



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

December 6, 2017

Morris & Ritchie Associates
1220-C East Joppa Road, Suite 505
Towson, MD 21286

RE: WP-18-055, Oakland Executive Park, Popeyes
Alternative Compliance Determination
(SDP-17-063)

Dear Sir or Madam:

The Director of the Department of Planning and Zoning considered your request for an alternative compliance from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request for an alternative compliance of **Section 16.156(g)(2)** which requires the developer to provide additional information within 45 days of being notified that additional information is needed to adequately review the site development plan.

Approval is subject to the following conditions:

1. The developer shall submit any requested additional information and a revised plan that addresses all comments found in Project Dox to the Department of Planning and Zoning as indicated within the DPZ revised plan letter dated September 26, 2017, within 60 days of the previous deadline date of November 10, 2017 (or until January 9, 2018).

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty – Extraordinary hardship or practical difficulty would result if the applicant is required to submit a new site development plan and pay all the associated fees since compiling and analyzing the requested information is time consuming. Granting the applicant a 60 day extension will allow them to adequately address the traffic and parking concerns raised by all review agencies.

Alternative Proposal – The only alternative for not granting the requested deadline extension is to require the submission of a new site development plan for this project. Because the project already went through the entire site development plan review cycle and has an established file history, the alternative for requiring a new site development plan is not recommended by this Division.

Not Detrimental to the Public Interest – The alternative compliance request will not be detrimental to the public interest since site development plans have already been processed for this project. The requested deadline extension will not have any adverse effect on the surrounding properties and the community where the property is located. In fact, an extension would allow the developer time to adequately address traffic and parking concerns raised by the reviewing agencies. Therefore, approval of this alternative compliance petition would not be detrimental to the public interest.

Will not Nullify the Intent or Purpose of the Regulations – Site development plans have already been processed for this project. Since there have been no significant policy or regulation changes since the approval of the site development plan, the approval of this requested extension would not nullify the intent or purpose of the regulations. Additionally, approval of this alternative compliance request will satisfy the intent of the Regulations by permitting fairness and consistency in the application of plan processing procedures.

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 J.J. Hartner at (410) 313-2350 or email at jehartner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/JH

cc: Research
DED
Real Estate Services
File# SDP-17-063
Columbia Palace Limited Partnership