

Howard County Department of Planning and Zoning
 Division of Land Development
WAIVER PETITION APPLICATION
[Waiver from Subdivision and Land Development Regulations]

Date Submitted/Accepted 11/5/14 DPZ File Number WP-15-

I. Site Description

Subdivision Name/Property Identification: Beech Creek, Lot 7 SDP-13-047

Location of property: 10851 Clarksville Pike
 (Street Address and/or Road Name)

SFD dwelling
 (Existing Use)

Child Care Facility
 (Proposed Use)

29
 (Tax Map No.)

17
 (Grid/Block No.)

P/O 348
 (Parcel No.)

5th
 (Election District)

R-SC
 (Zoning District)

1.00 acres
 (Total Site Area)

Provide a brief site history including reference to all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, waiver petitions, etc.)

The Conditional Use (12-008C) was approved on May 24, 2012. The Site Development Plan (SDP-13-047) was deemed "technically Complete" on 10/23/13. The Director of the Division of Land Development, has extended the deadlines for the completion of the Developer's Agreement, payment of fees, and submission of the original plan until November 18, 2014. The State Highway Access Permit improvements have proven to be too expensive for this limited use.

II. Waiver Request

In accordance with Section 16.104 of the Howard County Subdivision and Land Development Regulations, the Department of Planning and Zoning, in conjunction with the Subdivision Review Committee **may grant waivers or modifications to the minimum requirements stipulated within the Regulations if it is determined that extraordinary hardships or practical difficulties may result from strict compliance with the regulations, or if it is determined that the regulations may be served to a greater extent by an alternative proposal.**

In the area below, the petitioner shall enumerate the specific numerical section(s) from the Subdivision and Land Development Regulations for which a waiver is being requested and provide a brief summary of the regulation. Attach a separate sheet if additional information is appropriate.

<u>Section Reference No.</u>	<u>Summary of Regulation</u>
1. <u>16.156 (l)</u>	<u>Payment of Fees, Posting of Financial Obligations</u>
2. <u>16.156 (m)</u>	<u>Submission of Originals for Signature</u>
3. _____	_____
4. _____	_____
5. _____	_____

III. *Justification*

All waiver requests must be fully justified by the petitioner. Incomplete or inadequate justification may result in rejection of the application at the time of submission. Justification must be specific to the subject property. The justification provided by the petitioner should include all factors which rationalize or substantiate the request in accordance with the following criteria:

- a. Summarize any extraordinary hardships or practical difficulties which may result from strict compliance with the Regulations.
- b. Verify that the intent of the Regulations will be served to a greater extent through the implementation of the alternative proposal.
- c. Substantiate that approval of the waiver will not be detrimental to the public interests.
- d. Confirm that approval of the waiver will not nullify the intent of the Regulations.

PLEASE ATTACH A SEPARATE LETTER OF JUSTIFICATION TO SUPPORT THE WAIVER REQUESTS.

IV. *Pre-Submission Meeting Requirements*

- a. **Community Meeting Requirement** - If no previous subdivision plans and/or zoning or conditional use petitions were processed, a pre-submission community meeting is required for the initial plan submittal of all new residential development and for new non-residential development located within 200 feet of a residential zoning district or an existing non-residential development which is located within 200 feet of a residential zoning district and proposed for a floor area expansion of more than 25% in accordance with Sections 16.156(a) and 16.128 of the Subdivision and Land Development Regulations for waivers of the site development plan requirement. [See DPZ policy memo dated 3/22/04 for existing lots/parcels]. The property owner/developer must provide 3 weeks advance notice regarding the community meeting's date, time and location to all adjoining property owners identified in the records of the State Department of Assessments and Taxation and any community association that represents the geographic area of the subject property by first class mail; and sent electronically to any community association registered with the County for projects in a certain geographic area; the Howard County Council; and DPZ, which will place the meeting notice on the DPZ's website. The developer shall send a copy of the minutes and written responses to the meeting attendees and DPZ, either electronically or by first class mail. **A certification that meeting notices were mailed, contact information for the attendees and a copy of the minutes and a written response with a dated return mail receipt or dated email attached to all of the major comments recorded at the meeting must be submitted to DPZ along with the initial plan application. The meeting minutes, including a written response to all questions, shall be sent to all meeting attendees within 60 days of the meeting either electronically or by first class mail [Council Bill 6-2011].**
- b. **HDC Meeting Requirement** - A pre-submission advisory meeting with the Historic District Commission is required for new development located within a Historic District or if the site contains a historic structure (50 years or older) in accordance with Section 16.603A of the Howard County Code. Verify this requirement by checking the Historic Sites Inventory list and maps available at the DPZ public service desk or checking with the Resource Conservation Division. The property owner/developer must contact the DPZ, Resource Conservation Division for the HDC scheduling process and procedures. **The property owner/developer must submit a copy of the minutes from the HDC Advisory Meeting to DPZ along with the initial subdivision or site development plan application.**
- c. **MAA Meeting Requirement** - For all proposed subdivisions or developments located within the BWI Airport Noise Zone or the Airport Zoning District (4 mile radius from the center of the airport), the review and approval by the Maryland Aviation Administration is required prior to signature approval of final plan road and SWM construction drawings, and/or site development plans, or waiver approval of SDP. Please contact the MAA at P.O. Box 8766, BWI Airport, Maryland, 21240-0766, or (410) 859-7100. A copy of the MAA approval letter must accompany the submission of the final road/SWM construction plan original drawings, and/or site development plan original, or waiver petition application.

