



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 5, 2013

40-99 Partnership
8620 Baltimore National Pike
Ellicott City, Maryland 21043
ATT: Tom O'Donnell

RE: WP-14-061/O'Donnell Honda
8620 Baltimore National Pike

Dear Mr. O'Donnell:

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) which requires the submission of a site development plan for grading on non-residential property so as to install temporary parking within a gravel area on property as referenced above, subject to the following conditions:

1. Approval is given for waiver to the site development plan submission so as to permit grading and installation of gravel for the temporary storage of vehicles within the area as indicated on the waiver petition exhibit situated northwest of the existing O'Donnell Honda Dealership and Service Building on Parcel 369. Temporary storage of vehicles will be for the time period as required to complete construction of US Route 40/Rogers Avenue road improvements by the State Highway Administration and Howard County. Upon completion of the project, the vehicles shall be relocated and the area re-stabilized and vegetated as applicable.
2. A grading permit shall be required for the Limit of Disturbance necessary to install the temporary gravel parking area.

Justification for Approval:

1. Extraordinary hardships or practical difficulties will result from strict compliance with the Regulations. The purpose of the waiver request is to allow grading and installation of gravel for the temporary storage of cars within an area located on the northwest portion of Parcel 369. Relocation of existing vehicle storage from along US Route 40 and Rogers Avenue is necessary due to construction of proposed right-of-way improvements within this area. The right-of-way improvement project will permanently eliminate a significant portion of the current O'Donnell Honda customer parking, car storage and display area. The State Highway Administration (SHA) and Howard County have agreed to provide O'Donnell Honda permanent area on Parcel 369 as part of the contract drawings. However, to mitigate the loss of parking during the construction phase, the SHA and Howard County have agreed to permit temporary gravel parking on that portion of Parcel 369 which the SHA will not utilize during construction. To deny this waiver request will cause considerable hardship to not only the property owner but the SHA which must move forward with road improvements as soon as possible.

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. Parcel 369 has been graded in the past, however the western portion was never developed and has naturally re-vegetated. The area of vegetation removal will be less than 20,000 sq.ft. and the total area of disturbance will be approximately 27,800 sq.ft., All landscaping, forest conservation, storm water management and paving requirements are being deferred for this temporary use until a site development plan is submitted for the permanent site improvements on this parcel. The grading plan will be processed through the Howard Soil Conservation District and a grading permit will be obtained through the Department of Inspections, Licenses and Permits. Minimal grading necessary will occur to establish the temporary parking area which will consist of clean stone over filter cloth on top of the ground. This area will predominately be used for storage of new vehicles and no new buildings or other construction is proposed. When the SHA/Howard County has completed the installation of storm water management and storm drainage systems and the permanent parking area is completed, the temporary gravel lot shall be removed and the area re-stabilized and vegetated as applicable.

3. Approval of the waiver request(s) will not be detrimental to the interests of the public. The owner is not circumventing the intent of the regulations, but is attempting to cooperate with the SHA and Howard County in proposed road right-of-way and storm water management improvements. It is in the best interest and safety of the public to grant the waiver request so that intersection upgrades and road widening can move quickly forward. No new roads, entranceways or additional acreage to the existing parcel are proposed and no new construction of structures or extensions will occur. The developer has submitted a waiver exhibit that is an adequate substitution to the site development plan which shows the limit of disturbance, installation of super silt fencing and temporary gravel parking. The developer shall be required to apply for a grading permit and meet all other County and State requirements as applicable.

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. Approval of the requested waiver(s) will remain valid for the time period necessary to complete road improvements along Rogers Avenue as applicable and to relocate the temporary parking of vehicles to a permanent area. 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

cc: Research/DED

Robert H. Vogel Engineering, Inc.