



Howard County Department Of Planning And Zoning
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Marsha S. McLaughlin, Director

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March 20, 2013

Howard County Board of Education
10910 MD Route 108
Ellicott City, Maryland 21042
ATT: Bruce Gist

WP-13-132/Village of Oakland Mills
Stevens Forest Elementary School

Dear Mr. Gist:

The Director of the Department of Planning and Zoning considered your request for waiver(s) from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request for waiver to Section 16.155(a)(1)(i) requiring site development plan approval so as to allow three temporary classroom portables at the Stevens Forest Elementary School, subject to the following conditions:

1. Once the three temporary classroom portables are removed, the area shall be reseeded and vegetated where applicable.
2. The applicant shall file for any building/electrical permits with the Department of Inspections, Licenses & Permits as required.

JUSTIFICATION FOR APPROVAL:

1. Extraordinary hardships or practical difficulties will result from strict compliance with the Regulations. The initial site development plan, SDP-71-028c, for construction of the Stevens Forest Elementary School was signed on September 15, 1971. Due to overcrowded conditions at the school, waiver petition WP-03-138 for waiver to the site development plan submission to allow temporary classroom portables on site was submitted and approved on 5/21/03. Thereafter, the Board of Education received funding to construct three building additions to provide more classroom space. The building additions were reviewed and approved by the Planning Board as a red-line revisions to SDP-71-028c on 6/16/11. Subsequently, a second waiver petition, WP-11-193, was processed for waiver to the site development plan submission to allow three temporary classroom portables on site during construction of the new additions which was approved on 6/23/11. This waiver, WP-13-132, is the third request to waive the site development plan submission once again so as to place an additional three temporary classroom portables on site to divert students away from ongoing construction. The Board of Education has shown continuous compliance with all requirements and has received Planning Board approval to construct the proposed building additions. To require the submission of a site development plan at this time for temporary structures would cause considerable hardship to the applicant and adversely affect the student and teacher population. The better alternative is to approve the waiver and allow for the safe relocation of students and teachers to the temporary classrooms until construction of the school additions are completed.

2. The intent of the Regulations will still be served to a greater extent through implementation of an alternative proposal and approval of the waiver request(s) will not nullify the intent of the Regulations. The Board of Education is not attempting to circumvent the intent of the regulations, but has provided a plan exhibit which is a suitable alternative to the submission of a site development plan. This exhibit shows existing conditions, relocated portables (3), building profiles, emergency exits and handicapped ramps. The relocatables will be situated to the southeast side of the elementary school and will be located over a paved playground. They are adequately screened from surrounding properties by a row of existing 15' – 18' white pines to the south. The portables will be located 45' from the southern property line and meet the 25' building restriction line setback requirement.

3. Approval of this waiver request will not be detrimental to the interests of the public. The classroom portables will be located to the south side of the elementary school and will not be noticed from Stevens Forest Road. Adequate landscape screening is currently provided to the south and a mulched play area is located to the east. The eastern portion of O.S.Lot 1 consists of existing trees and vegetation and perimeter homeowners have individually landscaped their rear yards. The portables are in the best interest of the students and teachers and are located a safe distance from proposed construction. The applicant shall apply for all electrical and building permits and shall reseeded and vegetated the areas where applicable once the portables are removed.

Indicate this waiver petition file number, request, section of the regulations, action taken, date and conditions of approval on all related future plats, site development plans and and/or building permits. This requested waiver will remain valid for one year or as long as the development plan remains in process. Should you have any questions regarding this matter, please contact Brenda Barth at (410) 313-2350 or email: bbarth@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development



:btb/enclosure

cc: Research/DED/RES
Fisher, Collins and Carter