



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
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Marsha S. McLaughlin, Director

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December 12, 2012

Baltimore Gas & Electric Co.
1699 Leadenhall Street
Baltimore, MD 21230
Attn: Gregory J. Kappler

RE: Verizon Wireless – Long Gate (BGE Tower 276A)
WP-13-071 (SDP-08-073)

Dear Mr. Kappler:

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 16.156.(o).(2)** for the re-activation of site development plan SDP-08-073.

Approval is subject to the following conditions:

1. The application for the building permit to initiate construction on this site must be made on or before one(1) year from the date of the approval of this waiver petition (**on or before December 11, 2013**).
2. Compliance with the enclosed comments from the Development Engineering Division which requires projects currently within the review process meeting the State's criteria for preliminary project approval may be permitted to use the State's 2000 regulations for storm water management. Project meeting this requirement will be considered grandfathered to the 2000 regulations by submission and approval of an administrative waiver. Expiration of administrative waivers for grandfathering shall be May 4, 2013 if the developer does not obtain and the project continues to construction completion. The grandfathering administrative waiver is also conditioned that the developer will make timely construction progress and completion by May 4, 2017.
3. The site development plan, SDP-08-073, must be red-lined to add the following:
 - A General Note which references this waiver extension and which includes the waiver petition number (WP-13-071), the date of the request, action taken and conditions of approval. (The purpose of this note is to assist DILP in permit processing).
4. Currently the developer owes an outstanding \$50.00 landscape inspection fee which must be paid at the time of submission of the Red-Line Revision. This fee must be paid to account number 011-005-4217 a (**check payable to the Director of Finance**).

Our decision was made based on the following justification:

- Extraordinary Hardship or Practical Difficulty – The extraordinary hardship or practical difficulty involved with this waiver request would require the developer to submit a new site development plan for review and approval by the Subdivision Review Committee.
- Not Detrimental to the Public Interests – Approval of the waiver request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding properties. Allowing the applicant additional time to re-apply for building permits will

not be detrimental to the public since the design is not changing. The reactivation and extension of time will allow the developer (Verizon) additional time to properly coordinate with BGE on an installation schedule.

- Will not nullify the intent or purpose of the regulations – Approval of this waiver request will not nullify the intent or purpose of the regulations since the design of the site development plan has been reviewed and approved by the County’s Subdivision Review Committee. No design changes are being proposed.

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 the time period specified in the conditions of approval #1.

If you have any questions, please contact Ms. Pat Britt-Fendlay at 410-313-3371 or via e-mail at pfendlay@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development



KS/JMP/MPB

- cc: Research
 Philip M. Thompson – Development Engineering Division
 Real Estate Services
 Department of Inspections, Licenses and Permits
 Andrew Martin - Verizon Wireless
 Steve Schmidt – SCE Inc.