



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

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Marsha S. McLaughlin, Director

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October 13, 2010

Howard County Public School System
10910 MD Route 108
Ellicott City, MD 21042

RE: WP-11-027, Centennial High School
(SDP-90-200, SDP-75-086)

Dear Sir or Madam:

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 16.1202(b)(1)(iii) of the County Subdivision and Land Development Regulations to exclude the previously developed area of the site and Section 16.1201(n) to allow the forest conservation requirement to be based on the limit of disturbance rather than the net tract area of over 40,000 square feet of disturbance

Approval is subject to the following conditions:

1. No Specimen tree(s) may be removed and no impacts to any environmental features may occur.
2. A fee-in-lieu payment of \$ 4,900.00 shall be paid to the Forest Conservation Fund, Section 16.1211, Account #019-005-4206*
*For County projects, a copy of the memorandum authorizing the Department of Finance, Bureau of Accounting, to transfer this amount to the Forest Conservation account must be submitted rather than a check.
3. The SDP must be red-lined to show the proposed site improvements and changes. The waiver file number, applicable section number, date of approval and conditions shall be added on the SDP as part of the red-line.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

Extraordinary hardship would result in strict compliance with the Forest Conservation regulations which would then increase the cost for completing this project for traffic safety improvements. Since little or no forest is on site, the Forest Conservation regulations would require afforestation for 10.5 acres of the site which would require actual planting with an approximate cost of \$30,000.00 to \$50,000.00 given that the property will remain in its current use. The added cost of full compliance is not warranted and creates an undue hardship. (See the attached justification submitted by the applicant and the attached meeting notes of July 15, 2010).

Alternative Proposal

The project may not be pursued by the applicant if they have to comply with the Forest Conservation requirements for the entire gross site area. In this instance, the development cost of the proposed parking lot improvements will be too high and the project could not move forward and the site would remain in its current condition. (See the attached justification submitted by the applicant and the attached meeting notes of July 15, 2010.)

Not Detrimental to the Public Interest

The waiver request will not be detrimental to the public interest because it will allow necessary parking and driveway access improvements to the public school facility without unduly increasing the costs of the project. As previously noted, if the applicant had to comply with the Forest Conservation obligations it would be 6 to 10 times the cost if the waiver is granted. (See the attached justification submitted by the applicant and the attached meeting notes of July 15, 2010).

Will not nullify the intent or purpose of the regulations

The intent or Purpose of the Regulations would not be nullified with the approval of the waiver. No forest resources would be impacted by the proposed parking lot additions to the existing schools on site. The proposed waiver doesn't seek to exempt the project entirely, but merely wishes to use the Limits of Disturbance (LOD) as the Net Tract Area. The applicant proposes to meet the Forest Conservation requirement by a fee-in-lieu for the 6,534 square foot based on a Net Tract area. (See the attached justification submitted by the applicant and the attached meeting notes of July 15, 2010).

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 remains in active processing.

If you have any questions, please contact Jennifer Wellen at (410) 313-2350 or email at jwellen@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Acting Chief
Division of Land Development

KS/jw

cc: Research
DED
WP-11-027
FCC