



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

June 10, 2022

Gratin Plena, LLC
11140 Homewood Road
Ellicott City, MD 21042

RE: WP-22-116, Cunningham Property

Dear Owners:

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 June 10, 2022 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 16.144(p) & (o)** of the Subdivision and Land Development Regulations to allow a 60 day time extension to submit the final record plat.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 144(p)&(o) 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):

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

The final plan, F-19-040, has been determined technically complete and the supplemental plans have been submitted and signed. The project was delayed because the original well drilled for proposed Lot 6 failed and a new well location had to be established and drilled prior to submitting the plat originals. The well installation was recently completed and the well completion report was provided to the Health Department. Subsequently, the property owner continued the subdivision process by submitting the developer agreement information to Real Estates Services, which is the last step prior to submitting the plat original. Strict compliance with the Subdivision Regulations would require the owner to prepare and submit a new subdivision plat that matches the one already signed causing an unreasonable hardship. Granting the Alternative Compliance request does not relax any technical requirements and approval of this alternative compliance promotes efficiency of the plan review process.

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

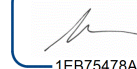
1. This Department has granted a 60-day extension from the date of this alternative compliance approval letter, on or before August 9, 2022, to complete Developer Agreements and submit final record plat.
2. Compliance with all comments generated with the review of the subdivision plat, F-19-040.
3. Submit a red-line revision to the supplemental plans for F-19-040 Cunningham property if any grading changes have occurred with the new well.
4. Add a general note on the final plat describing this alternative compliance petition and the conditions.

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 Jennifer Wellen at (410) 313-2350 or email at jwellen@howardcountymd.gov.

Sincerely,

DocuSigned by:



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Anthony Cataldo, AICP, Chief
Division of Land Development

AC/jw

cc: Research
DLD - Julia Sauer
Real Estate Services
Vogel & Timmons Engineering



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

(410) 313-2350

DPZ Office Use only:
 File No. WP-22-116
 Date Filed 5/2/22

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: Cunningham Property Lots 4-6
 Subdivision Name/Property Identification: Cunningham Property
 Location of property: 4979 Sheppard Lane
 Existing Use: Agricultural Proposed Use: Residential
 Tax Map: 29 Grid: 13 Parcel No: 25 Election District: 5th
 Zoning District: RC-DEO Total site area: 162.07 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:

ECP-16-030; ECP-17-050; SDP-18-004; ECP-18-029; F-18-072;
F-19-040; WP-18-129; WP-20-015; WP-20-087; WP-20-121;
WP-22-064

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>16.144(c)</u>	<u>Deadline to submit Developer Agreement, posting of surety and payment of fees</u>
<u>16.144(c)</u>	<u>Deadline to submit Final Subdivision Plat within 180 days of Final Plan approval</u>

Section Reference No.	Brief Summary of Request

Signature of Property Owner: [Signature] Date: 4/28/22

Signature of Petitioner Preparer: [Signature] Date: 4-29-22

Name of Property Owner: Gratia Plena LLC Name of Petition Preparer: Vogel Engineering + Timmons Group

Address: 11140 Homewood Road Address: 3300 N. Ridge Rd, Ste 110

City, State, Zip: Ellicott City, MD 21042 City, State, Zip: Ellicott City, MD 21043

E-Mail: tv.cunningham@mac.com E-Mail: rob.vogel@timmons.com

Phone No.: 443-677-4612 Phone No.: 410-461-7666

Contact Person: Tom Cunningham Contact Person: Robert H. Vogel

Owner's Authorization Attached