



# 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

October 15, 2018

Veli Demirel  
3301 Demirel Way  
Ellicott City, MD 21042

RE: WP-18-020 Demirel Plaza (SDP-13-077)  
Alternative Compliance Approved

Dear Mr. Demirel:

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 for relief of the Subdivision and Land Development Regulations **Section 16.156(o)(1)(ii)**, request to grant an extension from the date of the approval letter for this alternative compliance petition to apply for remaining building permits for construction of the remaining buildings and site improvements, and **Section 16.156(o)(2)**, approval of reactivation of SDP-13-077.

Please note: The application references Section 16.155(m)(1)(ii), however from the justification narrative, it appears you are seeking relief from the following Subdivision and Land Development Regulations:

- **Section 16.156(o)(1)(ii)** – For single-family attached, apartment and nonresidential developments involving multiple buildings or staged construction, the developer shall apply for building permits for all construction authorized by the approved site development plan within two years of signature approval.
- **Section 16.156(o)(2)** – *Expiration of plan approval.* If the developer does not apply for building permits as required by paragraph (1) of this subsection, the site development plan shall expire and a new site development plan submission will be required.

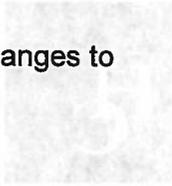
Approval is subject to the following conditions:

1. The Petitioner shall apply for all remaining building permits for construction of buildings 2-5 and complete all site improvements per SDP-13-077 within one (1) year from the date of the approval letter for this application, or site development plan, SDP-13-077 will expire, and a new site development plan submission will be required.

Our decision was made based on the following:

### **Extraordinary Hardships or Practical Difficulties:**

Extraordinary hardship would result if the applicant is required to process a new site development plan for the subject property. The applicant has a site development plan on file, which has been through the review process and approved. The existing site plan shows the proposed improvements including the remaining buildings to be built. Requiring a new site development plan would add 6 to 8 months to the process as well as added cost and



expense. The added time and cost represent an unnecessary and extraordinary hardship when no changes to the site plan are proposed.

**Alternative Proposal:**

The only alternative is to void the site development plan; however, this option is not recommended. This would create an extraordinary hardship as the plans would have to be resubmitted with new fees and recirculated through the County review even though the site development plan has no changes. This would waste County resources and create unnecessary expenses for the applicant. The SDP has an established file history and has been through a previous review cycle.

**Not Detrimental to the Public Interest:**

Approval of the Alternative Compliance Application will not be detrimental to the public interest. The lot is planned and previously approved for 5 buildings. Since the site development plan for this project has been reviewed and approved, further review would not improve the development. Therefore, the requested extension of time for the SDP will not have any adverse effect on the surrounding properties where the project is located. It is in the best interest of the community for the construction, plantings and storm water management controls to be completed as soon as possible.

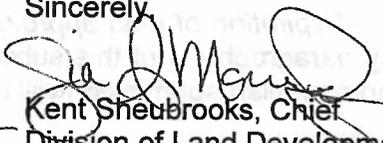
**Will not nullify the intent or purpose of the regulations:**

Approval will not nullify the intent and purpose of the regulations as it does not waive the regulations but merely reactivates a previously approved SDP. The County and Public would not benefit in any way if the owner/developer was required to process a new Site Development Plan

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.

If you have any questions, please contact Donna Despres at (410) 313-3429 or email at [ddepres@howardcountymd.gov](mailto:ddepres@howardcountymd.gov).

Sincerely,

  
Kent Sheubrooks, Chief  
Division of Land Development

KS/JF/DD  
cc: Research  
DED  
Real Estate Services  
Vogel