



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

August 6, 2015

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

Re: Waiver Petition WP-16-002
Blandair Regional Park, Phase 3, Site Development Plan SDP-15-050
Blandair Regional Park, Phase 3, Mass Grading Plan

Dear Mr. Delerme:

The purpose of this letter is to inform you that the Director of the Department of Planning and Zoning considered your request for a waiver of Subsections 16.155(a)(1) and 16.155(g)(2) of the Howard County Subdivision and Land Development Regulations. Waiver approval would absolve you of the requirement to obtain an approved site development plan prior to grading permit approval for mass grading and would extend revised plan submission deadlines associated with SDP-15-050.

As of the date of this letter the Planning Director approved your request, subject to the following conditions:

1. Petitioner shall obtain Howard Soil Conservation District approval prior to the start of mass grading.
2. Petitioner shall obtain a grading permit prior to the start of mass grading.
3. All sediment control must be in place and approved by the Howard Soil Conservation District prior to mass grading operations.
4. No permanent structures shall be installed without an approved site development plan.
5. Petitioner shall address PDox comments and plan markups referenced by our letter of May 12, 2015 regarding SDP-15-050 by a revised plan submission **on or before June 26, 2016**.
6. Petitioner shall place a general note on SDP-15-050 citing approval of this waiver, sections waived, and date and conditions of approval.

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 mass grading operation is intended to use excess material from Phase 2 and Phase J (currently under construction) to bring Phase 3 up to ultimate finish grade.

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The majority of Phase 3 is in fill and will need additional material in order to meet finish grades. Strict compliance with Subsection 16.155(a)(1) would cause major construction delays for Phase 2 and Phase J. Mass grading will also provide much of the necessary material for the Phase J north bridge connection. The finished grade of the bridge is approximately 15 feet higher than existing grade. All grading operations will be kept out of the stream buffer to the south of the project. The ultimate construction of Phase 3 will require a stream buffer waiver (granted under WP-15-117); however for the purposes of this project no stream buffer waiver is needed. The mass grading will include no impervious cover, impacts to existing drainage patterns, impacts to peak hour traffic volumes or utility connections.

Waiver Approval will not be Detrimental to the Public Interest

Clearing of trees will be required for the mass grading operation. The forest conservation plan has been submitted under the Phase 3 site development plan (SDP-15-050) and is currently under review. All forest conservation obligations will be met during the ultimate Phase 3 construction. Additionally, erosion and sediment control measures have been designed according to the 2011 Maryland Erosion and Sediment Control Manual. This project has been reviewed and approved by the Howard County Soil Conservation District. Mass grading of the site will not be detrimental to the public interest.

Public feedback regarding the layout and design of the park has resulted in the delay of the submission of revised plans. The public interest is better served by receiving the public feedback and revising the plans as necessary.

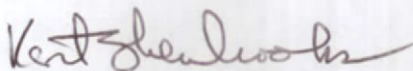
Will Not Nullify the Intent or Purpose of the Regulations

Approval of this waiver will not nullify the intent or purpose of the regulations.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all related site development plans and grading permits. This waiver will remain valid for one year from the date of this letter or as long as the grading plan for mass grading remains in active processing. This waiver will remain valid for the time period specified in Condition 5 for SDP-15-050.

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

CC: DPZ, Research
DPZ, DED
Mark Kovach – DPW, Transportation and Special Projects Division
WRA