



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

March 8, 2012

TSC/JMJ Snowden River South
8600 Snowden River Parkway, Suite 207
Columbia, MD. 21045
ATTN: S. Bruce Jaffe

RE: WP-12-130 (Midway Business Center)

Dear Jaffe:

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 16.155(a)(1)(ii) Applicability** which requires a Site Development Plan for any establishment of a use or change of use unless the Department of Planning and Zoning determines that the establishment or change in use will cause less than 5,000 square feet of site disturbance, that no significant alteration to access, parking, circulation, drainage, landscaping, structures, or other site features is required, and that the proposed use does not qualify as redevelopment that requires stormwater management in accordance with the Design Manual.

Approval is subject to the following conditions:

1. Approval from the Howard Soil Conservation District and the Department of Inspections, Licenses and Permits is required for the associated grading plan prior to the issuance of any required permits.
2. The stockpile is limited to approximately 10,000 cubic yards and may not be higher than 10 feet in height as shown on the grading plan exhibit.
3. The stockpile must be removed prior to the issuance of any building permits for "building #3" associated with SDP-10-055.

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

The applicant would incur practical difficult and unnecessary hardship if the waiver request were not approved. Requiring a site development plan for a stockpile to be placed on a currently unused portion of the property would require an undue amount of time for preparation, processing and review. In addition, the applicant would lose access to the spoils and the applicant would need to pay significantly more for the required fill material at a later date. The waiver exhibit constitutes an acceptable substitution for a Site Development Plan for this type of use. See also the justification submitted on February 23, 2012 along with the waiver application.

The Intent of the Regulations will be served to a greater extent by approving this waiver request. The stockpile does not impact schools or other public facilities and does not require the modification to access, overall traffic circulation, drainage, other structures or on-site features nor does it require additional landscaping or the removal of existing vegetation. As the property is zoned NT, the proposal is


exempt from forest conservation requirements. In addition, the existing grading permit has been approved by HSCD and is valid until February 16, 2013.

If granted, the approved waiver request will not alter the Essential Character of the surrounding neighborhood (currently a vacant property which is part of a larger development of a flex office/warehouse complex) nor will it impair the appropriate use of the surrounding properties.

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 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.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

Attachment (DED)

KS/TKM/waivers 2012/Midway Business Center parcel C WP-12-130

cc: Research
DED
SDP-10-005 file
Vogel Engineering