



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350
Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

January 21, 2020

Robinson Overlook Ltd. Ptsp.
500 S. Front St., 10th Floor
Columbus, OH 43230
ATTN: Anne Little

RE: WP-20-025 (Robinson Overlook)
(related to SDP-19-055 and PB 449: Robinson Overlook)

Dear Ms. Little:

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 16.116(b)(1)** which prohibits grading, removal of vegetative cover and trees, new structures, and paving on land with existing 25% or greater steep slopes (over 10 vertical feet) with a contiguous area of 20,000 square feet or more.

NOTE: The Director's Office approved the request for alternative compliance to Section 16.156(g)(2) on September 25, 2019. Revised plan submission was extended to November 7, 2019. The decision on the alternative compliance request to Section 16.116(b)(1) was deferred until after a decision had been rendered by the Planning Board on SDP-19-055, "Robinson Overlook". The Planning Board recommended approval to SDP-19-055 on January 9, 2020.

Approval of the request for an alternative compliance of **Section 16.116(b)(1)** is subject to the following condition:

1. Impact is restricted to 5,165 square feet of steep slopes behind buildings 2 and 3 to accommodate drainage and stormwater management, and to disturb 1,200 square feet for a retaining wall and level area in front of the wall for maintenance as shown on the exhibit for WP-20-025.

Any proposal to increase the impact to the steep slope areas or any other protected resource on site will require an additional alternative compliance petition to be submitted or a reconsideration of this alternative compliance petition file.

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

Extraordinary hardships or practical difficulties:

Permission to disturb steep slopes is being requested for minor disturbances to steep slopes to accommodate swales, drainage, updated stormwater management (SWM) devices and a retaining wall. Per the applicant's justification, "these steep slopes were created in conjunction with the construction approved under SDP-06-102. Grading and some construction (e.g. retaining walls) occurred on site until work was forced to stop.

Subsequently the site was rezoned, and the current Site Development Plan is being processed. All attempts have been made to keep the development within the original envelope to preserve previous grading. However, some steep slope disturbances are being pursued. This includes disturbing 5,165 square feet of steep slopes behind buildings 2 and 3 to accommodate drainage and stormwater management, and to disturb 1,200 square feet for a retaining wall and level area in front of the wall for maintenance, as required by the Development Engineering Division. If these steep slope impacts are not granted, it would result in unnecessary retaining walls, relocation or elimination of Environmental Site Design practice closer to the residential building and less desirable drainage patterns.”

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

Granting of this alternative compliance results “in a more functional design and eliminates the need for significant new grading. Approval would provide flexibility to provide a more appropriate and environmentally sensitive design. The steep slopes were created because of previous construction in accordance with an approved Site Development Plan. The future residents and the public would benefit from the minor steep slope disturbances due to enhanced site design and features. The current plan has been designed to conform to the previous concept to the extent possible. In addition, to the previous stormwater management (quantity and quality) features, the current plan also integrates the current Environmental Site Design Criteria”.

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 Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at tmaenhardt@howardcountymd.gov.

Sincerely,

Division of Land Development

TKM/WP-20-025/Robinson Overlook extension approval WP-20-025 1-21-20

cc: Research
DED
Real Estate Services
Vogel/Timmons
pengel@househoward.org
spaul@househoward.org
SDP-19-055 & PB 449 files



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 25, 2019

Robinson Overlook Ltd. Ptsp.
500 S. Front St., 10th Floor
Columbus, OH 43230
ATTN: Anne Little

RE: WP-20-025 (Robinson Overlook)
(related to SDP-19-055: Robinson Overlook)

Dear Ms. Little:

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(g)(2): Report of Review Committee; Additional Information:** which states that if the Department of Planning and Zoning or the review committee indicates that additional information is needed in order to decide whether to approve the plan, the developer shall provide the information within 45 days of receiving such indication.

NOTE: The Department of Planning and Zoning defers on the decision for alternative compliance to Section 16.116(b)(1) which prohibits grading, removal of vegetative cover and trees, new structures, and paving on land with existing 25% or greater steep slopes (over 10 vertical feet) with a contiguous area of 20,000 square feet or more, until a decision has been rendered by the Planning Board on SDP-19-055.

Approval of the request for an alternative compliance of **Section 16.156(g)(2)** is subject to the following condition:

1. A revised plan submission for SDP-19-055 (Robinson Overlook) and all required supporting documentation, must be submitted through PDox to the Department of Planning and Zoning **within 60 days of the current due date of September 8, 2019 (on or before November 7, 2019).**

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

Extraordinary hardships or practical difficulties:

After the initial review of the Site Development Plan and based on comments from SRC agencies, a formal Parking Needs Study and an administrative adjustment are required. According to the applicant's justification, "the administrative adjustment was applied for on July 3, 2019 and the hearing was held August 21, 2019. The formal approval was rendered on September 12, 2019, which is past the due date for the revised plans. In addition, review comments required a formal parking study of comparable operating projects. The study and report have only been recently completed and submitted to the consulting engineer's office. Additional time is required to prepare and receive all supporting documentation. If the extension were not granted, a hardship would result for the property owner, developer and the Howard County Housing Commission. The Site Development Plan would need to be submitted as a new plan with additional fees, causing a financial and time hardship."

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

The granting of the alternative compliance would not be detrimental to the Public Interest or Nullify the Intent of the Regulations. The alternative compliance does not request relaxation of any technical site development requirements, but merely allows additional time to address all initial comments, complete all required studies, and update design plans, if necessary.

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.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/TKM/WP-20-025/Robinson Overlook extension approval WP-20-025 9-25-19

cc: Research
DED
Real Estate Services
Vogel/Timmons
Housing and Community Development
SDP-19-055 file