January 17, 2024

Mitron Parcel 1 LLC c/o H&H Rock Companies 6800 Deerpath Road #110 Elkridge, MD 21075

RE: WP-24-060, The Highlands (Lyhus Property)

Dear Applicant:

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 16.144(r)(3) and Section 16.156(g)(2) 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 is requesting a 60-day extension to the revised plan resubmission date for SDP-23-018 and F-23-023 per the DPZ August 24, 2023 revised plans letter and subsequent October 10, 2023 email granting a government delay extension deadline to December 7, 2023. Due to the complexity of the site design and multi-agency review of the improvements relating to the proposed multi-use septic system and combined wells, additional time is being requested in order to receive feedback and work through processes with MDE and the Health Department. Additional time is needed to compile all comments and coordinate with those specific agencies to address the remaining issues prior to resubmission. After the remaining issues have been resolved, final updates can be made to the site designs to complete the design for the proposed Highlands Community. A meeting with MDE was held on November 8, 2023 that determined that the design team would propose updates to the site design, including alternate well locations so chlorination would not be required. Alternative locations were provided to MDE on November 15, 2023 which are under review and are pending confirmation. A subsequent meeting was held on November 20, 2023 with MDE and the Department of Health to go over revised designs and to provide clarification of the additional details required. Given the timing of the meetings and information received, additional time is required to adequately analyze the impact of agency requests and to make the required plan and computational updates beyond the established milestone deadline. Strict compliance with the regulations would require the applicant to submit a new Site Development Plan and associated Plat for the proposed project which would result in an unreasonable hardship. Approval of the alternative compliance promotes efficiency of the plan review process.

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

- 1. The Site Development Plan, SDP-23-018 (The Highlands) shall be resubmitted within 90 days of the prior deadline date (on or before March 6, 2024).
- 2. The Final Plat, F-23-023 (The Highlands) shall be resubmitted within 90 days of the prior deadline date (on or before March 6, 2024).
- 3. The submitted site development plan and plat must address the associated review comments and remaining outstanding processes from the plan review agencies.
- 4. Add the Alternative Compliance Request number, purpose, section, date, and conditions on all subsequent plan submissions.

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 alternative compliance approval will remain valid for the time period specified in the conditions of approval.

If you have any questions, please contact Nicholas Haines at (410) 313-4333 or email at nhaines@howardcountymd.gov.

Anthony Cataldo, AICP, Chief Division of Land Development

AC/NH

cc: Research

DLD - Julia Sauer Real Estate Services Bohler Engineering



(410) 313-2350

DPZ Office Use only: File No. WP-24-060 Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: North Side of Lime Kiln Road, approximately one half a mile west of the intersection with Scaggsville Road.

Subdivision Name/Property Identification: Lyhus Property; F-23-023 |SDP-23-018

Location of property: 12170 Lime Kiln Road

Existing Use: Proposed Use: Residential

Tax Map: 40 Grid: 24 Parcel No: 135 Election District: 5th

Zoning District: RR-DEO Total site area: 71.09

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:

SP-17-010b; ECP 17-056; WP18-070; F-20-016; SP-17-010b-RL, SDP-23-018, F-23-023

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
16.144(r)(3)	Additional Information: Requesting approval for a 60-day extension to the revised plan submission deadline to adequately analyze the requests received by the County and other agencies and ultimately make the necessary plan and computational updates to resubmit
16.15619)(2)	Additional information. Pequesting approval for a lest-day extension to the revised plan Submission deadline to adequately analyze the requests received by the county and other asencies and vitimately make the necessary plan and computational updates to resubmit

Section Reference No.	Brief Summary of Request
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Signature of Property Owner: Signature of Petitioner Preparer: Date:

Name of Property Owner: LLC C/O H&H Rock Companies

Mitron Parcel 1, LLC and Mitron Parcel 2,

Name of Petition Preparer: Bohler

Address: 6800 Deerpath Road #100

Address: 901Dulaney Valley Road, Suite 801

City, State, Zip: Elkridge, MD 21075

City, State, Zip: Towson, MD 21024

E-Mail: jfraser@handhrock.com

E-Mail: mpohlhaus@bohlereng.com;crissie.evans@bohlereng.com

Phone No.: 410-567-1046

Phone No.: 410-821-7900

Contact Person: James Fraser

Contact Person: Matthew Pohlhaus/Crissie Evans



Owner's Authorization Attached

Section Reference No.	Brief Summary of Request