



# 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

April 8, 2019

Arnold Sagner  
Blue Stream, LLC  
P.O. Box 416  
Ellicott City, MD. 21041

RE: WP-19-084 (Blue Stream)

Dear Mr. Sagner:

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(p)** which establishes deadlines for the submission of developer agreements and posting of fees related to subdivision; **Section 16.144(q)** which establishes deadlines for the submission of plat originals **Section 16.156(l)** which establishes deadlines for the submission of developer agreements and posting of fees related to site development plans and **Section 16.156(m)** which establishes deadlines for the submission of plan originals in relation to site development plans.

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

1. The developer's consultant must submit final plat mylars for F-18-113 ("Blue Stream") within 90 days of the current deadline date of July 21, 2019 (**on or before October 19, 2019**).
2. The developer's consultant must submit developer agreements and any fees for F-18-082 ("Blue Stream") within 90 days of the current deadline date of March 15, 2019 (**on or before June 13, 2019**).
3. The developer's consultant must submit final plat mylars for F-18-082 ("Blue Stream") within 90 days of the current deadline date of July 13, 2019 (**on or before October 11, 2019**).
4. The developer's consultant must submit developer agreements and any fees for SDP-18-022 ("Delacour at Blue Stream") within 90 days of the current deadline date of May 22, 2019 (**on or before August 20, 2019**).
5. The developer's consultant must submit site development plan mylars for SDP-18-022 ("Delacour at Blue Stream") within 90 days of the current deadline date of July 21, 2019 (**on or before October 19, 2019**).
6. Contact Carol Stirn at (410) 313-2350 to set up a submittal appointment for submission of the final plat and site development plan mylars to the Department of Planning and Zoning for signatures and recordation of the plat within the allotted time period.

The Planning Director's decision was made based on the following:

**Extraordinary hardships or practical difficulties:**

According to the applicant's justification, "the current property owner is in the process of completing a transaction to facilitate the transfer of the project to a national homebuilder. Once the transaction is complete it will take several weeks for the Maryland State Department of Assessment and Taxation to update and for the attorneys to generate updated title work reflecting the new ownership. At that time, the new entity will be able to initiate the Road Construction Plan Developer Agreement. Afterwards, the ownership information on the plat and Site Development Plan will be updated. The plats and Plan then can move through the signature and recordation process."

"The transaction between current owner and future builder has taken considerably longer than anticipated due to the national homebuilder's "due diligence exercise". They have undertaken various exercises, including pond inspection, soil borings, surveys of the existing grading, meetings with various County agencies and a third-party review." The current owner anticipates these activities will be completed within the next several months.

Should the alternative compliance request not be granted, a hardship for the current property owner would occur as it would require almost immediate recordation of plats and the signature of the site development plan; and both would need to be revised as soon as the property was transferred. This would create additional work and fees for all parties involved. Should the request not be granted, the project risks being voided, which could result in the loss of allocations.

**Detrimental to the Public Interest or Nullifies the Intent or Purpose of the Regulations:**

The granting of the alternative compliance request allows for the orderly preparation and completion of the Developer's agreements, recording of plats and completion of all required plat and plans signatures.

The request does not seek relaxation of plat or Plan requirements, only an extension of processing deadlines.

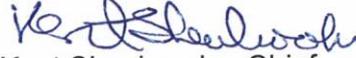
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Indicate this alternative compliance petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits.

This requested alternative compliance will remain valid for the time period specified in the conditions of approval.

If you have any questions, please contact Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at [tmaenhardt@howardcountymd.gov](mailto:tmaenhardt@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

Attachment

KS/tkm/WP-19-084 Delacour at Blue Stream approved 4/8/19

cc: Research  
DED  
Real Estate Services  
Vogel Engineering/Timmons Group  
SDP-18-022, F-18-113 & F-18-082 files