension shall be submitted with all building permit applications.
4. Should SDP-17-007 be redlined, a general note regarding this alternative compliance extension shall be provided.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties: The applicant had begun grading work on the subject property and the pad sites for the home had been completed. Upon the completion of this work, the builder applied for the initial building permit and learned that the deadline was missed. As work has commenced and the 1-year threshold only recently passed, it would be a significant hardship to void the existing plan and request the developer to submit new plans. The builder is ready to begin sales and construct units, and the secured financing for the project would come under peril, and the builder would be burdened with extraordinary hardships related to existing contracts and loans, and it would require a significant time delay to process new plans, agreements and permits.

Alternative Proposal: The alternative proposal to reactivate the plan and extend deadlines by 6 months provides the opportunity to conserve County resources that would have to be used to re-review an already

approved plan, while also providing a short time period to obtain the necessary permits. The alternative proposal is more reasonable considering the permit deadline was missed by 3-month period and other work on the site had clearly commenced.

Not Detrimental to the Public Interest: It is not detrimental to the public interest to grant this alternative compliance, as there have been no regulatory changes that would impact this development. The project is outside any restrictive watershed and the plan does not alter the essential character of the neighborhood.

Will not nullify the intent or purpose of the regulations: The intent of the regulations will not be nullified by the approval of this alternative compliance request. This Alternative Compliance does not request any relaxation of the technical plan requirements and the previously approved plan will not change.

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 Jill Manion at (410) 313-2350 or email at jmanion@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/JAM 

cc: Research
DED
Real Estate Services
Vogel Engineering