



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

June 30, 2020

Vogel Engineering & Timmons Group  
Attn: Robert Vogel  
3300 North Ridge Road, Ste 110  
Ellicott City, MD 21043

RE: WP-20-121, Cunningham Property, 4979 Sheppard Lane

Dear Mr. Vogel:

This letter is to inform you that your request for alternative compliance to the Howard County Subdivision and Land Development Regulations for the subject property was reviewed.

As of the date of this letter, and pursuant to Section 16.104, the Director of the Department of Planning and Zoning considered and **approved** your request for alternative compliance with respect to **Section 16.128(c)(1)** of the Subdivision and Land Development Regulations to allow the petitioner to host a virtual presubmission community meeting during the COVID-19 State of Emergency.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.128(c)(1) would result in unwarranted hardship. This determination is made with consideration of your alternative compliance application and the four (4) items you were required to address, pursuant to Section 16.104(a)(1):

**1. Strict conformance with the requirements will deprive the applicant of rights commonly enjoyed by others in similar areas.**

The State of Emergency prohibits large indoor public gatherings across the State. To allow the continuity of operations and essential functions related to construction, the Department of Planning and Zoning developed guidelines for conducting virtual meetings that must be met for approval of alternative compliance. This alternative process will allow current applicants to submit development plans so they can to enjoy the same rights commonly granted to others wanting to begin the development process when social distancing restrictions are not in effect.

**2. Uniqueness of the property or topographical conditions would result in practical difficulty; other than economic, or unreasonable hardship from strict adherence to the regulations.**

The presubmission community meeting requirement is an administrative procedure required for most developments to begin the development process. Physical conditions of the property are not considered when applying the presubmission community meeting requirements. Therefore, this criterion does not apply.

**3. The variance will not confer to the applicant a special privilege that would be denied to other applicants.**

Alternative compliance to the physical meeting requirement will not confer a special privilege since it is the only means of conducting these meetings during the current State of Emergency and will be needed for all applicants during this time. The pre-submission community will be held through virtual means and DPZ will require that guidelines be met to ensure that all necessary information is provided and accommodations are made to assist people that may need assistance accessing technology.

**4. The modification is not detrimental to the public health, safety or welfare, or injurious to other properties.**

Conducting a virtual presubmission community meeting will comply with the State of Emergency, allow for social distancing and the policies enacted to protect the public during the COVID-19 pandemic.

Approval of this Alternative Compliance is subject to the following conditions:

1. The alternative compliance petition will remain valid as long as the Howard County State of Emergency is in effect.
2. The petitioner must comply with the Department of Planning and Zoning's Virtual Presubmission Meeting Guidelines for applying and hosting a virtual public meeting (attached).

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 will remain valid as long as the Howard County State of Emergency is in effect.

If you have any questions, please contact Jennifer Wellen at (410) 313-2350 or email at [jwellen@howardcountymd.gov](mailto:jwellen@howardcountymd.gov).

Sincerely,

DocuSigned by:

*Amy Gowan*

Amy Gowan, Director

Department of Planning and Zoning

AG/jw

cc: Research  
DLD - Julia Sauer  
Gratia Plena, LLC



**Howard County Maryland**  
**Department of Planning and Zoning**  
 3430 Courthouse Drive, Ellicott City, MD 21043

(410) 313-2350

DPZ Office Use only:  
 File No.  
 Date Filed

**ALTERNATIVE COMPLIANCE APPLICATION**

**Site Description:** Cunningham Property  
**Subdivision Name/Property Identification:** Cunningham Property  
**Location of property:** 4979 Sheppard Lane  
**Existing Use:** Agricultural **Proposed Use:** Limited Social Assemblies  
**Tax Map:** 29 **Grid:** 13 **Parcel No:** 25 **Election District:** 5th  
**Zoning District:** RR-DEO **Total site area:** 162.075 acres

Please list all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, alternative compliance petitions, etc.). If no previous plans have been submitted, please provide a brief history of the site and related information to the request:

ECP-16-030, GP-17-038, ECP-17-050, SDP-18-004, ECP-18-029, F-18-072, WP,18-129, F-19-040, WP-20-015

In the area below, the petitioner shall enumerate the specific numerical section(s) from the Subdivision and Land Development Regulations for which an alternative compliance is being requested and provide a brief summary of the request. Please use the additional page if needed.

Section Reference No.	Brief Summary of Request
16.128(c)(1)	Request relief from Section 16.128(c)(1) "The Meeting shall be: Held at a location within the community of the proposed development, in a public or institutional building located within approximately five miles of the subject property" to host a Presubmission Community Meeting via Virtual Meeting.

Section Reference No.	Brief Summary of Request

Signature of Property Owner:



Date: 06/09/2020

Signature of Petitioner Preparer:



Date: 06/09/2020

Name of Property Owner: Gratia Plena, LLC

Name of Petition Preparer: Vogel Engineering+Timmons Group

Address: 11140 Homewood Road

Address: 3300 North Ridge Road, Suite 110

City, State, Zip: Ellicott City, Maryland 21042

City, State, Zip: Ellicott City, Maryland 21043

E-Mail: tvcunningham@mac.com

E-Mail: communitymeetings@timmons.com

Phone No.: 443-677-4612

Phone No.: 410-461-7666

Contact Person: Tom Cunningham

Contact Person: Robert H. Vogel

Owner's Authorization Attached