



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

FAX 410-313-3467

April 15, 2020

Kenrock Contracting  
attn: Greg Rice  
8869 Cemetery Lane  
Savage MD 20763

RE: **WP-20-089**, Burley's Addition to Gorman Woods (SDP-06-013)

Dear Mr. Rice:

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 to the following Sections:

- **Section 16.156(o)(1)(i)** – 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.
- **Section 16.156(o)(1)(iii)** – For single family-detached site development plans involving multiple lots, the developer shall apply for building permits for all construction authorized by the approved site development plan within 5 years of approval.
- **Section 16.156(o)(2)** – If the developer does not apply for building permits within the required timeframe, 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 petitioner must apply with the Department of Inspections, Licenses and Permits for all building permits on the site development plan within 1 year from approval of this alternative compliance petition (**on or before April 15, 2021\***).
2. A redline revision to SDP-06-013 must be submitted to this Department for SRC review and comments. The site development plan must be revised to meet current regulations.
3. Compliance with the Development Engineering Division comments of this alternative compliance petition dated March 23, 2020.
4. Include this alternative compliance petition decision as a general note on the SDP (as part of the redline revision). This note shall include the alternative compliance petition file number, the regulatory section, the decision date and the conditions of approval.

Our decision was made based on the following:

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

The purpose of this alternative compliance petition is to reactivate an expired SDP, to grant the petitioner one year to apply for permits to initiate construction onsite and five years to apply for all permits, as authorized on the previously approved SDP. The petitioner states that permits to initiate construction on the two lots were not applied for due to the 2006 housing market recession – a recession that continued for several years. Secondly, in 2019, the petitioner did file an alternative compliance petition to reactivate the expired SDP, but the request was denied mainly because the expired SDP did not comply with new stormwater management regulations and the Maryland Department of Environment (MDE) '3-step' review process. Since that time, the petitioner has held discussions with DED about the requirements for satisfying the new stormwater regulations and the MDE '3-step' review process. Resolutions to those requirements have been proffered by the petitioner, which includes the approval of a simplified environmental concept plan.

The petitioner has stated a practical difficulty would result from the two lots remaining vacant unless a new SDP is engineered, designed, and submitted for County review and approval. A new SDP will take several months to be reviewed and approved, whereas the reactivation of the previously approved SDP would mitigate the difficulty of preparing a new SDP. The reactivated SDP will be amended to satisfy DED and MDE requirements for stormwater management and environmental site design.

The SRC does not oppose approval of this alternative compliance petition. A simplified Environmental Concept Plan was approved for the new stormwater management design and a redline revision to the SDP will be necessary to ensure that the proposed improvements complies with current regulations

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.

**\*Deadlines for submission are pursuant to Section 16.156(m) of the Fifth Edition of the Subdivision and Land Development Regulations. Pursuant to Executive Order 2020-04, and as per DPZ Director Department Order dated April 14, 2020, certain deadlines are reinstated and should those deadlines lapse while Executive Order 2020-03 is in effect, those deadlines are automatically extended to (30 days) beyond the termination of the order.**

If you have any questions, please contact Derrick Jones at (410) 313-2350 or email at [djones@howardcountymd.gov](mailto:djones@howardcountymd.gov).

Sincerely,



Anthony Cataldo, AICP, Chief  
Division of Land Development

cc: Benchmark Engineering  
Research  
Zoning Division  
DED



DPZ Office Use only:  
 File No. WP 20-089  
 Date Filed 3/6/2020

**ALTERNATIVE COMPLIANCE APPLICATION**

**Site Description:** Two Existing Single Family Lots (Lots 1 & 3)

**Subdivision Name/Property Identification:** Burley's Addition to Gorman Woods (SDP-06-013)

**Location of property:** Groman Road

**Existing Use:** Single Family Lots      **Proposed Use:** Single Family Lots

**Tax Map:** 47      **Grid:** 16      **Parcel No:** 86      **Election District:** 6th

**Zoning District:** R-12      **Total site area:** 0.61 AC.

Please list all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, alternative compliance petitions, etc.). If no previous plans have been submitted, please provide a brief history of the site and related information to the request:

SDP-06-013, WP-97-094, F-97,093, WP-19-016

In the area below, the petitioner shall enumerate the specific numerical section(s) from the Subdivision and Land Development Regulations for which an alternative compliance is being requested and provide a brief summary of the request. Please use the additional page if needed.

Section Reference No.	Brief Summary of Request
16.156.(o)(1)(i)	Existing Lots 1 & 3 of Burley's Addition to Gorman Woods, SDP-06-013 have not been built on within one (1) year of the SDP approval and therefore has caused SDP-06-013 to become inactive. We are requesting to reactivate this SDP.
16.156.(o)(1)(iii)	Existing Lots 1 & 3 of Burley's Addition to Gorman Woods, SDP-06-013 have not been built on within five (5) years of the SDP approval and therefore has caused SDP-06-013 to become inactive. We are requesting to reactivate this SDP.



Section Reference No.	Brief Summary of Request

Signature of Property Owner:

*[Handwritten Signature]*

Date:

3-5-2020

Signature of Petitioner Preparer:

[Redacted Signature]

Date:

[Redacted Date]

Name of Property Owner: Kenrock Contracting, Inc.

Name of Petitioner Preparer: [Redacted]

Address: 8869 Cemetery Lane

[Redacted Address]

Address:

[Redacted Address]

City, State, Zip: Savage, MD 20763

[Redacted City, State, Zip]

City, State, Zip:

[Redacted City, State, Zip]

E-Mail: Greg@ameristarhomes.com

[Redacted E-Mail]

E-Mail:

[Redacted E-Mail]

Phone No.:

410-590-1000

[Redacted Phone No.]

Phone No.:

[Redacted Phone No.]

Contact Person: Greg Rice

[Redacted Contact Person]

Contact Person:

[Redacted Contact Person]



Owner's Authorization Attached