



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

October 7, 2024

Don Pistorio
5221 Lynngate Road
Columbia, MD 21044

RE: WP-24-117, 3830 Ten Oaks

Dear Mr. Pistorio:

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 October 7, 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 16.155(a)(1)(i)** of the Subdivision and Land Development Regulations to use the Alternative Compliance Plan Exhibit to apply for building permits in lieu of a Site Development Plan in order to construct a 416 square foot deck addition to the northern side of the existing commercial 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 construct a 416 square foot deck addition on the northern side of the existing commercial building to serve as an outdoor seating area for the established coffee shop/lounge use. For minor additions to existing development such as this, the applicant would typically be required to redline the existing Site Development Plan, but this property has no Site Development Plan on file with the County. Strict compliance with the regulations would require the applicant to submit a formal Site Development Plan for the minor scope of the proposed project. This would result in an unreasonable hardship since the alternative compliance plan exhibit contains all necessary information for permitting and construction. 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 minor improvements.

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

- 1. The alternative compliance exhibit shall serve as the substitute for a site development plan. Submit an electronic copy of the Alternative Compliance Plan Exhibit to the Department of Planning and Zoning for signature to serve as the record plan for the property within 45 days of approval of this Alternative Compliance petition (on or before **November 21, 2024**).*

2. All improvements shown on the exhibit must be constructed and maintained per the exhibit. Any future site improvements not depicted or in compliance with the signed Alternative Compliance exhibit may require a revision to the exhibit or a new Alternative Compliance/Site Development Plan.

3. Any expansion/increase in septic flow beyond 14 seats will trigger septic upgrades and an evaluation of the existing septic by the Howard County Department of Environmental Health.

4. The Howard County Department of Environmental Health reserves the right to request a current menu and any proposed future menus if applicable. These menus will be factored into our septic evaluation if an upgrade is pursued.

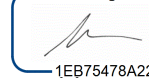
5. The applicant shall comply with all applicable County and State regulations and obtain all necessary permits from the Department of Inspection, Licenses and Permits.

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
Don Pistorio – dpistorio5@comcast.net
Vogel



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

July 23, 2024

Don Pistorio
5221 Lynngate Road
Columbia, MD 21044

RE: WP-24-117, 3830 Ten Oaks Road

Dear Mr. Pistorio:

This letter is to inform you that your request for alternative compliance to the Howard County Subdivision and Land Development Regulations for the subject property was reviewed and no action can be taken until the enclosed comments have been addressed, and the following additional information is provided.

Two copies of the exhibit/plan and the supplemental information and a response letter to the comments should be submitted to this Division for distribution.

The requested information and revised plans must be submitted within **45 days** of the date of this letter (**on or before September 6, 2024***), or this Division will recommend that the Planning Director or Director Committee deny this alternative compliance petition.

Once the requested information has been received and reviewed, this office will coordinate agency comments and will prepare a recommendation for the Planning Director's action. If you have any questions regarding a specific comment, please contact the review agency prior to preparing the revised plans and information. Compliance with all items indicated above is required before the revised plans and information will be accepted.

In accordance with adopted Council Bill 51-2016, effective 10/05/16, if the deadline date is a Saturday, Sunday or holiday or if the County offices are not open, the deadline shall be extended to the end of the next open County office business day.

Submissions can be mailed to Howard County Planning and Zoning, 3430 Court House Drive, Ellicott City, MD 21043 or dropped in the bin labeled 'DLD' at the Department of Planning and Zoning Public Service Counter located on the first floor of the George Howard Building. Submission materials must be received on or before the due date. Submission materials can also be emailed to planning@howardcountymd.gov for processing. **Please include this letter with your submission as it will serve as the checklist for staff.**

If you have any questions, please contact Jason Lenker at (410) 313-4394 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
Don Pistorio – dpistorio@comcast.net
Vogel



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: 3830 Ten Oaks Road

Subdivision Name/Property Identification: 3830 Ten Oaks Road

Location of property: 3830 Ten Oaks Road, Glenelg, MD 21737

Existing Use: Commercial

Proposed Use: Commercial-Deck Addition

Tax Map: 22

Grid: 14

Parcel No: 81

Election District:

Zoning District: B-1

Total site area: 1.00 AC

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:

The subject property is currently utilized as a dog day care/boarding facility and a coffee shed/lounge.

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	Applicability, Non-Residential Site Development Plan. Petitioner requests an exemption to the Site Development Plan requirement to construct a deck.

Section Reference No.	Brief Summary of Request

Signature of Property Owner:

Don P. Pistorio

Date:

6/24/24

Signature of Petitioner Preparer:

[Signature]

Date:

6/24/24

Name of Property Owner:

Don Pistorio

Name of Petition Preparer:

Vogel Engineering + Timmons Group

Address:

5221 Lyngate Road
Columbia MD 21044

Address:

3300 North Ridge Road., Suite 110

City, State, Zip:

City, State, Zip:

Ellicott City, Maryland 21043

E-Mail:

dpistorio@comcast.net

E-Mail:

rob.vogel@timmons.com

Phone No.:

410-227-1617

Phone No.:

410-461-7666

Contact Person:

DON PISTORIO

Contact Person:

Robert H. Vogel

☐

Owner's Authorization Attached