



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
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Marsha S. McLaughlin, Director

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October 14, 2010

Harry and Linda Pirrung  
14777 Addison Way  
Woodbine, MD 21797-8628

RE: WP-11-034, Pirrung Property, (BA-08-039C),  
Waiver Petition Request

Dear Mr. and Ms. Pirrung:

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, requiring a site development plan, approved by the Department of Planning and Zoning.

Approval is subject to the following conditions:

1. The developer must comply with all conditions contained in the Decision and Order for case BA-08-039C, dated May 19, 2010.
2. The waiver of the SDP requirement is only to recognize the existing as-built site improvements as approved under BA case number BA-08-039C. Any further development of the subject property is required to apply for any applicable Board of Appeals Conditional Use approvals and/or site development plan approvals for processing prior to issuance of any building permits.

Our decision was made based on the following:

**Extraordinary Hardship or Practical Difficulty** - Justification submitted by the applicant dated September 10, 2010. Extraordinary hardship or practical difficulty would result if the applicant is required to submit a new site development plan and pay all the associated fees since there are no forest conservation, landscaping, or storm water management requirements that must be fulfilled. This waiver petition is only to recognize the existing garage, shop, and business that has been in use for 34 years, and no new buildings or site improvements are proposed under this waiver petition.

**Alternative Proposal** - Justification submitted by the applicant dated September 10, 2010. The only alternative for not granting the requested exemption of the site development plan is to require the submission of new site development plan for this project. Because there are no forest conservation, landscaping, or storm water management requirements that must be fulfilled, and the main purpose of the site development plan is to address these issues, the project should be exempt from this requirement. This waiver petition is only to recognize the existing garage, shop, and business that has been in use for 34 years, and no new buildings or site improvements are proposed under this waiver petition.

**Not Detrimental to the Public Interest** - Justification submitted by the applicant dated September 10, 2010. Approval of this waiver will not be detrimental to the public interest in that storage building in question is well established and the business has been in existence for over 34 years. Additionally, the Board of Appeals found that the business and storage structure in question have never caused any negative impact or been detrimental to public interest. The Board of Appeals has already reviewed and approved a conditional use on the property. In so doing, the proposed concept was reviewed and the process provided a public hearing for the use of the existing one story garage, shop, storage, and business on this site. Also, the property owner has planted over 30 mature pine trees to help screen and buffer the business use. The site is also heavily wooded along a majority of the property boundary.

**Will not Nullify the Intent or Purpose of the Regulations** - Justification submitted by the applicant dated September 10, 2010. The approval of the waiver will not nullify the intent of the regulations since the developer has generally presented the requirements of a Site Development Plan on the exhibit submitted with the Board of Appeals case and this waiver petition request. No new structures or site improvements are proposed under this waiver petition application.

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 or as long as a building permit remains in active processing.

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

Sincerely,



Kent Sheubrooks, Acting Chief  
Division of Land Development

<sup>W</sup>  
KS/TKM/JH

cc: Research  
DED  
File# WP-11-034