



# 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

September 27, 2022

The Estate of Ruth L Harbin  
c/o Mark Bobotek, Esq.  
PO Box 66  
Ellicott City MD 21042

RE: **WP-23-026 Bethany Glen ARAH (F-22-033)**

Dear Mr. Bobotek:

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 September 26, 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(r)(3)** of the Subdivision and Land Development Regulations to extend the deadline by 60 days to resubmit the final plan (F-22-033).

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.144(r)(3) 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):

The applicant has indicated that the extension of time to resubmit the plan is needed to resolve the complex nature of the most recent stormwater management (SWM) comments from the Development Engineering Division (DED). The SMW practices required in the Plumtree Watershed have necessitated changes to this project's previous SWM practices and the re-evaluation of these practices on the site development plan. The development team and County staff met on August 30, 2022 to review the comments and, as a result of that meeting, additional analysis was required and a follow up meeting to discuss questions was held on September 7, 2022. The nature of the comments and direction received regarding the stormwater management design approach and floodplain analysis will require additional study and a change in how each facility is sized from previous submissions. Granting the Alternative Compliance request does not relax any technical requirements but allows the developer additional time to address outstanding DPZ plan comments. If the final plan and plat were to expire, a new submission matching the existing and without any resolution to the outstanding comments would be required which would be an unreasonable hardship. Approval of this alternative compliance promotes efficiency of the plan review process.

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

1. The applicant must provide the additional information as requested by County review offices in our letter dated August 11, 2022 within 60 days of September 25, 2022 (**on or before November 24, 2022**).


2. Include this alternative compliance petition decision as a general note on the final plan (F-22-033). This note shall include the petition's file number, the regulatory sections, the decision date, and the condition of approval.

Indicate this alternative compliance petition file number, request, section of the regulations, action, conditions of approval, and date on the final plan. 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](mailto:djones@howardcountymd.gov).

Sincerely,

DocuSigned by:

  
1EB75478A22B49A...

Anthony Cataldo, AICP, Chief  
Division of Land Development

AC/dj

cc: Research  
DLD - Julia Sauer  
Bohler Engineering  
Elm Street Development  
File: F-22-033



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

(410) 313-2350

<b>DPZ Office Use only:</b> File No. Date Filed
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**ALTERNATIVE COMPLIANCE APPLICATION**

**Site Description:**

**Subdivision Name/Property Identification:**

**Location of property:**

**Existing Use:**

**Proposed Use:**

**Tax Map:**

**Grid:**

**Parcel No:**

**Election District:**

**Zoning District:**

**Total site area:**

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:

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

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**Signature of Property Owner:**

**Date:**

**Signature of Petitioner Preparer:**

**Date:**

**Name of Property Owner:** The Estate of Ruth L. Harbin  
C/O Mark BoboTek, Esq.

**Name of Petition Preparer:** Elm Street Development - Jason Van Kirk

**Address:**

**Address:**

**City, State, Zip:**

**City, State, Zip:**

**E-Mail:**

**E-Mail:**

**Phone No.:**

**Phone No.:**

**Contact Person:**

**Contact Person:**

**Owner's Authorization Attached**