



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
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May 11, 2010

George Becker
Howard County Public School System
10910 Maryland Route 108
Ellicott City, MD 21042

RE: WP-10-139, Public School Relocatable Classrooms (Seven classrooms at six locations)

Dear Mr. Becker:

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 16.155(a)(1)** of the Howard County Subdivision and Land Development Regulations, which requires a site development plan for new or expanded nonresidential development, including institutional development, public buildings, schools and other public facilities. Included under this waiver petition are the following school sites; Atholton Elementary School (1 unit), Bonnie Branch Middle School (1 unit), Mayfield Middle School (1 unit), Northfield Elementary School (1 unit), Veterans Elementary School (2 units), Waterloo Elementary School (1 unit).

Approval is subject to the following conditions:

1. The applicant shall submit a detailed plot plan of the site, similar to the waiver petition plan exhibit, with the building permit application as required by the Department of Inspections, Licenses & Permits for all relocatable classroom units.
2. All relocatable classroom units shall comply with the minimum bulk requirements including the building setbacks for the zoning districts in which the new relocatable units will be installed.
3. Once the relocatable units are removed, the site shall be stabilized as necessary with seed, sod or other suitable ground cover. This includes any school site which is sending a relocatable unit to another school site.
4. Grading, removal of vegetative cover and trees, paving and new structures are not permitted within the 100-year floodplain area, forest conservation easements, wetlands, streams, or their required buffers in accordance with Sections 16.115, 16.116 and 16.1200 of the Howard County Code for the placement of the relocatable units.
5. The petitioner shall comply with all applicable County and State regulations and obtain all necessary permits.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

The extraordinary hardships and practical difficulties associated with submitting separate site development plans for each location, especially for minor site revisions, is the amount of time it takes to prepare, process and review a standard site development plan. As noted by the Public School System, time is limited for the placement of the temporary classrooms, as they would like to have the classrooms available for the beginning of the next school year.

Alternative Proposal

The alternate proposal to the waiver petition would be to submit a new site development plan under standard review for each school site. Not only would this option be time consuming and costly, it would only represent the current site conditions for each school during the temporary period in which the classrooms will be located on site. Also, for the latter reason mentioned above, a "Red-Line" revision to the original site development plans would be ineffective. The implementation of the waiver petition proposal is an acceptable alternative to submitting a site development plan for standard review because the waiver petition exhibit complies with the Regulations and provides all necessary site information.

Not Detrimental to the Public Interest

The proposed waiver petition will not be detrimental to the public interest because the proposed relocatable classroom units are permitted as a matter of right in the all zoning districts, and the units are only a temporary use for the schools until overcrowding concerns are permanently addressed.

Will not Nullify the Intent or Purpose of the Regulations

The proposed waiver petition will not nullify the Intent or Purpose of the Regulations. The proposed classroom units meet the current setback requirements and the limit of disturbance for this site is minor and will not require stormwater management, removal of any existing vegetation, or create any need for road improvements or parking. Overall, the waiver petition exhibit represents an adequate alternative to the site development plan by including the necessary information for review and compliance with the Regulations.

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 (on or before May 11, 2011).

If you have any questions, please contact Julia Boone at (410) 313-2350 or email at jboone@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Acting Chief
Division of Land Development

KS/TKM/jb

cc: Research
DED