



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

December 22, 2022

Andrew Martin SBA Network Services, LLC
4831 Fordham Road
Richmond, VA 23236

RE: WP-23-040, Larriland Farms

Dear Mr. Martin:

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 December 18, 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 155(a)(1)** of the Subdivision and Land Development Regulations for the expansion of a communications tower.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 155(a)(1) 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):

Justification for Recommendation:

The Division of Land Development recommends APPROVAL of alternative compliance to Section 16.155(a)(1) of the Subdivision and Land Development Regulations and finds that strict enforcement of the above-cited regulation would result in an unreasonable hardship or practical difficulty. Pursuant to Section 16.104(a)(1), this determination was made considering the following:

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

Strict compliance with the regulations would require the applicant to submit a formal Site Development Plan for the proposed project. This would result in an unreasonable hardship since a site development plan does not exist for this site and for minor improvements such as this would typically be processed as a redline revision to an existing SDP. The development of the initial telecommunications facility and the expansion was granted by approval of a previous alternative compliance. The subject property would only be expanding the existing wireless facility by adding a 11'x27' fenced area to place a 5'x7' concrete pad (297 square foot) to locate base radio equipment for the proposed DISH wireless antenna equipment, therefore it is reasonable to approve minor improvements through the same process. The proposed telecommunications expansion meets the current setbacks and the existing landscaping, if removed, would be replaced in-kind.

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

1. The alternative compliance shall apply only to the expanded uses and structures as described in the waiver petition exhibit and not to any other activities, uses structures or additions. No disturbance shall be permitted beyond the disturbance shown on the waiver exhibit.
2. In accordance with Department of Planning and Zoning, Resources Conservation Division - The applicant must amend the Agricultural Land Preservation Deed of Easement to release the 297 square feet from the easement. Be advised, since the area released does not exceed the release amount originally approved, the proposal does not need further review from the Agricultural Preservation Board or the County Council. Construction of the improvements may not commence until the Deed of Easement is recorded.
3. Compliance with Board of Appeals Case No. 09-43C Decision and Order approved on February 12, 2010 for the original communication facility and compliance with the previously approved alternative compliance exhibits, WP-10-137 & WP-14-114.
4. The required landscaping must be in accordance with the alternative compliance exhibit and the Howard County Landscape Manual.
5. Compliance with all applicable County and State Regulations and obtain all necessary permits from the Department of Inspections, Licenses and Permits prior to initiating development on-site.

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 Jennifer Wellen at (410) 313-2350 or email at jwellen@howardcountymd.gov.

Sincerely,

DocuSigned by:
1EB75478A22B49A...

Anthony Cataldo, AICP, Chief
Division of Land Development

AC/jw

cc: Research
DLD - Julia Sauer
Real Estate Services



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

(410) 313-2350

DPZ Office Use only:
 File No. *WP83-040*
 Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: To expand an existing Wireless Facility fenced compound 11' by 27' to accomodate a new Wireless provider.

Subdivision Name/Property Identification: Lamiland Farms / 1002

Location of property: 1960 Old Annapolis Road, Woodbine, MD

Existing Use: Telecom **Proposed Use:** Telecom

Tax Map: 13 **Grid:** 3 **Parcel No:** 15 **Election District:** 9A

Zoning District: Rural Conservation **Total site area:** 128.3 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:

No site plans on record. The original tower was granted a CUP BA-09-043C on 2/12/2010 and a waiver WP-10-137 was approved by P&Z on 5/14/2010 for site development plan and forest conservation.

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
Sec. 16.155. (a) (1) Nonresidential (i)	Request an alternative compliance from the requirement for a site plan for increasing a fenced compound at an existing wireless facility. This request would be a waiver from a site plan usually required for an expansion of a "...nonresidential development, including commercial, industrial, institutional and utility development, plus public buildings, schools and other public facilities, but excluding road, water, sewer or drainage improvements and development associated with a use permit approved by the Department in accordance with section 128 of the zoning regulations".

Section Reference No.	Brief Summary of Request

Signature of Property Owner: **See attached Authorization Form** Date: [Redacted]

Signature of Petitioner Preparer: *Andrew Martin* Date: **September 12, 2022**
[Signature] _{29.}

Name of Property Owner: **G Laurence Moore Family LLP** Name of Petition Preparer: **Andrew Martin SBA Network Services LLC**

Address: **2415 Woodbine Road** Address: **SBA Network Services LLC**
4831 Fordham Road

City, State, Zip: **Woodbine, MD 21797** City, State, Zip: **Richmond, VA 23236**

E-Mail: [Redacted] E-Mail: **amartin2go@hotmail.com**

Phone No.: [Redacted] Phone No.: **410-474-9081**

Contact Person: [Redacted] Contact Person: **Andrew Martin**

Owner's Authorization Attached