



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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January 31, 2013

Al Edwards, P.E. - Site Resources, Inc.
14315 Jarrettsville Pike, P.O. Box 249
Phoenix, MD 21131

RE: St. Louis Church Campus – Parish Activity Center Addition
Tax Map 34 / Grid 12 / Parcels 196 and 30
WP-13-097 (SDP-03-064 & BA-12-006C)

Dear Mr. Edwards:

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 the final plat requirement of **Section 16.102.(f)** of the Subdivision Regulations to allow the merger of two deeded parcels by a Deed of Merger and Consolidation.

Approval is subject to the following conditions:

1. Approval of this waiver is for the merging of two adjoining deed parcels (Parcels 196 and 30) under the same ownership into a single deed parcel. No other parcels are being endorsed and no additional parcels will be created.
2. The subject parcels will be merged into a single deed parcel by utilization of the adjoiner deed process. The "Adjoinder Deed" shall be recorded in the Land Records of Howard County, MD within 120-days of the date of this waiver approval (on or before May 31, 2013).
3. A recorded copy of the "Adjoinder Deed" shall be submitted to this Department for file retention purposes within 120 days of the date of this waiver approval (on or before May 31, 2013).
4. The "Adjoinder Deed" shall reference this waiver petition file number and approval date.
5. The "Adjoinder Deed" for consolidation of these two parcels shall be accomplished and recorded within the Land records to eliminate the interior lot line prior to obtaining building permits for the construction of the St. Louis Parish Activity Center as proposed under Red-Line Revision SDP-03-064 and as allowed by conditional use BA-12-006C. This consolidation should be shown on the redline submittal by removing the parcel line, consistent with the Deed of Merger and Consolidation and referencing the combined parcel in the general notes on the cover page.
6. Compliance with all applicable County and State regulations is required, and the applicant shall obtain all necessary permits from the Department of Inspections, Licenses and Permits prior to initiating construction on-site.
7. Compliance with the attached comments from the Development Engineering Division.

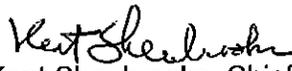
Our decision was made based on the following justification:

- Extraordinary Hardship or Practical Difficulty – Extraordinary hardship would result from compliance with the subdivision regulations by having to record a subdivision plat to consolidate Parcels 196 and 30 into a single deed parcel. The length of time involved with providing the final plan would negatively affect the compressed and established schedule for the construction of the addition to the existing school, which is based on construction related to the school year calendar. The processing of the final plan would incur costly and unnecessary expenses to the church, a non-profit organization, especially since the Deed of Merger and Consolidation will suffice to remove the deed parcel line.
- Alternative Proposal Will Not Nullify the Intent or Purpose of the Regulations – Both Parcel 196 and Parcel 30 are owned by the Church (the properties were purchased on separate dates). The Church has no intentions to subdivide the properties in the future. There are no public road improvements required for this project and no intentions for additional road improvements or expanded right-of-way. Parcel 30's Ten Oaks Road frontage has been recently improved and expanded. Waiving the condition of this requirement has no financial impact to the County, whereas there would be no fees and taxes generated since both parcels are owned by the Church.
- Will Not be Detrimental to the Public Interest – Approval of the waiver will not be detrimental to the public interests. The existing Parcels 196 and 30 are already owned by the Church. This will simply be the merging of two parcels into one parcel by the removal of a shared property line. There will be no additional improvements to the property that are not already permitted on the property in accordance with BA-12-006C. The removal of the shared property line will eliminate the confusion of the proposed St. Louis Parish Activity Center building straddling an interior property line. To allow the merger of Parcels 196 and 30 by deed (as opposed to requiring a plat) will not compromise any regulatory intent. No further development will be allowed on the site until all of the requirements associated with the conditions of approval of this waiver petition have been addressed.

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 the time period specified in the conditions of approval.

If you have any questions, please contact Ms. Pat Britt-Fendlay at 410-313-3371 or via e-mail at pfendlay@howardcountymd.gov.

Sincerely,


 Kent Sheubrooks, Chief
 Division of Land Development


 KS/JMF/MPB

Attachment: DED Comments

cc: Research
 Phil Thompson – Development Engineering Division
 Division of Public Service & Zoning Administration (BA-12-006C)
 Department of Inspections, Licenses & Permits
 Lisa O'Brien - Office of Law
 St. Louis Roman Catholic Congregation
 DPZ File # SDP-03-064