



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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March 9, 2015

Burkard Homes LLC
5300 Dorsey Hall Drive
Ellicott City, MD 21044

RE: WP-15-109 Awilda Acres- Lot 1

Dear Sir/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 16.120(b)(5)(i)** of the Subdivision Regulations, which states that the subdivision or site development plan layout shall ensure that the noise level in the rear yard does not exceed the standard set in the Design Manual. This request is to waive the requirement to provide noise mitigation with the site development plan for Lot 1.

Approval is subject to the following conditions:

1. Noise attenuation building materials such as insulated siding, triple pane windows, insulated doors, etc. shall be used in the construction of the proposed house to reduce the noise level to below 45 dBA in the interior of the house. A note shall be placed on the site development plan, SDP-15-007, referencing this requirement.
2. The proposed house located on Lot 1 shall be situated so that the front is oriented northward to further moderate the noise level in the rear yard.
3. Reference this waiver petition file number, action, date and conditions on all future plans for Lot 1 including SDP-15-007.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

Lot 1 of the Awilda Acres subdivision lies entirely within the 65 dBA noise zone from Interstate-95. While it is understood that the excessive noise level should be mitigated, a practical difficulty exists which precludes any noise mitigation. Lot 1 is a pipestem lot and due to the limited area it is impossible to provide any noise barrier or buffer. The intent of the Regulation is to ensure that the noise level in the usable rear yard does not exceed the required level. The proposed dwelling will provide some noise mitigation. The rear yard is located in the lowest part of the property, which will increase the mitigation provided by the house.

Not Detrimental to the Public Interest

The approval of this waiver will not have any detrimental impact to the public interest. The waiver will apply solely to a single pipestem lot located approximately 300' southeast of Interstate 95. The proposed

house will be constructed between and behind two existing houses. The orientation of the house will provide some noise mitigation. Notes will be placed on the site development plan identifying the excessive noise levels.

Will Not Nullify the Intent or Purpose of the Regulations

The approval of this waiver will not nullify the intent of the Regulations because this is an existing lot located within the noise zone and it is not practical to provide adequate mitigation to eliminate or reduce noise to the acceptable level. Given the limitations of the lot and the location of the proposed house, it is clear that providing any noise mitigation would not be practical.

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 Eric Buschman at (410) 313-2350 or email at ebuschman@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/eb

cc: Research
DED
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MBA