- d. **Design Advisory Panel (DAP)** – A pre-submission advisory meeting with the Design Advisory Panel is required for sketch and preliminary equivalent sketch plans that are submitted on or after November 3, 2008 for new development or redevelopment projects on parcels located in the U.S. Route 1 corridor that are zoned 'CE', 'CAC' or 'TOD' or that adjoin the Route 1 right-of-way and that are subject to the Route 1 Design Manual; on parcels located within the U.S. Route 40 corridor that are zoned 'TNC' or that are subject to the Route 40 Design Manual; on parcels which age-restricted adult housing is to be constructed pursuant to a conditional use; on redevelopment parcels located in the New Town Village Centers with boundaries proposed by a property owner or established by the Zoning Board or County Council; and for revitalization and redevelopment of Downtown Columbia in accordance with Sections 16.1501 and 16.1504 of the Howard County Code. The property owner/developer must contact the DPZ, Division of Comprehensive and Community Planning to verify this requirement and for information concerning the DAP meeting scheduling process and procedures. **The property owner/developer must submit a copy of the DAP project design recommendations to DPZ along with the initial subdivision plan application.**

V. **Plan Exhibit**

A. **Number of Copies Required**

The waiver petition application must be accompanied by copies of a detailed plot plan, subdivision plat or site development plan (**15 sets of the completed waiver application and plan exhibit if the subject property adjoins a County road; 19 sets for properties adjoining a State road**). In instances where the waiver request concerns an approval extension or if an associated plan is in active processing, only 2 sets of plans are required along with 15 or 19 copies of the application form. **Plans must be folded to a size no larger than 7-1/2" x 12". The pre-packaging of plans and supplemental reports by SRC agency will be permitted by DPZ provided that each package contains a cover letter which itemizes all plans, reports and documents included in the package.**

Please be advised that all plan application submissions are ACCEPTED BY APPOINTMENT ONLY. All plan submission appointments must be scheduled with the Division of Land Development at (410) 313-2350.

Plan applications are available on the DPZ website at <http://www.co.ho.md.us/DPZ/formsfeesapplications.htm>.

B. **Plan Requirement Checklist**

The detailed waiver petition exhibit, plot plan, subdivision plan or site development plan must indicate the following required information relevant to the waiver request to ensure acceptance of the waiver petition application for processing.

Legend:	<u>✓</u>	Information Provided	<u>X</u>	Information Not Provided,
	<u>NA</u>	Not Applicable		Justification Attached

- ✓ — 1. Vicinity map scale 1" = 2,000' indicating and identifying the total boundary of the property, exact site location, vicinity roads and north arrow.
- ✓ 2. Bearings and distances of property boundary lines for the entire tract and size of tract area.
- ✓ 3. North arrow and scale of plan.
- ✓ 4. Location, extent, boundary lines and area of any proposed lots.
- ✓ 5. Any existing or proposed building(s), structures, points of access, driveways, topography, natural features and other objects and/or uses on the subject and adjacent properties which may be relevant to the petition; i.e. historic structures, cemeteries or environmentally sensitive areas.
- ✓ 6. Delineation of building setback lines.
- ✓ 7. Delineation of all existing public road and/or proposed street systems.
- ✓ 8. Identification and location of all easements.

