



Howard County Department Of Planning And Zoning

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Marsha S. McLaughlin, Director

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May 23, 2011

Mr. Louis Mangione
Music Fair Road Limited Partnership
1205 York Road - Penthouse
Lutherville, MD 21093

RE: WP-11-174, Lorien-Elkridge, Parcel A, proposed nursing home with assisted living facility, TM Parcel 32, U.S. Route 1 (SDP-11-002)

Dear Mr. Mangione:

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

As of the date of this letter, the Planning Director **approved** your request to waive Subdivision Sections:

1. 16.116(a)(1), and granted permission to grade, remove vegetative cover and develop within the 25' wetland buffer as shown on the WP-11-174 exhibit/plan, and;
2. 16.116(a)(2)(iv), and granted permission to grade, remove vegetative cover and develop within the 50' stream buffer as shown on the WP-11-174 exhibit/plan.

The approval of this waiver petition is subject to compliance with the following conditions of approval:

1. All grading, removal of vegetative cover, disturbance and development within the 25' wetland buffer is subject to obtaining the necessary permit(s) from the MDE, and adding a note to the site development plan indentifying the tracking number for the MDE permit(s).
2. Indicate this waiver petition file number, section of the regulations, request, action, conditions of approval, and approval date in a detailed note on sheet 1 of SDP-11-174 the next time an approved red-line revision change is made to the plan originals.

Justification for the approval recommendation for this waiver petition:

1. The modifications/differences to the existing and proposed environmental impacts cited in the justification submitted by the Petitioner on 04/28/11 for WP-11-174 were minor in nature, and necessary in order to provide required access to the BGE transformer and the building.
2. This waiver petition, if approved as cited above, will not nullify the intent and purpose of the Regulations as the proposed development will reduce in size the existing areas of encroachments currently located in the, 25' wetland buffer and 50' stream buffer and provide storm water management that will improve water quality as stated in the Petitioner's justification.
3. When the location of the SHA SWM easement, the location of the BGE transformer,

May 23, 2011
WP-11-174, Lorien-Elkridge
Page 2

required access requirements, the irregular shape of the property, the multiple onsite environmental areas, the proposed facility design requirements, and the Route 1 Manual and Design Advisory Panel recommendations/requirements are taken into consideration, extraordinary hardships and practical difficulties would result from strict compliance with the Regulations cited above.

The approval of this waiver petition will remain valid for the duration of the construction/development phase of this project shown and approved on SDP-11-002.

If you have any questions, please contact Michael Antol at (410) 313-2350 or email at mantol@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/MA/WP11174.appr.ltr.
cc: File
Research
DED
SDP-11-002
Benchmark Engineering, Inc.