



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

September 26, 2019

Gratia Plena, LLC
4979 Sheppard Lane
Ellicott City, MD 21042

RE: WP-20-015, Cunningham Property, Lots 1-3
Alternative Compliance Request

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(p) and Section 16.144(q)**.

Approval is subject to the following conditions:

1. The developer shall pay all required fees to the County; and, if subject to a developer agreement or major facility agreement, shall post all monies and file appropriate surety covering the developer's financial obligations for the required public or private improvements within 60 days of the date of this letter (or until November 25, 2019).
2. The developer shall submit the final subdivision plat to the Department of Planning and Zoning for signatures and recordation within 60 days of the date of this letter (or until November 25, 2019).

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty – Extraordinary hardship or practical difficulty would result if the applicant is required to submit a new final plan and pay all the associated fees since well drilling on the project has been delayed.

Alternative Proposal – The only alternative for not granting the requested deadline extensions is to require the submission of a new final plan for this project. Because the project already went through the entire final subdivision plan review cycle, received a “technically complete” designation, and has an established file history, the alternative for requiring a new final plan 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 final subdivision plans have already been processed and approved for this project. The requested deadline extension will not have any adverse effect on the surrounding properties and the community where the property is located. In fact, an extension would allow the developer time to drill the necessary wells for the project. Therefore, approval of this alternative compliance petition would not be detrimental to the public interest.

Will not Nullify the Intent or Purpose of the Regulations – Final subdivision plans have already been processed and approved for this project. Since there have been no significant policy or regulation changes since the approval of the final plan, the approval of this requested extension would not nullify the intent or purpose of the regulations. Additionally, approval of this alternative compliance request will satisfy the intent of the Regulations by permitting fairness and consistency in the application of plan processing procedures.

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 JJ Hartner at (410) 313-2350 or email at jjhartner@howardcountymd.gov.

Sincerely,


Kent Sheubrooks, Chief
Division of Land Development

KS/JH
cc: Research
DED
Real Estate Services
Robert H. Vogel Engineering, Inc.