



# 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

July 21, 2022

Charles Resting  
4480 Doncaster Drive  
Ellicott City, MD 21043

RE: WP-22-128 Worthington Preserve, Section 2  
Lots 116-118

Dear Mr. Resting:

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 July 16, 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 16.156(o)(1)(i) & 16.156(o)(2)** of the Subdivision and Land Development Regulations to apply for building permits with the Department of Inspections, License and Permits.

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) & 16.156(o)(2) would result in an unreasonable hardship or practical difficulty. This determination is made with consideration of your alternative compliance application and the [four (4) items OR 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 purpose of this alternative compliance petition is to reactivate an expired site development plan (SDP) and to grant the petitioner one year to apply for a permit to initiate construction onsite as authorized on the previously approved SDP. The signed SDP was extensively reviewed by the Subdivision Review Committee and determined to be in compliance with the Land Development Regulations however, the SDP expired because a building permit was not applied for within the allotted timeframe. These sites were previously mass graded with the overall development of the subdivision, the lots already have water and sewer taps installed under the previous F-Plans, and the proposed development intends to essentially match what was previously approved. The SDP remains substantially in compliance with the technical requirements of the Subdivision and Zoning regulations and the lots will be brought into compliance with the updated stormwater management regulations through review of a simplified Environmental Concept Plan and redline revision to the SDP. Strict compliance with the Subdivision Regulations would require the owner to prepare and submit a new site development plan that substantially matches the one already signed. DPZ is willing to reactivate the SPD in this instance because of the previous work completed on site and to provide the applicant the opportunity to complete these last three home sites within the subdivision within a timely manner. Granting of this alternative compliance promotes efficiency of the plan review process. Future extensions may not be provided if these new milestones are missed

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

1. The petitioner must apply to the Department of Inspections Licenses and Permits for building permits to initiate construction on the site within 9 months from the approval of this alternative compliance petition (on or before **April 22, 2023**). Permits may not be applied for until the processing requirements in condition.

2. Development of the single-family detached lots must comply with the current stormwater management ESD requirements. The developer must submit and receive approval of a Simplified Environmental Concept Plan and a redline revision to the Site Development Plan (SDP-95-044). The redline revision may not be submitted until the Simplified Environmental Concept Plan is approved by the Department of Planning and Zoning.

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](mailto:jwellen@howardcountymd.gov).

Sincerely,   
Anthony Cataldo, AICP, Chief  
Division of Land Development

AC/jw

cc: Research  
DLD - Julia Sauer  
Real Estate Services  
Annette Merson  
DILP  
MBA



**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-22-128*  
 Date Filed

**ALTERNATIVE COMPLIANCE APPLICATION**

**Site Description:** 4480, 4492 & 4496 DONCASTER DR ELLICOTT CITY MD 21043  
**Subdivision Name/Property Identification:** WORTHINGTON PRESERVES SECTION 2  
**Location of property:** ADC MAP: 4936-E1  
**Existing Use:** RESIDENTIAL **Proposed Use:** RESIDENTIAL  
**Tax Map:** 31 **Grid:** 03 **Parcel No.:** 810 **Election District:** SECOND  
**Zoning District:** R-20 **Total site area:** 0.963 ACRES

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:

P-93-09  
 F-94-102  
 SDP-95-044

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.

Section Reference No.	Brief Summary of Request
Section 16.156(o)(1)(i)	seeking approval to waive the building permit application time limit
Section 16.156(o)(2)	seeking approval to reactivate SDP-95-044.

Signature of Property Owner: *Velmar M Kesting* Date: 5-17-22

Signature of Petitioner Preparer:  Date: 5.17.22

Name of Property Owner: CHARLES KESTING Name of Petition Preparer: Mildenberg Boender & Assoc.

Address: 4400 DONCASTER DR Address: 8318 FORREST STREET - SUITE 300

City, State, Zip: ELLICOTT CITY MD 21043 City, State, Zip: ELLICOTT CITY, MD 21043

E-Mail:  E-Mail: salomet@miba-eng.com

Phone No.:  Phone No.: 410-997-0396

Contact Person: CHARLES KESTING Contact Person: Sam Alomer

Owner's Authorization Attached