



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

July 5, 2022

Mr. Mark Levy
NLC LLC
6800 Deerpath Road
Elkridge, MD 21075

RE: WP-22-120 Village Towns Phase IV
Denied

Dear Mr. Levy:

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 July 5, 2022 and pursuant to Section 16.104, the Director of the Department of Planning and Zoning, considered and **denied** your request for alternative compliance with respect to **Section 16.155(a)(1)(ii)** of the Subdivision and Land Development Regulations to use the existing impervious area as a temporary stockpile area and requests to use the application plan exhibit in-lieu of processing a site development plan.

The Department of Planning and Zoning finds that strict enforcement of Section 16.155(a)(1)(ii) would not result in an unreasonable hardship or practical difficulty. The following factors were considered in making this determination:

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

In order to prevent a stockpile from becoming a permanent site features, DPZ has only permitted a temporary stockpile as a use on a site under active development. In this case, the site has no approved or in process development plans. The lack of an approved development plan would not meet DPZ standard policy to approve a temp stockpile on site. Additionally, the Zoning Regulations do not permit a stockpile as a principal use and would only permit it as an accessory use. Since there is no principal use on this site, allowing an accessory use on a site lacking a principal use would create a Zoning violation. Based on these items, there is no evidence of an unreasonable hardship or practical difficulty resulting from conformance with the regulations.

If you have any questions, please contact Donna Despres at (410) 313-3429 or email at ddepres@howardcountymd.gov.

Sincerely,

DocuSigned by:

Anthony Cataldo, AICP, Chief
Division of Land Development

AC/DD

cc: Research
DLD - Julia Sauer
Real Estate Services
Benchmark Engineering, Inc.



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

(410) 313-2350

DPZ Office Use only:

File No. *WT-22-420*
 Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: Vacant Parcel

Subdivision Name/Property Identification: Village Towns IV

Location of property: Old Waterloo Road

Existing Use: Vacant Parcel **Proposed Use:** Stockpile

Tax Map: 43 **Grid:** 3 **Parcel No:** 729 **Election District:** 1st

Zoning District: R-MH **Total site area:** 2.09 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:

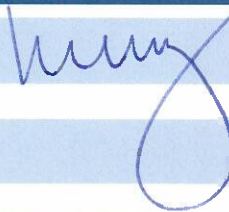
S-94-039, S-04-001, S-10-001, SDP-10-001, WP-19-121, ECP-19-,066, BA 19-021V

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 |
|-----------------------|---------------------------------|
| 16.155(a)(1)(ii) | Process a site development plan |
| | |

| Section Reference No. | Brief Summary of Request |
|-----------------------|--------------------------|
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| | |

Signature of Property Owner:



Date:

5/10/2022

Signature of Petitioner Preparer:

Date:

Name of Property Owner: NLC LLC

Name of Petition Preparer: Benchmark Engineering, Inc.

Address: 6800 Deerpath Road

Address: 8480 Baltimore National Pike

City, State, Zip: Elkridge, MD 21075

City, State, Zip: Ellicott City, MD 21043

E-Mail: amnimal@aol.com

E-Mail: bei@bei-civilengineering.com

Phone No.: 410.579.2442

Phone No.: 410.465.6105

Contact Person: Mark Levy

Contact Person: Chris Ogle

Owner's Authorization Attached