



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

August 1, 2019

Maryland Food Center Authority  
7801 Oceano Ave.  
Jessup, MD. 20794  
ATTN: Donald Darnall

RE: WP-20-002 (MD Food Center Authority)  
[Related to SDP-14-068]

Dear Mr. Darnall:

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(o)(1)(ii)** which requires that with all apartment and nonresidential developments involving multiple buildings or staged construction, the developer shall apply for building permits for all construction approved under the site development plan within 2 years of signature approval; and your alternative compliance request to **Section 16.156(o)(2)** which states that if the developer does not apply for building permits as required, the site development plan shall expire and a new site development plan submission will be required.

Approval is subject to the following conditions:

1. SDP-14-068 ("**Maryland Food Center Authority**") is hereby reactivated and **All** building permits for **All** remaining buildings (including building #2) associated with Site Development Plan, **SDP-14-068** ("**Maryland Food Center Authority**") shall be applied for **within 2 years of alternative compliance approval (on or before August 1, 2021)**.
2. Two paper copies of the associated redline plan (redline revision #6 to SDP-14-068) shall be submitted to the Development Engineering Division and the Division of Land Development (1 copy each) for the official file within 30 days of redline approval.

The Planning Director's decision was made based on the following:

**Extraordinary hardships or practical difficulties:**

An undue hardship would result should the alternative compliance not be granted. A new Site Development Plan (SDP) would need to be submitted and reviewed and the expense of processing a new SDP would be redundant and costly. The County and other review agencies have reviewed the proposed development and have previously approved the plan. Two of the four buildings are constructed and in use.



**Detrimental to the Public Interest and/or Nullifies the Intent or Purpose of the Regulations:**

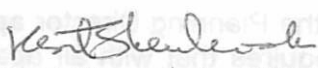
The granting of the alternative compliance will not be detrimental to the public interest nor will it nullify the intent or purpose of the regulations because the proposal has undergone a complete review at the Site Development Plan stage. Not granting the alternative compliance request would result in the required resubmittal of the same Site Development Plan to be reviewed by County and State agencies, resulting in additional delays but with no significant change (except for certain door locations and water and sewer connection locations) to the overall project. The building will be constructed per Code and within the parameters of the approved Site Development Plan. The size and dimensions of the building will remain as shown on the approved Plan and infrastructure is already installed including parking areas and pavement.

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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 Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at [tmaenhardt@howardcountymd.gov](mailto:tmaenhardt@howardcountymd.gov).

Sincerely,

  
Kent Sheubrooks, Chief  
Division of Land Development

- KS/
- cc: Research
- DED
- DILP
- Zoning-A. Merson-Sacks
- Real Estate Services
- SDP-14-068 file
- BLDG