



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

April 4, 2024

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

RE: WP-24-083 Bethany Glen ARAH (SDP-22-021)

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 April 3, 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 **Sections 16.156(l) and (m)** of the Subdivision and Land Development Regulations for a 60-day extension from the March 20, 2024 deadline date to file the Developer's Agreement and post financial surety for public water/ sewer, roads, sidewalks, stormwater management, storm drains and related infrastructure and for a 60-day extension from the March 20, 2024 deadline date to submit the site development plan mylars for signatures for the northern community of Bethany Glen.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Sections 16.156(l) and (m) 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):

Unreasonable hardship and practical difficulties may result from strict compliance with the regulations.

The applicant has indicated that the 60-day extension to the March 20, 2024 deadline date to file the development agreements, post monies and to submit the site development plan mylars for signatures is a result of continued discussions with DPZ's Development Engineering Division (DED) and the Soil Conservation District regarding the project's design. As a result of these discussions, additional design revisions were necessary for stormwater management, sediment and erosion control, 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 to help facilitate the site development plan signatures 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 site development 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 March 20, 2024 deadline date (on or before May 19, 2024).
2. The applicant must submit the site development plan for signatures and recordation within 60 days from the March 20, 2024 deadline date (on or before May 19, 2024).
3. Include this alternative compliance petition decision as a general note on the site development plan (SDP-22-021). This note shall include the petition's file number, the regulatory sections, the decision date, and the conditions 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 alternative compliance approval 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-24-083**
 Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: 9891 Old Frederick Road - Route 99
Subdivision Name/Property Identification: Bethany Glen -ARAH SDP-22-021
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
16.156(l)	Additional Information: Requesting approval for a 60-day extension to the completion of Developer's Agreements and Payment of Fees deadline additional coordination with County Departments and the necessary time to prepare/process the Developer's +
16.156(m) 16.156(m)	Additional Information: Requesting approval for a 60-day extension to the completion of Developer's Agreements and Payment of Fees deadline additional coordination with County Departments and the necessary time to submit the SDP Originals for signature. +

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

Signature of Petitioner Preparer: [REDACTED] Date: 7/18/2023

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