



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

May 20, 2019

Taco Bell of Baltimore
11879 Kemper Road, Suite 11
Auburn, CA 95603

RE: WP-19-100, Taco Bell, SDP-18-041

Dear Sir or Madam:

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 16.156.g.2 of the Subdivision and Land Development Regulations to reactivate and extend SDP-18-041 subject to the following conditions:

1. SDP-18-041 is hereby reactivated and extended for 6-months from the date of this alternative compliance approval letter (on or before **November 20, 2019**) to resubmit the revised plan.
2. Provide a general note on the site development plan that states the alternative compliance number the date in which it was approved and the conditions in which it was approved under.

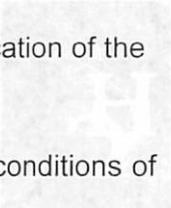
Our decision was based on the following:

Extraordinary Hardships or Practical Difficulties: Submission of a new site development plan would result in several months delay and costly fees in which will cause extraordinary hardships and practical difficulties. Specifically, if the alternative compliance request is not approved in addition to submitting a new site development plan application the Petitioner will also be required to present a new site development plan to the Design Advisory Panel (DAP) for a second time which would be wasting the Petitioner and County time since the DAP has already reviewed and approved the site development plan that was originally submitted. In addition, the requirement to process a new site development plan application will result in several months delays resulting in rescheduling and coordination with many contractors, subcontractors and trades intended to perform the redevelopment work.

Alternative Proposal: Submission of a new site development plan will create an extraordinary hardship as the plan would have to be resubmitted with new fees. The site development plan remains substantially similar in all aspects that have already been reviewed by the SRC agencies and the DAP.

Not Detrimental to the Public Interest: The approval of the requested alternative compliance will not be detrimental to the public interest because the current use on the property is currently fast food. There will be no adverse impact on neighboring properties. The site development plan for this project is being reviewed by the SRC agencies for compliance of the County and State Regulations. Therefore, the request to re-activate SDP-18-041 will not have any adverse effect on the surrounding properties where this project is located.

Will Not Nullify the Intent or Purpose of the Regulations: Approval of this alternative compliance request will not nullify the intent or purpose of the Regulations since the site development plan is being reviewed by all SRC agencies for compliance with County and State regulations. Therefore, approval of this alternative compliance



request will satisfy the intent of the Regulations by permitting fairness and consistence in the application of the plan processing procedures.

This requested alternative compliance will remain valid for the time period specified in the conditions of approval.

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

KSJW
cc: Research
DED
Real Estate Services
The Pettit Group, LLC
Offit/Kurman, Attorneys at Law
SDP-18-041