



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

June 18, 2013

Dennis Matthey
Columbia Association, Inc.
10221 Wincopin Circle
Columbia, Maryland 21044

Re: Hobbit's Glen Golf Course (Hobbit's Glen Golf Clubhouse)
Waiver Petition WP-13-153
(Site Development Plan SDP-13-027)

Dear Mr. Matthey:

The Director of the Department of Planning and Zoning considered your request for a waiver of Subsection 16.116(a)(2)(iv) of the Howard County Subdivision and Land Development Regulations. Waiver approval would allow for installation of an underground utility line within a 50-foot stream buffer as part of SDP-13-027.

As of the date of this letter, the Planning Director approved your request to waive Subsection 16.116(a)(2)(iv), subject to the following condition:

1. Petitioner shall ensure that the project contractor adheres to the "Same Day Stabilization" method noted on Sheet ESC1.04 of the site development plan.

Our decision to approve the waiver was made based on the following justification:

Extraordinary hardship or practical difficulty may result from strict compliance with the regulations.

The petitioner has adequately demonstrated that the only feasible alternative to installation of the underground utility in the stream buffer resulting in strict compliance with the regulation may result in extraordinary hardship and practical difficulty to the petitioner. Installation of the gravity sewer may be made on the other side of the fairway, connecting to a manhole upgradient of that proposed, however planned future improvements to the 10th fairway by the Columbia Association would result in location of the manhole in the fairway or a future request for sewer relocation to the alignment currently proposed since inadequate cover over the sewer would result. The alternatives analysis clearly demonstrated the justification for placement of the sewer as proposed.

Waiver approval is not detrimental to the public interest.

Approval of this waiver based on the petition submitted is not detrimental to the public interest. It will have no adverse effect on adjacent properties, the surrounding community, or Howard County as a whole.

Dennis Matthey
June 18, 2013
Page 2 of 2

Waiver approval shall not have the effect of nullifying the intent and purpose of the regulations.

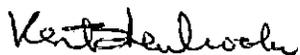
The purpose of the relevant regulation may be summarized by Subsection 16.101(a)(7) of the Subdivision and Land Development Regulations, which states that the purpose of the regulations is to "[provide] for development and the erection of structures in areas free from danger of flooding, erosion, stream siltation, soil slump, unsuitable sanitary conditions and other hazards." The temporary nature of the disturbance resulting from underground utility line installation in addition to the "Same Day Stabilization" method to be employed during construction and made a condition of waiver approval, ensures that the intent and purpose of the regulation will not be nullified.

The justification for recommendation was supported by information provided by the petitioner.

Indicate this waiver petition file number, section of the regulations, action, conditions of approval, and date on all related site development plans and building permits. This requested waiver will remain valid for one year from the date of this letter or as long as the site development plan remains in active processing.

Should you have any questions please contact Dave Boellner by telephone at 410-313-3956 or by email at dboellner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
DPZ, Division of Land Development

KS/DBB:dbb

CC: DPZ, Research
DPZ, DED
Site Resources, Inc.