



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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July 29, 2013

Steve Kang
Maryland Investment Group
9380 Baltimore National Pike
Ellicott City, Maryland 21042

RE: WP-13-190, Ramsburg Property, Lot 5

Dear Mr. Kang:

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)** of the Subdivision and Land Development Regulations which states that a site development plan is required for non-residential development.

Approval is subject to the following conditions:

1. Compliance with all applicable County and State Regulations and obtain all necessary permits from the Department of Inspections, Licenses and Permits prior to initiating development on-site.
2. Approval of this waiver is for the replacement of the existing eastern façade of the building and parking lot re-striping. No enlargement of the existing building or parking surface is permitted under this request.
3. The Department of Planning and Zoning is recognizing the existing asphalt parking lot and parking spaces as non-conforming uses because they are currently within the parking use setbacks established by Section 119 of the Howard County Zoning Regulations. No expansion of the existing parking surface or further parking space encroachment is permitted within the setback. Only improvements that bring the site in further compliance with the current Regulations are permitted.
4. The proposed relocated outdoor lighting shall comply with Section 134 of the Zoning Regulations.
5. Compliance with the Department of Inspections, Licenses, and Permits comments dated July 2, 2013 (see attached). The petitioner shall be advised the proposed store front renovation shall comply with the 2012 IECC. The energy efficiency of the exterior wall shall not be reduced.

DPZ Recommendation: The Department of Planning and Zoning requests that the owner consider planting shade trees and shrubs within the existing parking lot islands, adjacent to the building, around the parking lot perimeter and along U.S. Route 40 to enhance the streetscape and aesthetic appearance of the property. The Department of Planning and Zoning also requests the owner submit plans to the Design Advisory Panel for its advisory comments on the renovation of this older facility which the Department of Planning and Zoning supports.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

The building and parking have existed since approximately 1977. There is no change to the use or expansion of the building or parking. To require that the property be subject to a full site development plan review and approval would be burdensome to the owner.

Not Detrimental to the Public Interest

The shopping center already exists. Re-striping of the parking facility will increase the number of parking spaces available onsite. As there are no other changes to the site, approval of the waiver would not be detrimental to the public interest.

Will not Nullify the Intent or Purpose of the Regulations

In accordance with the Division of Land Development policy memo dated May 1, 2011 an applicant may submit a waiver petition application for consideration to waive the standard SDP process when only minor alterations or additions are proposed to any existing structures. This site is not proposing any additional structures, tree clearing or minor construction therefore it is exempt from stormwater management, forest conservation, and landscaping. Parking requirements are being brought further in compliance with the Regulations by providing nine more parking spaces. Therefore, in compliance with the policy memo and the site proposal the intent of the Regulations are not being nullified.

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 building permits remain in active processing.

If you have any questions, please contact Julia Boone at (410) 313-2350 or email at jboone@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/jb

cc: Research

DED
Zoning
DILP
DCCP – Brad Killian
Polaris Land Consultants