



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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June 8, 2012

Patuxent 8235, LLC
898 Airport Park Road, Suite 210
Glen Burnie, MD 21061
ATT: Dave Lazas

RE: WP-12-172/Patuxent Park Industrial Area,
Parcel A (ECP-12-061)

Dear Mr. Lazas:

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 16.116(a)(2)(i) prohibiting grading, paving or new structures or disturbance within 50' of an intermittent stream bank, subject to the following conditions:

1. A final plat will be required to show the abandonment of existing easements and to record new easement locations. A 50' stream bank buffer from the intermittent stream bank along the eastern property line of Parcel A shall also be shown and recorded at that time.
2. Reference this waiver petition, decision and date on all future development plans and building permits.

JUSTIFICATION FOR APPROVAL:

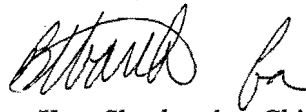
1. Extraordinary hardships or practical difficulties will result from strict compliance with the Regulations. This site is a developed industrial warehouse and storage yard and was formerly the site of the Owings Corning Fiberglass Building. Parcel A has undergone years of development and numerous site development plans are on file for the construction of warehouse buildings, tank pads, storage facilities and parking, as well as, a storm water management pond. The owner is now intending to rehabilitate the site by removing existing buildings, pads, abandoning easements, relocating SWM and constructing a new 257,184 sq.ft. warehouse building with associated parking.

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. The developer has considered all possible redesign of the parcel and is unable to shift the LOD any further out of the 50' stream bank buffer. The developer intends to raze the entire site and will replace an existing storm drain outfall, remove pavement and storm water management features and relocate a fence which are now situated in the buffer. The stream bank buffer will be re-graded to allow sheet flow for storm water management through the buffer. Once all of the work has been completed, the environmental features located along the western portion of the site which consists of floodplain, steep slopes, intermittent stream and the 50' stream bank buffer will be placed into a forest conservation easement. The developer shall be required to record a plat of easement and will be required to label a 50' stream bank buffer on the new plat.

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 re-develop the property with adequate and safe design to meet all code requirements. The development of the site does not create any new lots, roadways or adversely affect surrounding properties. No impervious area will be located in the stream bank buffer after development. As such, the proposed grading and lot design meets reasonable development goals of the Subdivision and Land Development Regulations and storm water management while presenting an alternative proposal for redevelopment.

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. This requested waiver will remain valid for as long as development plans are in process. 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

:bth
cc: Research/DED
Gutschick, Little & Weber