



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

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December 4, 2014

Mr. Tom Carbo, Director  
6751 Columbia Gateway Drive,  
Third Floor  
Columbia, MD 21046

Dear Mr. Carbo:

RE: WP-15-068, Day Resource Center  
(SDP-15-023 and F-14-130)

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 16.116(a)(2)(i)** Grading, removal of vegetative cover and trees, paving and new structures shall not be permitted within 50 feet of an intermittent streambank; **Section 16.120(c)(1)** requires a minimum frontage of 60 feet on an approved public road which provides access to the property.

Approval is subject to the following conditions:

1. Compliance with all Subdivision Review Committee comments for SDP-15-023.
2. The areas of disturbance within the stream buffer must be stabilized upon completion of the construction activity.
3. The waiver petition number (WP-15-068) and its conditions of approval must be added to SDP-15-023, F-14-130 and all future plans.

Our decision was made based on the following:

**Extraordinary Hardship or Practical Difficulty -**

The minor disturbance to the 50' stream buffer is needed for the construction of the new building, retaining wall and SWM outfalls. These minor disturbances vary from 5' to 15' along the east edge of the 50' stream buffer. The total area of the proposed disturbance is 3,557 square feet. A portion of the disturbance facilitates storm drain outfalls. With the exception of 95 linear feet of retaining wall and 75 square feet of sidewalk and parking, the remainder of the disturbance is temporary to accommodate grading associated with the proposed building and the retaining wall construction. These areas will be stabilized upon completion of the construction activity. During construction the stream buffer will be protected by sediment and erosion control devices.

The need for the waiver request to the 60' minimum public road frontage requirement is temporary. Once the associated plats are recorded, all parcels will be provided the necessary public road frontage. The adjacent Avanti-Halsup property will provide the required road frontage for Parcel B of the Day Resource Center subdivision (F-14-130).

**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.

The disturbance to the stream buffer is the minimal encroachment needed to accommodate the outfalls, retaining wall and a sidewalk and parking area. The majority of the grading is needed to accommodate the grading required for the building and retaining wall. Upon completion of the construction activity, these areas will be stabilized.

The temporary landlocking of Parcel B will be corrected with the land exchange with the adjacent Avanti-Haslup Property (F-15-015), and the recording of the required plat of revision (F-14-130). Thus, the lack of public road frontage for Parcel B is only a temporary situation.

**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 disturbances to the stream buffer are minor and the area will be stabilized once construction activity has been completed.

The recording of a subsequent plat of resubdivision of the Avanti-Haslup property will provide Parcel B of the Day Resource Center subdivision the required minimum public road frontage to Guilford Road. The lack of public road frontage is only temporary interim step in the development process.

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 site development plan remains in active processing.

If you have any questions, please contact Brenda Luber at (410) 313-2350 or email at [BLuber@howardcountymd.gov](mailto:BLuber@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/BL

cc: Research  
DED  
Real Estate Services  
Vogel Engineering  
SDP-15-023  
F-14-130