



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

October 11, 2023

Mr. Mark Levy
6800 Deerpath Road
Elkridge, MD 21075

RE: WP-24-029 Elkridge Run
Alternative Compliance Approved

Dear Mr. Levy:

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 October 10, 2023 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 16.156.(g)(2)** of the Subdivision and Land Development Regulations to extend the September 24, 2023 deadline to resubmit SDP-23-005 to allow for time to process BA-804D.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.156(g)(2) 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):

Subtitle 1, Article V

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

The applicant is requesting additional time to submit revised plans in order to process an appeal to a DPZ action letter requesting revised plans and dated August 10, 2023. The appeal (BA-804D Linden Avenue) is scheduled for a hearing on November 29, 2023. After hearing the case, the Board of Appeals can take up to 60 days and in some cases 90 days to issue the Decision and Order (D&O). The applicant's design team awaits the hearing and D&O for informed direction in addressing the latest Subdivision Review Committee review comments. The revised SDP will include all information needed for the review of revised plans. Strict compliance would have required the applicant to resubmit plans without the resolution of the filed appeal (BA-804D) or if the deadline were missed, would require a new SDP submission for plans that have undergone three review cycles but still rely on a determination of existing lot organization. Strict compliance would be an unreasonable hardship to the applicant as either of these options would not be beneficial to the project nor the County since a decision of the appeal is needed in order for the plan to meet regulations. Approval of the alternative compliance promotes efficiency of the plan review process.

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

1. The new deadline to resubmit plans shall be established by the date the Board of Appeals issues a Decision and Order to BA-804D. The deadline to resubmit shall be 45 days from the date of the Decision and Order.
2. The revised plans and half review fee outlined in the DPZ letter dated August 10, 2023 shall be submitted by the new due date established in condition number 1. Include a copy of the D&O with the resubmission.
3. Include a General Note on the revised plans for SDP-23-005 summarizing WP-24-029 to include: the request, the decision, date of decision and 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 Donna Despres at (410) 313-2350 or email at ddepres@howardcountymd.gov.

Sincerely,

DocuSigned by:



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Anthony Cataldo, AICP, Chief

Division of Land Development

AC/DD

cc: Research
DLD - Julia Sauer
Real Estate Services
Benchmark Engineering
SDP-23-005



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-24-029*
 Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: Residential Development
Subdivision Name/Property Identification: Elkridge Run
Location of property: Lennox Park
Existing Use: Residential **Proposed Use:** 14 Semi-detached Units
Tax Map: 43 **Grid:** 06 **Parcel No:** 400 & 481 **Election District:** 1st
Zoning District: R-12 **Total site area:** 0.96 ac

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:

ECP-21-019, SDP-23-005, WP-23-071

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. Please use the additional page if needed.

Section Reference No.	Brief Summary of Request
16.156(g)	Extension to Resubmission of SDP

Section Reference No.	Brief Summary of Request

Signature of Property Owner: *Mark Levy* Date: *9/21/2023*

Signature of Petitioner Preparer: *Mark Levy* Date: *9/21/2023*

Name of Property Owner: 6925 Linden LLC Name of Petition Preparer: Benchmark Engineering, Inc.

Address: 6800 Deerpath Road Address: 3300 N. Ridge Road Suite 140

City, State, Zip: Elkridge, MD 21075 City, State, Zip: Ellicott City, MD 21043

E-Mail: amnimal@aol.com E-Mail: bei@bei-civilengineering.com

Phone No.: 410-579-2442 Phone No.: 410-465-6105

Contact Person: Mark Levy Contact Person: Chris Ogle

Owner's Authorization Attached