- √ 9. Approximate delineation of floodplain, streams, wetland and forested areas, if applicable, and/or provide a professional certification that environmental features do not exist on the property.
- N/A 10. Road profile to evaluate sight distance, if the application includes a request for direct access to a major collector or more restrictive roadway classification.
- √ 11. Any additional information to allow proper evaluation (e.g. for waivers to wetland buffers an alternative analysis and mitigation proposal are needed; for waivers to SDP requirements where there is no subdivision of land, an APFO Roads Test evaluation may be needed, for waivers of final plat or SDP, a copy of property deeds to confirm legal creation or status of property is needed).
- √ 12. Photographs, perspective sketches or cross-sections as necessary to adequately portray the waiver request.
- √ 13. The exhibit plans should be highlighted to accurately illustrate the requested waiver(s) to allow proper evaluation (i.e. proposed grading, tree clearing or other disturbances within environmentally sensitive areas or buffers).
- √ 14. Submit 2 sets of photographs for all existing on-site structures.
- N/A 15. Identify the location of any existing wells and/or private septic systems.

N/A 16. **Route 1 Manual**
 Compliance with the Route 1 Manual is required for new development and some alterations or enlargements located in the CE, TOD and CAC zoning districts and for other zoning districts located within the Route 1 corridor. All plan submissions, beginning with the initial subdivision or site development plan, shall show all applicable streetscape, site and building designs responding to the Route 1 Manual's requirements and recommendations. All plan submissions shall provide a written summary of how the proposed design achieves the objectives of the Route 1 Manual. Also, building design and schematic architectural elevation details must be included with the initial subdivision or site development plan submission.

N/A 17. **Route 40 Design Manual**
 Compliance with the Route 40 Design Manual is required for new development and redevelopment projects located in the Traditional Neighborhood Center (TNC) zoning districts and on parcels located within the Route 40 Corridor as defined in the Route 40 Design Manual. All plan submissions within the Route 40 corridor, beginning with the initial subdivision or site development plan, shall show all applicable streetscape, site and building designs responding to the Route 40 Design Manual's requirements and recommendations. All plan submissions within the Route 40 corridor shall provide a written summary of how the proposed design achieves the objectives of the Route 40 Design Manual. Also, building design and schematic architectural elevation details must be included with the initial subdivision or site development plan submission.

√ 18. **Property Deeds** – Information to confirm the legal creation or status of the property to be improved. (Copy of deeds from Howard County Land Records Office or record plat name and recording reference number). **A complete chronological deed history is required for all deeded residential properties. Provide 2 copies of the recorded deeds for the subject property tracing its history back to 1960.**

19. Please complete the following:

A pre-submission meeting was held with DPZ on 7/21/14 with
Kent ShevBrooks & Julia Boone [date], if applicable.
 [DPZ, Director, DLD Division Chief or other SRC representatives]


VI. Fees

The Waiver Petition application fee shall be in accordance with the adopted fee schedule. All checks shall be made payable to the *Director of Finance*. **The petition will not be accepted for processing until the fee has been paid. Incomplete, incorrect or missing information may result in the rejection of the application and could cause additional time to be required to revise the petition for resubmittal and re-review.** For more information or questions, contact DPZ at (410) 313-2350.

VII. **Owner's/Petitioner's Certification**

I/WE the undersigned fee simple owner(s) hereby make application to the Howard County Department of Planning and Zoning to relax the minimum requirements of the Howard County Subdivision and Land Development Regulations. The undersigned hereby certifies the information supplied herewith is correct and complete, confirms that the regulations and policies as referred to in the attached are understood, and authorizes periodic on-site inspections by the Howard County Subdivision Review Committee agencies. ***If the applicant is the owner's agent, written documentation from owner granting that authority is required at the time of the submission.**

Owner's authorization attached *

Naseem Khan / 
(Signature of Property Owner)
(Fee Simple Owner Only) 11/5/14
(Date)

Naseem Khan, Hanif Khurram
(Name of Property Owner)

PO Box 6004
(Address)

Ellicott City, MD 21042
(City, State, Zip Code)

E-Mail assist_all@yahoo.com

410-461-6111
(Telephone) (Fax)

