



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

FAX 410-313-3467

October 25, 2019

F&S Associates, LP
8600 Snowden River Parkway, #207
Columbia, MD 21045
Attn: Ivy Yates

RE: WP-20-030 Oakland Ridge Industrial Park-
Section 1, Lot 2

Dear Sir/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(l)** and **Section 16.156(m)**.

Approval is subject to the following conditions:

1. The deadline to submit SDP-19-034 originals is hereby extended. The SDP-19-034 site development plan originals must be submitted to the Department of Planning and Zoning for signature and recordation within 45 days (**on or before December 9, 2019**). The requested 90-day extension was denied by the Division of Public Service and Zoning Administration due to an active code enforcement case relating to the unpermitted disturbance and required restoration (CE-16-128).
2. Include the alternative compliance file number, description and decision as a general note on the SDP-19-034 site development plan.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

The property owner is currently in bankruptcy and is not able to complete the required tasks. It is understood that the property is currently under contract for sale and the new ownership or the current owner will complete the developer's agreements and required restoration activities. If SDP-19-034 were voided, either the current owner or the contract purchaser would be required to submit a new site development plan to remedy the outstanding violation. This would further delay the initiation of the restoration process. If the requested extension were not granted, the property transfer could be jeopardized due to the uncertainty in resolving the outstanding violation. The current bankruptcy situation prohibits any work from being performed by the property owner.

Not Detrimental to the Public Interest:

Approval of this alternative compliance request will not be detrimental to the public interest since the site development plan has been reviewed by the Subdivision Review Committee agencies and the request is only to extend the deadlines to complete the developer's agreements, pay the required fees and to submit the site development plan originals. The extension will allow the owner to proceed with restoration activities upon resolution of the property transfer and bankruptcy issues.

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. There have been no substantial changes to the regulations since the April 2019 approval letter. The site development plans have been reviewed and all technical requirements have been met. The approval of this alternative compliance request will allow the property owner additional time to complete the developer's agreements, pay the required fees and to submit the site development plan originals to DPZ for signature in accordance with the regulations.

Indicate this alternative compliance petition file number, request, section of the regulations, action, conditions of approval and date as a note on the site development plan SDP-19-034. This requested alternative compliance will remain valid for the time period specified in the conditions of approval.

If you have any questions, please contact Eric Buschman at (410) 313-2350 or email at ebuschman@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/eb

cc: Research
DED
Real Estate Services
Vogel Engineering + Timmons
Tony LaRose- DPZ Zoning Division