



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

August 26, 2020

Fausto Morales
8049 Keeton Road
Elkridge MD 21075

RE: **WP-21-004 Harwood Park**, Lots 220A and 222A (SDP-08-010)

Dear Mr. Morales:

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.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.156(o)(1)(i) and (iii) would result in an unreasonable hardship or practical difficulty. This determination is made with consideration of your alternative compliance application and the one item you were required to address, pursuant to Section 16.104(a)(1):

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 he purchased the property with the understanding that the SDP was still valid. The petitioner submitted a redline revision to SDP-08-010 on April 22, 2020 to update the SDP. This redline revision was denied because the SDP had expired and was no longer valid. The petitioner states that an unreasonable hardship or practical difficulty would result from strict compliance with the regulations. The owner intends on developing the lots similar to the currently expired SDP with updates to the plan as needed to align with their chosen house models and meet current regulations. The time to prepare, review and process a new SDP will take several months to be completed and approved and would require additional effort and resources by County staff. Whereas since the proposal generally matches the previous plan, the reactivation of the previously approved SDP would mitigate this hardship and difficulty and promotes efficiency of the plan review process. DLD confirmed with DED that the general approach to stormwater management and environmental site design was acceptable and that an ECP was not needed for this site. The reactivated SDP will be amended to comply with the site plan requirements of the Land Development Regulations, stormwater management and environmental site design as needed to meet current regulations, and noise abatement (the site abuts a railroad).

This approval is subject to the following five conditions:

1. The petitioner must apply to the Department of Inspections, Licenses and Permits for building permits to initiate construction on the site within 1 year from approval of this alternative compliance petition (on or before August 26, 2021).

2. The petitioner must apply with the Department of Inspections, Licenses and Permits for all building permits for all construction authorized by the approved site development plan within 5 years from approval of this alternative compliance petition (on or before August 26, 2025).
3. A plan modification (redline) to SDP-08-010 must be submitted to this Department for review and comments prior to filing an application for building permits. The SDP must comply with all current zoning, site development and engineering regulations.
4. Compliance with the conditions of approval for WP-05-127.
5. Compliance with the Development Engineering Division comments of this alternative compliance petition dated July 17, 2020.

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 Derrick Jones at (410) 313-2350 or email at djones@howardcountymd.gov.

Sincerely,

DocuSigned by:



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Anthony Cataldo, AICP, Chief
Division of Land Development

AC/dj

cc: Research
DED
DLD - Julia Sauer
Real Estate Services
Vogel+Timmons



Howard County Maryland
Department of Planning and Zoning
 3430 Courthouse Drive, Ellicott City, MD 21043

(410) 313-2350

DPZ Office Use only:

File No. WF-28-004

Date Filed 7/9/20

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: Howard Park Lots 220A and 222A.

Subdivision Name/Property Identification: Howard Park Lots 220A and 222-A

Location of property: EWING DRIVE

Existing Use: VACANT **Proposed Use:** RESIDENTIAL SFD

Tax Map: 38 **Grid:** 13 **Parcel No:** 873 **Election District:** 18T

Zoning District: R-12 **Total site area:** 0.37ac

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:

SDD-08-110

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
<u>156.</u> <u>16.156 (0)(1)</u>	<u>PROCEDURES FOR FILING AND PROCESSING SITE DEVELOPMENT PLAN APPLICATIONS BUILDING PERMITS APPLICATIONS TIME LIMITS.</u>

Section Reference No.	Brief Summary of Request

Signature of Property Owner: FAUSTO MORALES Date: 07-05-20

Signature of Petitioner Preparer: [Signature] Date: 7/5/20

Name of Property Owner: FAUSTO MORALES LATA Name of Petition Preparer: JOSE VOZEL

Address: 8049 KEETON RD Address: 3300N RIDGE ROAD #110
ELK RIDGE MD
21075

City, State, Zip: ELK RIDGE, MD 21075 City, State, Zip: ELICOTT CITT MD 21043

E-Mail: fala6199@gmail.com E-Mail: Jose.Vozel@Timmars.com

Phone No.: 443-889-2950 Phone No.: 410 461-7666

Contact Person: FAUSTO MORALES Contact Person: Jose Vozel

Owner's Authorization Attached