



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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October 4, 2011.

Oliver P. Hand
St. Barnabas Episcopal Church
7609 Main Street
Sykesville, Maryland 21784

Re: St. Barnabas Church
Waiver Petition WP-12-022

Dear Mr. Hand:

The Director of the Department of Planning and Zoning considered your request for a waiver of the Howard County Subdivision and Land Development Regulations. As of the date of this letter, the Planning Director approved your request to waive Subsections 16.155(a)(1)(ii) and 16.155(a)(3) as they apply to the project represented by the waiver exhibit submitted. The project consists of construction of two additions to an existing house and a paver patio as part of a change from residential to religious use at 13125 Forsyth Road in Sykesville, Maryland 21784. Waiver of the subject regulations relieves you of the need to submit a site development plan for the proposed work.

Waiver approval is subject to the following conditions:

1. Approval of WP-12-022 applies only to construction of two building additions and paver patio at the existing house located at 13125 Forsythe Road, Sykesville, Maryland 21784, depicted by the waiver exhibit dated August 25, 2011. New structures, retaining walls or parking areas and future modifications to existing structures or parking areas are excluded from this waiver.
2. At the time of grading permit application, the petitioner shall submit to the DPZ, Division of Land Development and DILP proof of payment of \$327.00 to the Forest Conservation Fund, Section 16.1211, SAP Account #2060000000-3000000000-432521. Petitioner shall submit a Forest Conservation Data Summary to the DPZ, Division of Land Development.
3. The petitioner shall install an approved automatic sprinkler system in the existing house and proposed additions in accordance with DILP and DFRS requirements.
4. The petitioner shall submit all applicable building, grading and/or any other permit applications required by DILP.
5. The petitioner shall comply with all applicable "RC" Zoning Regulations including setbacks and building height.

6. The petitioner shall comply with Board of Appeals variance and conditional case BA-11-003C&V for the proposed building additions.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty Would Result from Strict Compliance

Extraordinary hardship and practical difficulty to the petitioner would result if the waiver was denied and strict compliance with the regulations enforced. The petitioner wishes to sell its parish hall on Main Street in Sykesville and promptly relocate parish hall activities to the petitioner's Forsythe Road property, which is currently occupied by a house, cemetery, church, and parking. Development of the existing Forsythe Road facility in preparation for relocation of the parish hall activities is minimal, improvements consisting of two additions to the existing house and a paver patio. The area of disturbance of the proposed activities is 1,145 square feet; this, in addition to the activities previously approved under WP-11-138 (waiving site plan requirements) yields an area of disturbance of 4,880 square feet. Since the cumulative area of the activities authorized by the two waiver approvals is less than 5,000 square feet, the site is not subject to stormwater management requirements and an approved erosion and sediment control plan is unnecessary. Additionally, the plan will not alter access, parking, circulation, drainage or landscaping. Requirement of the Petitioner to submit a site development plan for a project of limited scope and small area of disturbance would result in the imposition of extraordinary hardship and practical difficulty on the Petitioner.

Not Detrimental to the Public Interest

Waiver approval will not be detrimental to the public interest. Review of the waiver petition revealed that the project either complies with all current regulations or will comply once conditions of waiver approval are observed. Waiver approval will result in no adverse impact to surrounding properties or the adjacent community.

Will Not Nullify the Intent or Purpose of the Regulations

As implied by the justification above, approval of this waiver will not nullify the intent or purpose of the regulations. Conditional Use and Residential District Variance Petitions (BA 11-003C&V) were reviewed and it was clear that the proposal complied with applicable regulations or, through waiver approval, remaining regulations would be addressed or waived if justified.

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

Oliver P. Hand
October 4, 2011
Page 3 of 3

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

Sincerely,


Kent Sheubrooks, Chief
DPZ, Division of Land Development

KS/DBB:dbb

CC: DPZ, Research
DPZ, DED
FSH Associates