



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

July 17, 2024

Clarksville Dev., LLC
Attn: Lawrence Benbassett
The Meadows Office Complex
301 Route 17 N., Suite 802
Rutherford NJ 07070

RE: WP-24-114 Popeye's Louisiana Kitchen and Advance Auto Parts (SDP-24-014)

Dear Mr. Benbassett:

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 July 17, 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 **Section 16.156(g)(2)** of the Subdivision and Land Development Regulations to reactivate an expired site development plan (SDP) that failed to comply with the 45-day deadline date of February 18, 2024 to resubmit the SDP.

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):

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

The purpose of this alternative compliance petition is to reactive an expired SDP that missed the 45-day deadline to be resubmitted to the County for review and comment. The SDP has been in the review process since November 29, 2023, and has since remained in a revised plan status. The applicant had a due date of February 18, 2024, to resubmit the plan, but was not able to timely resubmit the plan due to County review comments regarding pedestrian connectivity and site access (to and from MD Route 108) that required consultation with adjoining property owners and review agencies. The owner is requesting that additional time be allocated to allow for the required design changes to be implemented and to resubmit the plan. Strict compliance with the Subdivision Regulations would require the owner to prepare and submit a new site development plan for a plan that has previously had two review cycles. Granting of this alternative compliance would allow for the orderly continuation of the review for the SDP and promotes efficiency of the plan review process.

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

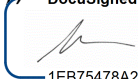
1. The site development plan (SDP-24-014) must be resubmitted to the Department of Planning and Zoning within 45 days of this decision (on or before **September 18, 2024**). Comments from the previous reviews must be addressed.

2. Include this alternative compliance petition file no., request, action taken and date of action on SDP-24-014.

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 Derrick Jones at (410) 313-4330 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
Site Studios Inc.



Howard County Maryland
Department of Planning and Zoning
 3430 Courthouse Drive, Ellicott City, MD 21043

(410) 313-2350

DPZ Office Use only:
 File No.
 Date Filed *UP-24-114*

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: Popeyes Louisiana Kitchen and Advance Auto Parts

Subdivision Name/Property Identification:

Location of property: 12268 and 12272 Clarksville Pike, Clarksville, MD 21029

Existing Use: Restaurant and Office **Proposed Use:** Retail and Restaurant with Drive Thru

Tax Map: 34 **Grid:** 6 **Parcel No:** 27 **Election District:** 5-01

Zoning District: General Business District (B-2) **Total site area:** 2.21 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-22-026 Approved
 SDP-24-014 Active

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
Article V Site Plans Section 16.156(g)(2)	A request to extend the 45-day site plan resubmittal deadline due to unreasonable hardship or practical difficulty. Review comments related to pedestrian connectivity and site access required consultation with adjoining property owners and review agencies that required more than the 45-day allowable time.

Section Reference No.	Brief Summary of Request

Signature of Property Owner: *Lawrence Ben Bassett* Date: June 17, 2024

Signature of Petitioner Preparer: *[Handwritten Signature]* Date: 30 May 2024

Name of Property Owner: Clarksville Dev, LLC Name of Petition Preparer: Site Studios, Inc.

Address: The Meadows Office Complex Address: P.O. Box 682
301 Route 17 N, Suite 802

City, State, Zip: Rutherford, New Jersey 07070 City, State, Zip: North East, MD 21901

E-Mail: LB@pnrestaurants.com E-Mail: bmorgan@sitestudiosinc.com

Phone No.: 301.613.7965 Phone No.: 443.553.5455

Contact Person: Lawrence Ben Bassett Contact Person: Brian Morgan

Owner's Authorization Attached