



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

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

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

February 6, 2024

Gaulin Properties No. 2 LLC
7340 Montevideo Road
Jessup, MD 20794

RE: WP-24-053, Fairfax Recycling

Dear Mr. Gaulin:

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 February 5, 2024 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 **Sections 16.156(o)(1)(ii) & (2)** of the Subdivision and Land Development Regulations to reactivate the expired Site Development Plan, SDP-04-024, in order to redline the plan and apply for building permits.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Sections 16.156(o)(1)(ii) & (2) 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 has requested to reactivate SDP-04-024, Fairfax Recycling Inc., in order to process a redline revision to change the use and redesign the parcel as a contractor's business. The revised plans remove the proposed buildings that were originally approved but never constructed under SDP-04-024 and replace them with two new structures that change the proposed use from industrial warehouse/office space to a contractor's office and outdoor storage. The applicant has indicated in the justification that despite there being no structures on this site, they have secured a lease with a landscape maintenance contractor and are trying to avoid restarting the planning process in order to utilize the property in a timely manner by redesigning the development through the redline revision process.

The site has been cleared, graded, and has had most of the necessary infrastructure constructed. Strict compliance with the regulations would require the applicant to restart the planning process and submit a formal Environmental Concept Plan and Site Development Plan for the proposed project. The resources associated with requiring the submission of new plans for review and processing would result in an unreasonable hardship since the proposed less intensive use and structures can be achieved through the redline revision process. Approval of this alternative compliance promotes efficiency of the plan review process.

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

1. The redline revision is required to show how the site will meet current ESD requirements and shall address APFO for the new use.
2. The erosion & sediment control plan shall be updated to reflect the proposed changes to the 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 Jason Lenker at (410) 313-2350 or email at jlenker@howardcountymd.gov.

Sincerely,
DocuSigned by:

1EB75478A22B49A...
Anthony Cataldo, AICP, Chief
Division of Land Development

AC/JL

cc: Research
DLD - Julia Sauer
Real Estate Services
Benchmark
Mark Gaulin – magaulin@gmail.com



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 *WP-24-053*

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: Fairfax Recycling, Inc., Parcel 'A-1'

Subdivision Name/Property Identification: Fairfax Recycling, Inc., Parcel 'A-1'

Location of property: 7145, 7165 and 7175 Kit Kat Road

Existing Use: Warehouse, Office and Graded Site **Proposed Use:** Warehouse, Office, and Contractor's Yard

Tax Map: 43 **Grid:** 11 **Parcel No:** 49 **Election District:** First

Zoning District: M-2 **Total site area:** 11,747

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:

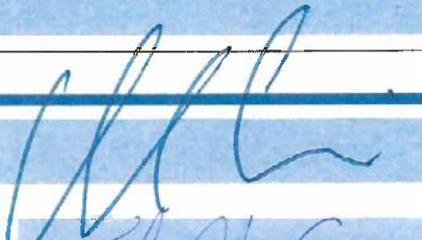
On 1/27/21 DPZ Director approved sheet additions to SDP-04-024, showing Phase 2 development of this site. Addition to SDP-04-024 was for expanding the recycling warehouse/office previously constructed but a lease with the Building 'B' tenant was not achieved. Property transferred to Gaulin Properties No. 2 LLC on 12/17/2021. The owner is proposing to change the uses to office, garage and contractor's yard without the unnecessary delay of a new site development plan application.

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
16.156 (o) (1) and (2)	Building Permits application time limits and expiration of plan approval.

Section Reference No.	Brief Summary of Request

Signature of Property Owner:



Date:

11-10-2023

Signature of Petitioner Preparer:



Date:

11-10-23

Name of Property Owner:

Gaulin Properties No. 2 LLC

Name of Petition Preparer:

Benchmark Engineering, Inc.

Address:

7340 Montevideo Road

Address:

3300 North Ridge Road
Suite 140

City, State, Zip:

Jessup, MD 20794

City, State, Zip:

Ellicott City, MD 21043

E-Mail:

magaulin@gmail.com

E-Mail:

bei@bei-civilengineering.com

Phone No.:

443-463-4598

Phone No.:

410-465-6105

Contact Person:

Mark Gaulin

Contact Person:

John Carney

Owner's Authorization Attached