



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

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

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

April 2, 2019

Gordon Holk-Bioenergy DEVCO LLC
9250 Bendix Road
Columbia, MD. 20145

RE: WP-19-085 (MD Food Center Authority-Anaerobic Digestion Facility)

Dear Mr. Holk:

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 to **Section 16.156(o)(3)(i)** which indicates that no building or grading permit shall be issued unless signature approval of the site development plan original is complete; and **Section 16.134 (a)(2)** which states that "for non-residential site development plans, the developer shall construct sidewalks on one or both sides of the street, if the Department of Planning and Zoning deems it necessary to serve anticipated internal pedestrian traffic, to provide access to transit stops or to make connections to surrounding land uses.

Approval is subject to the following conditions:

1. All required permits from the Department of Inspections, Licenses and Permits must be obtained prior to any mass grading and/or clearing.
2. No permanent structures are permitted to be constructed until SDP-18-063 is approved and signed and all required developer agreements have been executed.

Note: The Department of Planning and Zoning eliminates the need for sidewalk for this proposal as permitted under Section 16.134(b) based on the following observations:

- **Adjacent development has been completed without sidewalk, pursuant to prior approvals and there is no need to serve commercial or institutional uses, schools, parks or other public facilities or make connections to nearby streets or transit service.**
- **Sidewalk is not needed to serve school, shopping or active recreational areas.**

The Planning Director's decision was made based on the following:

Extraordinary hardships or practical difficulties:

According to the applicant's justification, "due to the project's lease time frame and grant funding from the State of Maryland, an earlier start for on-site construction would be advantageous and would allow the site to be prepared and ready for building construction immediately upon issuance of building permits." Applicant is hoping to avoid any construction delays.

Detrimental to the Public Interest /Nullifies the Intent or Purpose of the Regulations:

Granting of the alternative compliance request would allow for an earlier start of mass grading and clearing to prepare the site for streamlining the on-site construction process and timeline. The request does not relieve the developer in any way from completing the Site Development Plan process. Requirements such as forest conservation, traffic studies, stormwater management, landscaping, utility extensions and all other site requirements will be addressed with the Site Development Plan. The associated Plan is currently under review. Sediment control for initial grading will need to be reviewed and approved by the Howard County Soil Conservation District prior to the release of grading permits.

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 one year from the date of this letter or as long as a subdivision or site development plan is being actively processed in accordance with the processing provisions of the Regulations.

If you have any questions, please contact Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at tmaenhardt@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

attachment

KS/TKMWP-19-085 MD Food Center Authority approval 4-2-19

cc: Research
Director's Office-A. Gowan
EDA-V. Thompson
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