Contact Person: Dr. Khan

 M. Carney
(Signature of Petition Preparer) * 11/4/14
(Date)

Benchmark Engineering, Inc.
(Name of Petition Preparer, Surveyor/Engineering/Architect
or Agent/Developer)

8480 Baltimore National Pike, Suite 315
Address)

Ellicott City, MD 21043
(City, State, Zip Code)

E-Mail bei@bei-civilengineering.com

410-465-6105 6644
(Telephone) (Fax)

Contact Person: John M. Carney

Howard County Department of Planning and Zoning
Division of Land Development

**INITIAL SUBMISSION
WAIVER PETITION WORKSHEET
(For DPZ Use Only)**

Project Name _____ DPZ File No. _____
 DPZ Plan Reviewer _____ Submission Date _____
 Plan Consultant Representative _____ Time _____

- I. Application Requirements** *Indicate Yes, No or N/A*
- a. Application is complete.....
 - b. Required number of plans and applications are provided.....
 ___ Plans (15 sets on County Road or
 ___ Applications 19 sets on State Road)
 - c. Supplemental Information is provided.....
 - d. Certification of pre-submission community meeting and summary of community comments with dated responses to all meeting attendees within 60 days is provided and three week notice given to DPZ and County Council, if applicable.....
 - e. Certification of pre-submission HDC advisory meeting for new projects in Historic District or listed in Historic Sites Inventory.....
 - f. Photographs of existing structures (for Historic Preservation Review).....
 - g. MAA Approval Letter (if applicable).....
 - h. Written summary of Route 1 Manual/Route 40 Design Manual compliance (if applic).....
 - i. DAP project design recommendation for Route 1/Route 40 projects.....

- II. Fee Computation** **Fee**
- Number of waivers requested.....
 - * Base Fee for first two waiver sections (\$450) 450
 - Fee for each additional waiver section (___ additional waivers x \$50 each).....
 - * (Maximum fee of \$350 for Agricultural Preservation parcels)
- TOTAL** _____

III. Certification

Cash Receipt No. _____ Amount 450
SAP Acct 1000000000-3000-3000000000-PWPW000000000000-432530

Check issued by _____

___ Waiver petition application is accepted for processing.

___ Scheduled SRC meeting date.

___ Waiver petition application is rejected.

Reason: _____

___ Resubmission is accepted. Date _____ Staff initials _____

Comments/Notes _____

Waiver Petition Justification to Section 16.156(l) and (m)

- A. This project was extensively reviewed and determined to be in compliance with the Land Development Regulations in a Department of Planning and Zoning letter dated October 23, 2013. This approval was subject to approval of the State Highway Administration comments. The Maryland State Highway Administration required acceleration lane, deceleration lane, turn lane, clear zone, future dedication area and entrance relocation as a requirement of plan approval. This created an extraordinary financial hardship on the developer. The improvement required by the State Highway Administration cannot be supported by a single child care facility at this time. The child care facility was approved as a conditional use, Board of Appeals case 12-008C. Additional plan processing at this time, including submission of the Site Development Plan, Easement Plat, Developer's Agreement and State Access Plans, would result in additional costs for the developer. Voiding the plan would void the approval of the conditional use approval.

Strict compliance with the regulations would require the developer to submit an entirely new Conditional Use Plan and an entirely new SDP for review and approval resulting in additional fees for the developer and additional effort for the developer and for the County. Voiding the current Site Development Plan (SDP-13-047), and the associated Conditional Use (12-008C), and requiring the resubmission of a new SDP for approval at this time is not prudent.

The developer is investigating alternatives to processing a Site Development Plan for a child care facility at this location or to expand the allowable uses to reduce the financial impact of the improvements to the State Roadway. The current "technically complete" status of this project can be retained for another year without significant impact to the Department of Planning and Zoning or the public. None of the improvements proposed under the Maryland State Highway Administration access permit request or the Site Development Plan were required to remove an existing hazard or alleviate a failing intersection.

The stormwater management for the child care facility has been approved as Environmental Site Design.

The developer wishes to retain the "technically complete" status and remain in active processing during the time that she investigates the alternatives. This will allow the developer an opportunity to keep the plan in active processing. The developer can revise the plan and resubmit to the Department of Planning and Zoning a revised Site

Development Plan if it makes financial sense to do so while maintaining the Conditional Use Approval.

