



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

Marsha S. McLaughlin, Director

www.howardcountymd.gov
FAX 410-313-3467
TDD 410-313-2323

October 23, 2012

Ms. Stephanie Porta
TSZ Properties
10382 Baltimore National Pike
Ellicott City, MD 21042

Dear Ms. Porta:

RE: **WP-13-043, Harwood Park, Lots 560 and 561**

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) (2)** which requires the submission of a site development plan for the construction of a new duplex.

Approval is subject to the following conditions:

1. When applying for the building permit, the applicant must provide the waiver plan exhibit that includes all the pertinent information and details for the existing and proposed site improvements that are normally shown on a standard site development plan. In addition, a landscaping surety fee in the amount of \$2,100.00 must be posted with the builder's grading permit. Prior to the application of the grading permit, the applicant must pay a \$100.00 landscaping inspection fee to the Division of Land Development. This check should be made payable to the Director of Finance.
2. The Limit of Disturbance (LOD) shall not exceed 5,000 square feet.
3. On plans and applications for all applicable permits, provide as a General Note a brief description of the waiver petition, WP-13-043 which includes the required sections of the Regulations, approval date and action taken.
4. The applicant must submit and comply with all applicable building permit requirements for a single family attached dwelling in the R-12 zoning district with the Department of Inspections, Licenses and Permits.
5. Compliance with Maryland Aviation Administration's approval of Application No. 12-163.
6. Compliance with the attached comments dated October 10, 2012 from the Development Engineering Division.
7. The applicant shall comply with the "R-12" zoning district requirements.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - Because the limit of disturbance is below 5,000 square feet (which is the minimum to trigger stormwater management requirements) and because the site is exempt from the Forest Conservation requirements, there is little need for a site development plan for the construction of the duplex. Requiring a site development plan would be unnecessarily time consuming for the applicant and the Subdivision Review Committee.

Not Detrimental to the Public Interest - Due to the minor nature of the improvements, the waiver exhibit satisfactorily substitutes for the detail required on a site development plan. Furthermore, there is no major change to the character of the neighborhood since a residential dwelling (SFD) will be replaced with a residential dwelling (SFA). The conditions of this approval further assure the public interest. No impact will occur on adjacent properties. The new dwelling will comply with all setback requirements.

Will Not Nullify the Intent or Purpose of the Regulations - The waiver petition exhibit provides the information required for a site development plan. Therefore, approval of this waiver request will not nullify the intent or purpose of the regulations which is to ensure that all development proposals follow uniform procedures and standards for processing to obtain the necessary County review and approvals. In addition, the Development Engineering Division will review the building permit for compliance with the approved waiver petition.

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.

If you have any questions, please contact Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/BL

Enclosure (DED)

cc: Research

DED

Real Estate Services

Benchmark Engineering