



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

January 27, 2020

Mr. Mark Levy
Crossroads Rock, LLC
6800 Deerpath Road, Suite 100
Elkridge, MD 21076

RE: WP-20-063, Dorsey Run Center (SDP-16-064)

Dear Mr. Levy:

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 Sections 16.156(o)(1)(ii) and 16.156(o)(2) which establishes time limits for non-residential building permits.

Approval is subject to the following conditions:

1. Within 1 year of signature approval of the Alternative Compliance Letter (**on or before January 27, 2021**), the developer shall apply to the Department of Inspections, Licenses and Permits for **building permits** to initiate construction on the site.
2. Per the Development Engineering Division comments dated January 15, 2020, the APFO report must be updated to include the time extension.
3. On all subsequent plans and/or plats, provide a brief description of alternative compliance, WP-20-063 as a general note to include requests, sections of the regulations, action and date.
4. Future extensions of time will not be granted unless adequate justification demonstrating extenuating circumstances has been provided.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - The extraordinary hardship or practical difficulty involved with this alternative compliance request would require the developer to submit a new site development plan which would not provide a different design. Over the past several years, the developer has been pursuing potential businesses to buy or lease the property prior to initiating building construction. The forest conservation obligation has been satisfied by an on-site forest conservation easement and payment of a fee-in-lieu.

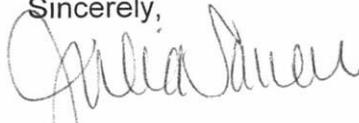
Not Detrimental to the Public Interest - Approval of the alternative compliance request will not alter the essential character of the neighborhood since the design of the subdivision will not change. The SRC agencies have reviewed the alternative compliance in accordance with the current requirements, including the Howard County Code.

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. The granting of the alternative compliance request will allow the property owner additional time to locate an appropriate buyer or tenant for the property. The site development plan (SDP-16-064) was reviewed and approved by the SRC agencies. If the developer was required to submit a new site development plan, a similar layout/design would be submitted given the irregular shape of the lot.

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 or as long as a subdivision or site development plan is being actively processed in accordance with the processing provisions of the Regulations.

If you have any questions, please contact Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,



Acting Chief
Division of Land Development

cc: Research
DED
Real Estate Services
SDP-16-064
Benchmark Engineering