



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

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May 3, 2010

Howard County DPW Engineering
9250 Bendix Road
Columbia, MD 21045

RE: WP-10-133, North Laurel Park and
Community Center, Waiver Petition Request

Dear Sir or Madam:

The Director of the Department of Planning and Zoning considered your request for a waiver from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request to waive Section 16.1202(b)(1)(iii) to allow the offsite limit of disturbance for forest conservation purposes to be the 0.07 acres (3114 square feet) of forested area to be cleared on Parcel 762 (Laurel Woods Elementary School) for calculation of the net tract area rather than the total gross site area to compute this forest conservation obligation.

Approval is subject to the following conditions:

1. The consultant shall address all comments associated with the site development plan SDP-10-010, North Laurel Park Community Center.
2. Revise the site development plan by adding a note that includes the waiver petition file number, explanation of waivers granted, and the date of action in the note.
3. Compliance with the attached comments from the Development Engineering Division dated April 26, 2010 is required.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - Due to the layout of the site with the proposed improvements being constructed for the benefit of the public, it would be an extraordinary hardship or practical difficulty to require either the preservation of additional forest or reforestation, neither of which is available on either of these two sites.

Alternative Proposal - If this waiver is not granted, the applicant will be required to provide preservation of additional forest or reforestation, neither of which is available on either of these two sites.

Not Detrimental to the Public Interest - Approving this waiver petition does not create a detriment to the public, but allows the developer to construct park improvements that are a benefit to the public because the county park and school will be providing shared ball fields for the community.

Will not Nullify the Intent or Purpose of the Regulations - Granting this waiver request will not nullify the intent or purpose of the regulations because the intent of the forest conservation regulations is to preserve existing forest and to account for forest clearing through forest preservation or reforestation. The current SDP accounts for the forest that will be cleared on the school site through the preservation of a significant amount of forest and other environmental features located in the stream valley on the park property.

Indicate this waiver 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 requested waiver will remain valid for one year from the date of this letter or as long as the site development plan remains in active processing.

If you have any questions, please contact J.J. Hartner at (410) 313-2350 or email at jehartner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Acting Chief
Division of Land Development



KS/TKM/JH

cc: Research
DED
PHR&A
File# WP-10-133