The developer is requesting an extension of the milestone dates, as established by the Subdivision and Land Development Regulations, section 16.156 (l) and (m), for a period of one year from the latest milestone date. **The Developer is requesting a new milestone deadline date of November 18, 2015.**

- B. The intent of the Regulations will be served to a greater extent by assisting in the orderly, efficient and integrated development of land. The most efficient process to complete the plan approval process is to waive the milestone deadline for submission of the original plan for signature for a period of one year from the latest milestone date. **The Developer is requesting a new milestone deadline date of November 18, 2015.** The development has already been designed with ESD practices to address the Stormwater Management obligations.
- C. Approval of this waiver will in no way be detrimental to the public interest. Extending the deadline to submit the Site Development Plan for signature approval does not create any additional impacts to the directly adjacent owners or to the residents of Howard County. There is no impact on the facilities covered by the Adequate Public Facilities Act. None of the improvements proposed under the Maryland State Highway Administration access permit request or the Site Development Plan were required to remove an existing hazard or alleviate a failing intersection. The minor water line extension approved through the Advanced Deposit Order process serves this parcel only.
- D. The intent of the Regulations will be met by the continued progress towards the completion of this project without the potential delay caused by the review and approval of a new SDP. The intent of the regulations is to have complete and intergraded development. The developer can request an additional review of the site development plan or request signature approval at the time when it becomes financially feasible.

John Carney

From: Sheubrooks, Kent <ksheubrooks@howardcountymd.gov>
Sent: Friday, July 18, 2014 9:05 PM
To: John Carney
Cc: Boone, Julia; Dell, David; Bishop, Melanie
Subject: RE: Beech Creek Lot 7 SDP-13-047

Follow Up Flag: Follow up
Flag Status: Flagged

John,

This is in response to your email request for a 120 plan extension from the previous plan extended deadline date of July 21, 2014 for completing the DPW, Developer's Agreement, payment of associated fees and for submission of the SDP plan originals for signature approval for the above referenced site development plan, SDP-13-047, Beech Creek. This Division has determined that the processing delays encountered waiting for comments from SHA officials to relocate the access for the Daycare Facility to allow combined access onto Md. Route 108 for this project has caused a delay in completing the site development plan processing by the July 21, 2014 deadline date. Therefore, based on the justifications contained in your email and the SHA comment letter dated May 12, 2014 for this project, this Division finds that governmental actions may have contributed with the processing delay for submitting the completed plans for SDP-13-047 to DPZ. Therefore, this Division hereby extends the Developer's Agreement, payment of associated fees and the SDP original plan submission deadline date from July 21, 2014 until **November 18, 2014** for SDP-13-047 as requested. Please be advised that this is the last extension that will be granted through governmental delay, any additional extensions will require the submission of a formal waiver petition seeking an extension.

If you have any questions about the extension for this plan, please contact Julia Boone or me at your convenience. Please submit a copy of this plan extension and upload a copy with your PDox submission for this project when making the SDP original plan submission. Thanks.

Kent Sheubrooks

*Chief, Division of Land Development
Department of Planning and Zoning
Phone No. (410) 313-4390
Fax No. (410) 313-3467
ksheubrooks@howardcountymd.gov*

From: John Carney [jcarney@bei-civilengineering.com]
Sent: Friday, July 18, 2014 5:13 PM
To: Sheubrooks, Kent
Cc: Boone, Julia
Subject: RE: Beech Creek Lot 7 SDP-13-047

Kent, attached are two files that show the progress we have made in attempting to obtain an access permit for Beech Creek, Lot 7 from Maryland State Highway Administration. The concept approval letter was received in the middle of May and we have been working to verify the extent of the changes, the financial impact of the changes and now addressing the Engineering concerns raised. The delay is due to evolving nature of the access permit and the further investigation by the State to obtain one single access point for this property and the adjoining property. We feel that the project is now going to move forward that the developer can start the developers agreement process. We have made substantial progress toward addressing all the State comments. We will have to process the various changes that State is requesting with Howard County Department of Planning and Zoning. We are now able to sit with Howard County and show the proposed impacts and work on a process to move towards completion.

HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
Division of Land Development

DATE: November 6, 2014

DPZ File No. WP-15-061

Department of Planning and Zoning

- 1 Transportation Planning
- 1 Resource Conservation (Historic/Ag Pres)
- Public Service and Zoning Administration
- 1 Research
- Address Coordinator

- 1 Comprehensive & Community Planning
- 2 Development Engineering Division
- Other
- 2 File

Agencies

- Soil Conservation District
- 1 Department of Inspections, Licenses & Permits
- 1 Department of Fire and Rescue Services
- 5 State Highway Administration
- 1 Health Department
- 1 Public School System
- 1 Recreation and Parks
- WSSC (Non-Residential Only)
- MD Aviation Administration

- Tax Assessment
- Verizon
- BGE
- Cable TV
- Police
- MTA
- Finance
- 1 DPW, Real Estate Services
- DPW, Construction and Inspection
- DPW, Bureau of Utilities

RE: Beech Creek, Lot 7

ENCLOSED FOR YOUR Signature Approval

THE ENCLOSED Original

Review & Comments Files

Pre-Packaged Plan Set

<u>Plans</u>	<u># of Sheets</u>
Sketch Plan	_____
Prel Equiv Sketch Plan	_____
Preliminary Plan	_____
Final Plat/Plat of Easement/RE Plat	_____
Final Constr Plans (RDS)	_____
Final Development Plan	_____
Site Development Plan	_____
Landscape Plan/Supplemental Plan	_____
Grading Plan	_____
House Type Revision/Walk-Thru Red-Line	_____
Water and Sewer Plan	_____

<u>Supplemental Documents</u>
Wetlands Report
Soils/Topo Map/Drain Area Map
FSD/FCP/Worksheet and Application
Declaration of Intent (Forest Cons)
Drainage and/or Computation/Pond Safety Comps
Preliminary Road Profiles
APFO Roads Test/Mitigation Plan/Traffic Study
Noise Study
Sight Distance Analysis/Speed Flow Study
Floodplain Study
Stormwater Management Comps/Geo-Tech Report
Industrial Waste Survey (DPW)
Road Poster Form Letter
Justification Letter
Perc Plat
Scenic Road Exhibits
Deeds
Photographs
Retaining Wall Comps/Details
Poster/Community or HDC Meeting Information
Route 1 Details/Summary

<u>Applications</u>	<u># of Sheets</u>
<u>15</u> Waiver Petition Applic/Exhibit	_____
Planning Board Application	_____
ASDP/CSDP Application	_____
DED Application/Checklist	_____
DED Fee Receipt/Deeds/Cost Estimate	_____
Overall Scaled Composite	_____
Water & Sewer Plans	_____
List of Street Names	_____

WAS: Received Tentatively Approved

Received and Revised Approved

Recorded

On November 6, 2014

SRC/Comments Due By: 12/1/14

COMMENTS: _____

Check, initial and return to the Department of Planning and Zoning if plan is approved with no comments.

H.O.

DPZ STAFF INITIALS: RJ



Howard County Department Of Planning And Zoning

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

Marsha S. McLaughlin, Director

www.howardcountymd.gov

FAX 410-313-3467

TDD 410-313-2323

October 23, 2013

Naseem Khan and Khurran Hanif
P.O. Box 6004
Ellicott City, Maryland 21042

RE: SDP-13-047, Beech Creek, Lot 7
Child Day-Care Facility

Dear Owners:

The Subdivision Review Committee has determined the above referenced plan to be **technically complete**, subject to the ProjectDox plan markups and the comments from the Maryland State Highway Administration (SHA) that were directly forwarded to the applicant from SHA. You may submit the original drawings to the Department of Planning and Zoning for signature once the comments have been complied with and the Developer's Agreements have been submitted. If you have any questions regarding a specific comment, please contact the review agency prior to submitting the original site development plan. If, in responding to those comments, design changes are made which could affect another SRC agency, you are advised to consult with the appropriate agency prior to the submission of the originals to the Department of Planning and Zoning for signature.

COMPLETION OF DEVELOPER'S AGREEMENTS AND PAYMENT OF FEES

1. Submission of a Developer's Agreement to the Department of Public Works, Real Estate Services Division, and posting of financial surety for SWM construction and maintenance and landscaping [\$13,560.00].

Once the cost estimates are approved by the Development Engineering Division and/or this Division, the information will be forwarded to Real Estate Services, DPW. RES, DPW will contact you regarding requirements for preparation of a Developer's agreement. Real Estate Services requires a minimum of three (3) weeks to execute the agreement(s). This should be anticipated by the developer in scheduling submittal of the originals.

