



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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December 16, 2013

Howard County Public School System  
10910 MD Route 108  
Ellicott City, MD. 21042  
ATTN: Bruce Gist

RE: **WP-14-059 (Laurel Woods Elementary)**  
Associated with SDP-72-118

Dear Mr. Gist:

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 16.1201(n): Definitions: "Net Tract Area" and Section 16.1202(b)(1)(i): Applicability; Exemptions; Declaration of Intent** to allow the Limit of Disturbance to serve as the Net Tract Area when determining the forest conservation easement obligation.

**NOTE:** Although the applicant's consultant asked for relief from Sections 16.1201(n) and 16.1204(d)(1), the correct Section references are 16.1201(n) and 16.1202(b)(1)(i) as reflected above.

**Approval is subject to the following conditions:**

1. The area of plan submission shall not exceed 97,353 square feet as shown on the simplified ECP and waiver exhibit.
2. An updated Forest Conservation Worksheet shall be submitted, reflecting a Total Tract Area of 11.5 acres and a Limit of Disturbance/Net Tract Area of 97,353 square feet, with an afforestation obligation of 0.33 acres.
3. Forest Conservation (0.33 acres of obligation) shall be addressed via fee-in-lieu or off-site easement for the 97,353 square feet of plan submission associated with the proposed school additions.
4. Forest Conservation shall be addressed at Site Development Plan stage (or red-line to SDP-72-118 if this process is approved by the Development Engineering Division).

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The Planning Director's decision was made based on the following:

**Extraordinary hardships or practical difficulties:**

To use the entire property to calculate forest conservation requirements when the proposed development is only 97,353 square feet would be a hardship. The proposed footprint only covers a small portion of the total site and represents a relatively small disturbance footprint. Should the applicant be required to

address forest conservation for the entire 11.5-acre site, this would increase the cost of the project, which would be a hardship since "this is a public school project that will not generate income and has budgetary restrictions. An increase in the cost of regulatory compliance could require a reduction in the scope of the proposed improvements and this would reduce the efficiency and function of the project and reduce the overall benefit to the community".

**Detrimental to the Public Interest /Nullifies the Intent or Purpose of the Regulations:**

Allowing the LOD to act as the Net Tract Area (Section 16.1201(n) and 16.1202(b)(1)(i)) for forest conservation requirements does not nullify the Intent and Purpose of the Regulations, it just allows for a decrease in scope. "Future development outside of the currently proposed LOD will also be required to meet Forest Conservation regulations. No loss of forest habitat will occur should this waiver requested be granted and the public interest is upheld by reducing the cost of compliance for this project."

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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 or as long as this site development plan/grading plan remains in active processing.

If you have any questions, please contact Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at [tmaenhardt@howardcountymd.gov](mailto:tmaenhardt@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/TKM/waivers 2013/Laurel Woods Elementary WP-14-059 approval 12-16-13

cc: Research  
DED  
FCC  
Marion Honecny