



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

February 19, 2019

Mauck Nursery Stock, LLC
David Mauck
7531 Montevideo Road
Jessup, MD 20794

RE: WP-17-133, Mauck Nursery, LLC
7531 Montevideo Road (BA-17-028V)

Dear Mr. Mauck:

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 16.155(a)(1)(i) to allow minor exterior building and site modifications in association with the interior building renovation to the warehouse and parking lot striping per the Subdivision and Land Development Regulations, subject to the following conditions:**

1. Compliance with the Decision & Order for Board of Appeals Case No. BA-17-028V dated October 31, 2018.
2. Revise the plan exhibit per the attached comments from the Division of Land Development. Submit a mylar original of the plan exhibit to the Department of Planning & Zoning within 45 days of this approval (**on or before April 5, 2019**). The mylar must receive signature approval prior to application of the building and grading permits.
3. Compliance with the attached Development Engineering Division comments February 7, 2019.
4. Compliance with attached Health Department Comments.
5. The alternative compliance exhibit shall serve as the substitute for a site development plan for development. No additional site improvements are permitted beyond what is shown on the alternative compliance plan exhibit.
6. The petitioner shall comply with all applicable County and State regulations and obtain all necessary permits from the Department of Inspections, Licenses and Permits.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties - Strict compliance with the regulations would create a hardship for the petitioner New Image Landscaping. The applicant will be required to submit a mylar original of the plan exhibit for County review and signature approval. The plan exhibit depicts the existing site conditions and the proposed garage and will satisfy the standard requirements for a site development plan. Requiring the applicant

to follow the standard site development plan process would result in additional costs, time and effort to obtain approval for the garage replacement.

Not Detrimental to the Public Interest - The proposal will not be detrimental to the public interest because the proposed building addition will comply with all applicable State and County regulations. The applicant will be required to obtain all necessary permits. The alternative compliance plan exhibit will serve as a suitable substitute for a formal site development plan and will be signed and retained by the County for the record.

Will not nullify the intent or purpose of the regulations - Approval of this alternative compliance will not nullify the intent or purpose of the regulations. The petitioner's exhibit is a suitable substitution for a site development plan for the proposed structure relocation. The limit of disturbance is minimal. The alternative compliance plan exhibit adequately demonstrates compliance with the applicable regulations

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 approval condition #2.

If you have any questions, please contact Jennifer Wellen at (410) 313-2350 or email at jwellen@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/jw

Attachments

cc: Research
DED
Real Estate Services
DILP
Steve Rolls DPS&ZA