



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

February 5, 2024

The Estate of Ruth Harbin
Attn: H. Mark Bobotek, Esq.
P.O. Box 66
Ellicott City MD 21042

RE: WP-24-068 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 February 5, 2024 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)** of the Subdivision and Land Development Regulations to extend the 120 day deadline date of January 20, 2024 by 60 days to file the Developer's Agreement and post financial surety for public water/ sewer, roads, sidewalks, stormwater management, storm drains and related infrastructure.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.144(p) 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 Final Plan for this project was submitted and is pending signature approval. The applicant has indicated that the 60-day extension to the January 20, 2024 deadline date is a result of continued discussions with DPZ's Development Engineering Division (DED) and Howard County Soil Conservation District regarding the project's design. As a result of these discussions, additional design revisions are necessary for stormwater management, sediment and erosion controls, and storm drain devices and facilities that are pertinent for this project. The development team has continued to work with the County to review design options in order to help facilitate signature of the Final Plan and completion of the Developer's Agreement. Granting the Alternative Compliance request does not relax any technical requirements but allows the developer additional time to design for these revisions. If the final plan was to expire, a new submission matching the existing plan, and without any resolution to the outstanding comments, would be required which would be an unreasonable hardship.

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

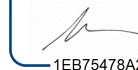
1. The applicant must submit the developer agreements and the posting of monies within 60 days from the January 20, 2024 deadline date (on or before March 20, 2024).
2. Include this alternative compliance petition decision as a general note on the final plan (F-22-033). This note shall include the petition's 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 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 Derrick Jones at (410) 313-2350 or email at djones@howardcountymd.gov.

Sincerely

DocuSigned by:



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Anthony Cataldo, AICP, Chief
Division of Land Development

AC/dj

cc: Research
DLD - Julia Sauer
Real Estate Services
Bohler Engineering
Elm Street Development



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-24-068
 Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: 9891 Old Frederick Road - Route 99
Subdivision Name/Property Identification: Bethany Glen -ARAH, F-22-033
Location of property: 9891 Old Frederick Road - Route 99
Existing Use: Residential **Proposed Use:** Age Restricted - Attached & Detached Dwellings
Tax Map: 17 **Grid:** 15 **Parcel No:** 34 **Election District:** 5th
Zoning District: R-20 **Total site area:** 68.57

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:

BA-17-018C, SP-21-002, ECP-21-017, SDP-22-021, F-22-033

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
16.144(p)	Additional Information: Requesting approval for a 60-day extension to the STEP 2 deadline for additional coordination with County Departments and the necessary time to make the requested plan and document updates to resubmit

Signature of Property Owner: [REDACTED] **Date:** [REDACTED]

Signature of Petitioner Preparer: [REDACTED] **Date:** [REDACTED]

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: P.O. Box 66 **Address:** 5074 Dorsey Hall Drive, Suite 205

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

E-Mail: [REDACTED] **E-Mail:** jvankirk@elmstreetdev.com

Phone No.: 410-964-9700 **Phone No.:** 410-720-3021

Contact Person: H. Mark BoboTek, Esq. **Contact Person:** Jason Van Kirk

Owner's Authorization Attached