



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

June 12, 2024

Steve O'Donnell
801 Key Highway, Unit 454
Baltimore MD 21230
Sent via email to steve@tin-us.org

RE: WP-24-110 O'Donnell Properties (SDP-23-013)

Dear Mr. O'Donnell:

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 June 12, 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 **Section 16.156(g)(2)** of the Subdivision and Land Development Regulations to extend the deadline date to resubmit the site development plan for review.

The Department of Planning and Zoning hereby determines that you have demonstrated to its satisfaction that strict enforcement of Section 16.156(g)(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 purpose of this alternative compliance petition is to grant the applicant an additional 180 days to resubmit the site development plan (SDP-23-013) to the Department of Planning and Zoning for review. The proposed development consists of a 285 unit, 5-story apartment building with an internal parking garage. The development team has continued to coordinate with the County and State Highway Administration (SHA) to address comments. The SHA is requiring the development team to break the limit of access along US Route 1 for a proposed fire lane, which will take considerable amount of time to address as it involves both technical and financial reviews at the State level. Strict compliance with the Regulations would result in an unreasonable hardship for the applicant since it would require the submission of a new SDP application, payment of fees, etc. which is currently in process and addressing Agency comments. Approval of this alternative compliance promotes efficiency of the plan review process. It allows the development team time to address any changes needed based on Agency review comments.


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

1. The deadline date to resubmit the site development (SDP-23-013) is extended 180 days from the previous deadline date to **on or before November 29, 2024.**
2. Include the alternative compliance petition decision as a general note on the site development plan (SDP-23-032). This note should include the petition's file number, the regulatory section of the request, the decision date, and the condition of approval.

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 for the time period specified in the conditions of approval.

If you have any questions, please contact Julia Sauer at (410) 313-4342 or email at jsauer@howardcountymd.gov.

Sincerely,

DocuSigned by:
 for
29266B221B8841E...
Anthony Cataldo, AICP, Chief
Division of Land Development

AC/js

cc: Research
DLD - Julia Sauer
Pennoni (jnorman@pennoni.com)



DPZ Office Use only:
 File No. *WP-24-110*
 Date Filed

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: Proposed Apartment Building

Subdivision Name/Property Identification: O'Donnell Properties

Location of property: 6720 Binder Lane, Elkridge, MD 21075

Existing Use: Commercial **Proposed Use:** Apartment Building

Tax Map: 37 **Grid:** 23 **Parcel No:** 276, 277, 278, 280, 283, 289 **Election District:** 1

Zoning District: TOD **Total site area:** 5.63

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:


Previously submitted plans consist of ECP-18-020, SDP-19-060, ECP-21-038. Currently active plans consist of SDP-23-013.

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 16.156(g)(2)	The comments from MDSHA are quite involved and will take a considerable amount of time to address. Specifically, it was determined with this latest review by MDSHA that the developer must submit a request to break the limit of access along US Route 1 for a proposed fire lane. This process is lengthy as it involves both technical and financial reviews at the State level. Therefore, we request, at this time, to extend the SDP resubmittal deadline to allow enough time to properly address all of the MDSHA comments along with the latest Howard County comments. The amount of additional time we are requesting to address all the current comments is 6 months.

Section Reference No.	Brief Summary of Request

Signature of Property Owner:



Date:

5/28/24

Signature of Petitioner Preparer:



Date:

5/29/24

Name of Property Owner:

Steve O'Donnell

Name of Petition Preparer:

Pennoni

Address:

801 Key Highway
Unit 454

Address:

8890 McGaw Road
Suite 100

City, State, Zip:

Baltimore, MD 21230

City, State, Zip:

Columbia, MD 21045

E-Mail:

steve@tin-us.org

E-Mail:

jnorman@pennoni.com

Phone No.:

410-245-4555

Phone No.:

443-537-2725

Contact Person:

Steve O'Donnell

Contact Person:

Jonathan S. Norman, RLA

Owner's Authorization Attached

Section Reference No.	Brief Summary of Request