2. Submission of a Declaration of Covenants and Maintenance, and Right of Entry Agreement for Private Stormwater Management Facilities – Rain Gardens (Bio-Retention Facilities) to the Department of Public Works, Real Estate Services Division. Contact the Real Estate Services Division directly at 410-313-2330 regarding this requirement. Real Estate Services requires a minimum of three (3) weeks to execute this agreement. This should be anticipated by the developer in scheduling submittal of the plan originals.
3. Submission of the SDP digital information shall be submitted to DPZ for the purpose of early assignment of new street addresses at the same time as submission of your DPW, Developer's Agreement documents or a minimum of 3 weeks prior to submission of the SDP plan original. Please see the digital information requirements contained under Submission of the Site Development Plan Original for this letter.

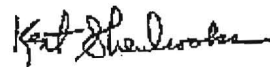
The above conditions must be complied with prior to submission of the site development plan originals and within **180** days of this letter (**on or before April 21, 2014**). The Department of Public Works will provide a written receipt indicating the above conditions have been met. The receipt from Real Estate Services must accompany the submission of the site plan originals.

the construction deadline associated with your Conditional Use. You are reminded to monitor that deadline to ensure compliance with the conditions of your Decision and Order.

Compliance with all conditions and/or corrections is required before the original plan will be accepted for signature approval. As directed through ProjectDox, please contact Ms. Carol Stirn of the Department of Planning and Zoning at (410) 313-2350 to schedule an appointment to submit originals for signature. **Please bring this letter with you as it will serve as the checklist for the original submission.**

If you have any questions, please contact Julia Boone at (410) 313-2350 or email at jboone@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/jb
cc: Benchmark Engineering, Inc.

FOREST CONSERVATION DATA SUMMARIES

OPTION 1: FEE-IN-LIEU	FOREST CONSERVATION DATA SUMMARY	
File Number:	Project/Subdivision Name:	
Fee-In-Lieu Amount:	Net Tract Area:	Cash Receipt No. *:
Comment: Fee-In-Lieu for _____ acres of Reforestation or Afforestation (specify which is applicable)		

* To be completed by DPZ staff

OPTION 2: EXEMPT/DOI	FOREST CONSERVATION DATA SUMMARY	
File Number:	Project/Subdivision Name:	
Regulation Section: _____ (provide Regulation reference and a brief description of the applicable exemption or DOI)		

OPTION 3: PREVIOUSLY ADDRESSED (including use of a FC Bank)	FOREST CONSERVATION DATA SUMMARY	
File Number:	Project/Subdivision Name:	
Comment: Addressed by _____ (provide file number and project/subdivision name)		

OPTION 4: FOREST RETENTION CREDIT	FOREST CONSERVATION DATA SUMMARY	
File Number:	Project/Subdivision Name:	
Net Tract Area: _____		
Comment: DPZ 60,000 square foot policy, forest retention credit for _____ acres		

OPTION 5: ON-SITE/OFF-SITE PLANTING AND RETENTION	FOREST CONSERVATION DATA SUMMARY		
File Number:	Project/Subdivision Name:		
Net Tract Area <i>Net tract area under review</i>	Area of Floodplain unforested forested total		Existing Forest <i>Forest in net tract area minus floodplain</i>
Retained Forest <i>Retained forest minus floodplain</i> onsite offsite total	Planted Forest onsite offsite total		Cleared Forest All forest cleared including floodplain
In-Lieu Fees Amount Collected	Forested Stream Buffers Linear Length Acreage		Long Term Protection <i>Total amount of forest planed into LTP</i>
			Surety Amount Posted <i>Total amount of surety posted</i>
			Planted Stream Buffers Linear Length Acreage

DEPARTMENT OF PLANNING AND ZONING
DEVELOPMENT ENGINEERING DIVISION

October 22, 2013

TO: Kent Sheubrooks, Chief
Division of Land Development

FROM: Charles F. Dammers, Chief
Development Engineering Division

Project Engineer _____ Jayesh V. Pancholi _____

RE: Comments File no. _____ SDP-13-047 _____

_____ Beech Creek _____

Plan approval is recommended subject the following comments:

Financial Guarantee:

1. The developer agreement or ADO for water and/or sewer shall be executed before the original site development plan can be accepted for signature.
2. All the bodings for storm water management associated with this plan must be executed prior to the signature of this SDP. Please submit the itemize cost estimate for all the improvements proposed with this plan.

CFD/jvp

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