



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

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May 18, 2015

Raul Delorme
Howard County Department of Recreation and Parks
7120 Oakland Mills Road
Columbia, Maryland 21046

Re: Haviland Mill Trail
Waiver Petition WP-15-130
(Environmental Concept Plan ECP-15-022)

Dear Mr. Delorme:

The Director of the Department of Planning and Zoning considered your request for a waiver of Subsection 16.155(a)(1)(i) of the Howard County Subdivision and Land Development Regulations. As of the date of this letter the Planning Director approved your request, subject to the following conditions:

1. Petitioner shall submit to the Department of Planning and Zoning a copy of the memorandum authorizing the Department of Finance, Bureau of Accounting to transfer \$2,069.00 to the Forest Conservation Fund – Section 16.1211, SAP Acct #2060000000-3000-3000000000-PWPW000000000000-432521 to satisfy project forest conservation requirements.
2. Petitioner shall obtain Howard Soil Conservation District approval prior to the start of work.
3. Petitioner shall obtain a grading permit prior to the start of work.
4. The existing access from Haviland Mill Road shall not be relocated or altered. Changes to this access will require a new sight distance analysis.
5. Vegetation adjacent to Haviland Mill Road affecting sight distance (as provided as an approval condition to WP-11-176) shall be cleared and trimmed as needed.
6. All stormwater management has been addressed using disconnection practices and there are no water or sewer extensions needed for this project. A developer agreement is not required.

Our decision to approve the waiver was made based on the following justification:

Extraordinary Hardship or Practical Difficulty Would Result from Strict Compliance with the Regulations.

Extraordinary hardship and practical difficulty to the petitioner would result if the waiver was denied and strict compliance with the regulations enforced. The project is being developed as a capital project to enhance existing County open space and develop the land by constructing a trail for which a parking lot currently exists. Strict compliance with the regulations would require the need for the design team to expend time, effort, resources and costs that will not improve the final design or construction of the project. Full compliance with the regulations would take away valuable funds from implementation of project design and construction. Performing this extra work would also lengthen the project schedule.

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Waiver Approval will not be Detrimental to the Public Interest

The Haviland Mill Trail project will provide passive recreation opportunities to users and meets the County and DR&P goals of delivering recreation and leisure opportunities that improve the health and well-being of the community. The development of this parcel also fulfills the County's goals of protecting natural features and is consistent with the 2012 Howard County Land Preservation and Recreation Plan. There will be no foreseeable adverse impacts to adjacent property owners or sensitive areas of the site as a result of this project.

Will Not Nullify the Intent or Purpose of the Regulations

As implied by the justification above, approval of this waiver will not nullify the intent or purpose of the regulations. The project has been designed using strict avoidance and minimization measures and results in only temporary impacts to wetlands, wetland buffers, streams or floodplains. There are no permanent losses anticipated from the project.

Indicate this waiver petition file number, section of the regulations, action, conditions of approval, and date on all related grading plans and permits. This waiver will remain valid for one year from the date of this letter or as long as the grading plan remains in active processing.

Should you have any questions please contact Dave Boellner by telephone at 410-313-3956 or by email at dboellner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/DBB:dbb

CC: DPZ, Research
DPZ, DED