



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

February 22, 2013

John McCoy
Columbia Association
9450 Gerwig Lane
Columbia, Maryland 21046

Re: Dobbin Road – SWM Retrofit, LE-RR-020
Waiver Petition WP-13-066

Dear Mr. McCoy:

The Director of the Department of Planning and Zoning considered your request for a waiver of Subsection 16.155(a)(1)(i) of the Howard County Subdivision and Land Development Regulations. Waiver approval would absolve the petitioner of the requirement to submit a site development plan for the project.

As of the date of this letter, the Planning Director approved your request to waive Subsection 16.155(a)(1)(i), subject to the following conditions:

1. The petitioner shall submit mylar originals depicting the proposed design for the signatures of the chiefs of the DPZ, Division of Land Development and Development Engineering Division. The signed originals shall be used as documents for the purpose of stormwater management bonding.
2. The petitioner shall submit an itemized cost estimate and stormwater management exhibits for all improvements proposed.
3. The petitioner shall bond for construction of the proposed stormwater management facilities.

Our decision to approve the waiver was made based on the following justification:

Extraordinary hardship or practical difficulty may result from strict compliance with the regulations.

Preparation and submission of a site development plan for the project is impractical and would delay the start of a much-needed project. Preparation and submission of the site development plan for review and approval by all SRC agencies would be unnecessary and time consuming, especially considering the existing condition of the drainageway which continues to convey sediment and pollutants to Lake Elkhorn. The petition includes a plan with sufficient detail to allow for review by relevant SRC agencies.

John McCoy
February 22, 2013
Page 2 of 2

Waiver approval will not be detrimental to the public interest.

The project will stabilize and improve an existing drainageway used to convey stormwater from developed areas of Columbia to Lake Elkhorn; waiver approval will expedite the petitioner's ability to obtain permits to begin this work. Approval of this waiver will therefore be beneficial to the public interest by treating runoff for water quality prior to discharge to Lake Elkhorn. Based on the petition submitted, in conjunction with adherence to the conditions enclosed, approval will not be detrimental to the public interest.

Waiver approval will not nullify the intent or purpose of the regulations.

The waiver, if approved, will not nullify the intent and purpose of the Howard County Subdivision and Land Development Regulations as stated in Section 16.101. The intent and purpose of the regulations include assisting orderly, efficient, and integrated development of land, providing development in areas free from danger of erosion and stream siltation and preserving streams. Approval of this waiver request will not nullify the intent or purpose of the regulations, but will fulfill the intent to assist efficient development in an area free from danger of erosion and stream siltation, including stream preservation.

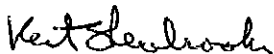
The purpose of the regulations may be served to a greater extent by an alternative proposal.

The petitioner has demonstrated that approval of this waiver is a reasonable alternative to processing a site development plan. The waiver petition site plan exhibit provides all relevant information and details to proceed with grading permit processing and project construction.

Indicate this waiver petition file number, section of the regulations, action, conditions of approval, and date on all related mylar originals, cost estimates and construction documents. This waiver will remain valid for one year from the date of this letter or as long as this grading plan remains in active processing.

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

Sincerely,



Kent Sheubrooks, Chief
DPZ, Division of Land Development

KS/DBB:dbb

CC: DPZ, Research
DPZ, DED
Underwood and Associates