



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

November 9, 2023

Sayed Hasan
7815 Shams Lane
Jessup, MD 20794

RE: WP-24-031, Rose Lane

Dear Mr. Hasan:

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 November 9, 2023 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)(iii) and Section 16.156(o)(2)** of the Subdivision and Land Development Regulations to reactivate the expired Site Development Plan, SDP-09-051.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.156(o)(1)(iii) and Section 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 (1) item you were required to address, pursuant to Section 16.104(a)(1):

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-09-051) and to grant the petitioner additional time to apply for building permits for construction on Lots 2, 6, and 7 as authorized by the previously approved SDP. A number of improvements have already been made to the site under the previously approved plans. The shared driveway for lots 2-7, Shams Lane, and the sewer and water connections for lots 2-7 were constructed under the approved final plan, F-07-197. Additionally, F-07-197 included the design and installation of the required perimeter landscaping and established the site's Forest Conservation Easement on lot 8 to satisfy the site's Forest Conservation obligation. Under the approved SDP-09-051, lots 2-7 were cleared, and houses were constructed on lots 3-5. Strict compliance with the Subdivision Regulations would require the owner to prepare and submit a new site development plan in order to construct houses on the remaining lots 2, 6, and 7 that would substantially match the plans that are already signed. By strictly adhering to the regulations, all plans would be considered void, and the owner would need to start the plan review and approval process again. This would require the submission of a new application and plans that match the current approved plans. Since there are no necessary changes or updates needed to the original approved plans, requiring the petitioner to restart the approval process again would result in an unreasonable hardship. Approval of this alternative compliance promotes efficiency in the plan review process as it would allow for reactivation of plans that have already been approved and signed in order to obtain building permits for the remaining undeveloped lots.


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

1. The SDP-09-051 is reactivated for one (1) year from the approval date of this Alternative Compliance Petition. All building permits need to be applied for on or before November 9, 2024.
2. If a grading permit is needed for the remaining lots, then the developer/engineer should submit a redline of SDP-09-051 directly to Howard County Soil Conservation Division that updates the erosion and sediment control notes and details to those found in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

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 Jason Lenker at (410) 313-2350 or email at jlenker@howardcountymd.gov.

Sincerely,

DocuSigned by:

1EB75478A22B49A...

Anthony Cataldo, AICP, Chief
Division of Land Development

AC/JL

cc: Research
DLD - Julia Sauer
Real Estate Services
BEI – bei@bei-civilengineering.com



DPZ Office Use only:
File No.
Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: 7802 Shams Ln, 7806 Shams Ln, and 7807 Shams Ln

Subdivision Name/Property Identification: Rose Lane, Section E-5, Lots 2, 6 and 7

Location of property: Northwest side of Rose Ln, West of Jones Road

Existing Use: Developed Lots Unimproved **Proposed Use:** Single Family Detached Dwellings

Tax Map: 42 **Grid:** 24 **Parcel No:** 240 **Election District:** Sixth

Zoning District: R-12 **Total site area:** 1.76

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:

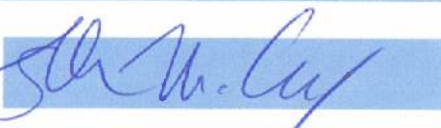
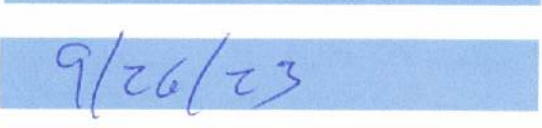
Site Development Plan, SDP-09-051, was approved on 11/13/2009. The owner applied for building permits for lots 3, 4, and 5. Construction of the houses on those three lots is complete. The owner did not apply for building permits on lots 2, 6 or 7 within 5 years of SDP signature approval. They now wish to build on some of the un-improved lots.

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)(iii) and (2)	Building Permits, Applications time limits, owner shall apply for all building permits within 5 years. If building permits are not applied for within 5 years the site development plan shall expire and a new site development plan submission will be required.

Section Reference No.	Brief Summary of Request

Signature of Property Owner:  Date: 

Signature of Petitioner Preparer:  Date: 

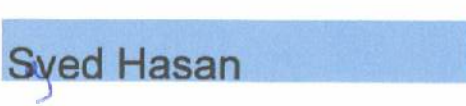

Name of Property Owner:  Name of Petition Preparer: 

Address:  Address: 

City, State, Zip:  City, State, Zip: 

E-Mail:  E-Mail: 

Phone No.:  Phone No.: 

Contact Person:  Contact Person: 

Owner's Authorization Attached