



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

[www.howardcountymd.gov](http://www.howardcountymd.gov)  
FAX 410-313-3467  
TDD 410-313-2323

October 21, 2014

Genuine Parts Company  
2999 Circle 75 Parkway  
Atlanta, GA 30339

RE: WP-15-043, NAPA Washington  
9941 Washington Blvd. (SDP-15-005)

Dear Sir or Madam:

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)(i) of the Subdivision Regulations to allow a waiver of the site development plan requirement for new or expanded nonresidential development, including commercial, industrial, institutional and utility development, to allow for mass grading of the site prior to the SDP being approved.

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. This waiver approval applies only to the limit of disturbance and grading permit limits as shown on the waiver plan exhibit, sheet 5 of 17 for SDP-15-005.
2. 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.
3. Compliance with the attached DED comments dated October 2, 2014.
4. In accordance with the Howard County Subdivision and Land Development Regulations, no grading, removal of vegetative cover or trees, paving and new structures shall be permitted within the required wetlands, streams or their associated buffers, and 100-year floodplain.
5. Should mass grading of the site be initiated and processing of SDP-15-005 cease for any reason, or is not completed in a timely manner, the petitioner will be required to address forest conservation obligation requirements for the limit of disturbance for the mass grading in accordance with the Howard County Code and Forest Conservation Manual with the payment of a fee-in-lieu and / or recording of a Plat of Forest Conservation Easement for forest retention.
6. Compliance with all SRC agency comments for the processing and approval of SDP-15-005.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty – If the waiver petition is not granted, the applicant will be required to wait until the site development plan is approved which will delay the start of construction due to the winter weather and the owner is on a strict time constraints for the construction schedule.

Therefore, a practical difficulty would arise in their development schedule if they could not process a mass grading plan to allow grading for the building pad and parking area prior to approval of the site development plan and review. The waiver plan exhibit is a reasonable alternative for mass grading to a site development plan showing all required site information to properly evaluate this request. In addition, this Department will require that this project comply with all required permits issued by DILP as well as any other state/local requirements.

Alternative Proposal –The alternate proposal to waive Section 16.155(a)(1) would be to wait until the site development plan is approved under the standard review. The detailed plan exhibit submitted with this waiver petition is a suitable substitute for the mass grading SDP requirement showing information necessary to evaluate this request for compliance with the Regulations. The applicant is still required to comply with all building permits as well as other state/local requirements.

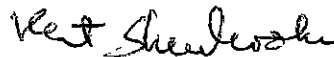
Not Detrimental to the Public Interest –Approval of the waiver request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding properties. DPZ and various SRC agencies have reviewed the waiver exhibit in accordance with the current requirements, including the Howard County Code.

Will not Nullify the Intent or Purpose of the Regulations –The waiver request will not nullify the intent of the site development plan requirement since the applicant is only requesting deferral of the site development plan submission requirement in order to allow mass grading for the time sensitive project. The Subdivision Review Committee has reviewed the waiver request for compliance with the Regulations and has no objection to the request. A site development plan is currently in the review process for the overall site improvements, in which all Regulations are being enforced

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 Jennifer Wellen at (410) 313-2350 or email at [jwellen@howardcountymd.gov](mailto:jwellen@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/jw

cc: Research  
DED  
Real Estate Services  
Rettew  
Annette Merson  
DILP  
SDP-15-005