



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

November 13, 2020

Mr. Avinash Dewani
Howard County Department of Public Works
Storm Water Management Division
9801 Broken Land Parkway
Columbia, Maryland 21046

RE: WP-20-074 Lot F Cannel Stabilization
Alternative Compliance Approved
Capital Project C-0337

Dear Mr. Dewani:

This letter is to inform you that your request for alternative compliance to the Howard County Subdivision and Land Development Regulations for the subject project was reviewed.

On November 10, 2020 and pursuant to Section 16.104, the Director of the Department of Planning and Zoning, considered and **approved** your request for alternative compliance with respect to **Section 16.155(a)(1)(i)** of the Subdivision and Land Development Regulations to stabilize 1,100 linear feet of an unnamed tributary of the Patapsco River and stabilize two eroded channels draining into the tributary.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.155(a)(1)(i) would result in an unreasonable hardship or practical difficulty. This determination is made with consideration of your alternative compliance application and the one (1) item you were required to address, pursuant to Section 16.104(a)(1):

1. Unreasonable hardship or practical difficulties may result from strict compliance with the regulations.

The proposed project is a maintenance project, which needs to be done as soon as possible due to the severity of the erosion and to cease the damage to adjacent forested area and prevent continued sedimentation into the Patapsco River and other receiving waters. Strict compliance to the Section noted above would result in unreasonable hardship and practical difficulties by extending the project timeline and delaying the repair work. Full compliance with the regulations and the expenditure of the design team's resources would not improve the final design or construction of the project and would take away valuable resources from the implementation of the project design and construction. Approval would allow the SWMD to repair the existing erosion quickly and efficiently, while still meeting the intent of the regulations. Creating an SDP for this project would also lengthen the schedule for this project and would require additional effort and resources by County staff with no added benefit to the design or construction of the final project. The drawings submitted with this alternative compliance satisfy the same information that would be included on an SDP. Approval of the alternative compliance promotes efficiency of the plan review process.

Approval of this Alternative Compliance is subject to the following conditions:

1. Resubmit plan exhibits for file retention and correct the code section for exemption to 16.1202(b)(1)(xv) on all applicable sheets. Note, the (1) is missing.
2. Provide a copy of the executed 5-year maintenance agreement to DPZ for file retention.

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 Donna Despres at (410) 313-3429 or email at ddespres@howardcountymd.gov.

Sincerely,

DocuSigned by:

Julia Sauer

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(for) Anthony Cataldo, AICP, Chief
Division of Land Development

AC/DD

cc: Research
DED
DLD - Julia Sauer
Real Estate Services



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3430 Court House Drive

Ellicott City, Maryland 21043

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February 24, 2020

Mr. Avinash Dewani
Howard County DPW
Storm Water Management Division
9801 Broken Land Parkway
Columbia, MD 21046

RE: WP-20-074 Lot F Channel Stabilization Project
Deferral – New Application Required

Dear Mr. Dewani:

Please be advised that Council Bill (CB) 61-2019 and CB-62-2019, effective February 5, 2020, established new review and approval criteria for alternative compliance petitions submitted for relief of the Subdivision and Land Development Regulations and Forest Conservation Regulations.

After review of your alternative compliance petition, the Department of Planning and Zoning has determined that the above referenced project does not meet the grandfathering requirements established in Section 16.102(h) of the Subdivision and Land Development Regulations and the petition must be resubmitted under the new review and approval criteria outlined in CB-61-2019 and CB-62-2019.

Please follow this link to the application and instructions for submittal: <https://www.howardcountymd.gov/Departments/Planning-and-Zoning/Application-Forms-and-Fees> Two copies of the new application, supplemental information and exhibit/plan are required for the resubmission. No additional fees will be charged, unless additional sections are added to the petition request.

Please address the enclosed comments with the new application.

The requested new application and required supporting documentation must be submitted to this Division within **45 days** of the date of this letter (**on or before April 9, 2020**), or this Division will recommend that the Planning Director deny this alternative compliance petition.

Please contact Judy Edwards at 410-313-4351 or email juedwards@howardcountymd.gov to schedule a submission appointment.

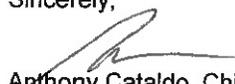
Once the requested information has been received and reviewed, this office will coordinate agency comments and will prepare a recommendation for the Planning Director's action. Be advised that alternative compliance requests to 16.116 and 16.1200 also require joint agency action.

If you have any questions regarding a specific comment, please contact the review agency prior to preparing the revised plans/information. Compliance with all items indicated above is required before the revised plans/information will be accepted.

Please bring a copy of this letter with you to your submission appointment.

If you have any questions, please contact Donna Despres at (410) 313-3429 or email at ddepres@howardcountymd.gov.

Sincerely,


Anthony Cataldo, Chief
Division of Land Development

JM/DD

Enclosures: (5) Comments from DLD, DED, DRP, DCCP and RCD

cc: Research
Real Estate Services
McCormick Taylor