



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

April 4, 2022

Jane and Michael Johnson
EM-JA, LLC
P.O. Box 105
Ellicott City, MD 21041

Sent via email to 8385main@gmail.com

RE: WP-22-097 Judge's Bench (8385 Main Street)

Dear Ms. Johnson:

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

On April 3, 2022 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 16.155(a)(1)(i)** of the Subdivision and Land Development Regulations to use the alternative compliance exhibit as a substitute for the site development plan to build a second story deck on the west side of the existing building.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.155(a)(1)(i) would result in an unreasonable hardship or practical difficulty. This determination is made with consideration of your alternative compliance application and the one (1) item you were required to address, pursuant to Section 16.104(a)(1):

1. Unreasonable hardship or practical difficulties may result from strict compliance with the regulations.

The applicant proposes to build a second-story deck on the west side of the building for the restaurant and bar use. This proposed minor improvement would typically be addressed as a minor modification to an existing site development plan; however, this historic site predates the County's development regulations and the requirement for a site development plan. The COVID-19 pandemic caused strain on the restaurant business and provided a need for outdoor restaurant space. Requiring a site development plan for the minor improvements would unreasonably delay the operation and completion of the deck construction since the Alternative Compliance exhibit is sufficient for a project this minor in scale and scope and it will contain the necessary information to adequately review the project. Approval of the alternative compliance promotes efficiency of the plan review process as the alternative compliance drawings include all relevant information needed for this project's improvements.

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


1. This approval is for the construction of the second story deck for the restaurant and bar use.
2. Compliance with the Historic Preservation Commission requirements and the Decision and Order dated October 7, 2021 for HPC-21-036.

3. The applicant shall comply with all applicable County and State regulations, including the Americans with Disabilities Act (ADA), and obtain all necessary permits from the Department of Inspections, Licenses and Permits and Howard County Liquor Board.

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.**

If you have any questions, please contact Julia Sauer at (410) 313-2350 or email at jsauer@howardcountymd.gov.

Sincerely,

DocuSigned by:

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Anthony Cataldo, AICP, Chief
Division of Land Development

AC/js

cc: Research
DLD - Julia Sauer



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: On the right side of the building is a sidewalk, about 26 ft. long, with a brick retaining wall to its right and covered by an awning. Behind that awning is an external walk-in refrigerator on a concrete pad. The pad extends to a high historic stone retaining wall.

Subdivision Name/Property Identification: Historic Ellicott City Main Street

Location of property: 8385 Main St., Ellicott City, MD 21043

Existing Use: Bar/Restaurant **Proposed Use:** Bar/Restaurant with new deck to expand outdoor tables.

Tax Map: 25-A **Grid:** **Parcel No:** 89 **Election District:** 2nd

Zoning District: **Total site area:** approx. 160 sq. ft.


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:

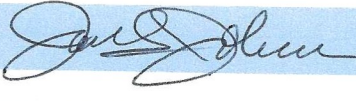
Howard County Historic Preservation Commission
 DPZ
 Alcoholic Beverage Hearing Board

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
Section 16.155(a)(1)(i)	The historic property does not have a formal site development plan. Request is to build a new deck, level with the second floor of the building to the rear right side of the property. This will enable the business to expand outdoor space for tables and chairs for customer use..

Section Reference No.	Brief Summary of Request

Signature of Property Owner:  **Date:** 3/4/2022

Signature of Petitioner Preparer:  **Date:** 3/4/2022

Name of Property Owner: EM-JA, LLC/Jane & Michael Johnson **Name of Petition Preparer:** Jane Johnson

Address: P.O. Box 105 **Address:** 8385 Main St.

City, State, Zip: Ellicott City, MD 21041 **City, State, Zip:** Ellicott City, MD 21043

E-Mail: 8385main@gmail.com **E-Mail:** 8385main@gmail.com

Phone No.: 410-499-5735 **Phone No.:** 410-499-5735

Contact Person: Jane Johnson **Contact Person:** Jane Johnson

Owner's Authorization Attached