



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

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May 5, 2015

John Byrd
Howard County Recreation and Parks
7120 Oakland Mills Road
Columbia, Maryland 21046

RE: WP-15-125, Howard County Living Farm Heritage Museum (SDP-14-079)

Dear Mr. Byrd:

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 16.1201(n) of the Subdivision and Land Development Regulations which requires that forest conservation calculations be based on the "Net Tract Area". This waiver is to allow the forest conservation calculations to be based on the limit of disturbance instead of the net tract area. Approval is subject to the following conditions:

1. A Grant of Easement to establish a 0.64 acre forest retention easement area on the West Friendship Park site must be processed through the Department of Public Works, Real Estate Services Division prior to submitting the original SDP Mylar for final signature.
2. Compliance with the comments generated with the review of SDP-14-079.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

Only 2.1 acres of the 135.04 acre site will be disturbed for the parking lot addition for the Heritage Farm Museum. The property is owned by Howard County Recreation and Parks and has been preserved as County parkland. Since there is no change-in-use of the site and the majority of the site will remain undisturbed, it is unwarranted for the project to address forest conservation for the entire gross area of the already preserved parkland. Strict compliance would result in an increase in cost to the property owner, Howard County.

Not Detrimental to the Public Interest

The approval of the waiver petition will not be detrimental to public interest because it will not result in any loss of the forest habitat within the County. In addition, the approval of the waiver will serve to minimize the cost of compliance with the already preserved parkland. The integrity of the Forest Conservation Act will still be met for the minor institutional alterations to this site.

Will not Nullify the Intent or Purpose of the Regulations

The intent of the Forest Conservation Act is to establish and enforce controls on the disturbance of wooded areas when properties are developed. The proposed parking lot addition will not disturb any existing forested areas. By utilizing the proposed LOD, as defined on the waiver exhibit and site development plan, this project will meet the forest conservation obligation and therefore comply with the intent of the Regulations. An area of 0.64 acres of forest will be placed in a permanent forest retention

easement to satisfy the forest conservation obligation for this site. Any future expansion of the LOD for the Living Heritage Farm Museum will require additional compliance with the Forest Conservation Act.

Please 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 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
Real Estate Services
Bryan Moody
FCC
Marian Honeczy, DNR