



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

January 7, 2016

Emerson Development VII
1 Texas Station, Suite 200
Timonium, MD 21093

RE: WP-16-076, Whiskey Bottom Road Booster Station

Dear Sir or 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(c)(1) to allow less than 60' minimum frontage onto a public road for the proposed Howard County Whiskey Bottom Road Water Pumping Station per the Subdivision and Land Development Regulations, subject to the following conditions:

1. A Plat of Resubdivision is required for Parcels "D-1 and "E-1 to create new Parcel "T" for the water pumping station.
2. Compliance with all Subdivision Review Committee comments for ECP-16-024 and future plans submitted.
3. A general note description for a Waiver Petition Number WP-16-076 and its conditions of approval must be added to all future plans.
4. Compliance with the "PEC" Zoning District requirements for the new water pumping station project.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty – Public road access to the site is at the dead end of Whiskey Bottom Road where the public frontage width is limited to the width of the tee-turnaround. Due to existing constraints, provisions for public road frontage or alterations to the design are not feasible due to the recorded forest conservation easement located on the north side of Whiskey Bottom Road, an office parking lot on the south side and an enclosed heavy duty federal security fence. In addition, it is stated in the "Development and Access Agreement" dated November 1, 2011 that "a designated private, non-exclusive road access to a public road suitable in the reasoned determination by the County for use as a new site for the relocation of the existing pumping station." The subject property is part of the Federal Government Department of Defense enclosed security office campus at Emerson where Whiskey Bottom Road public access is gated for security reasons.

Alternative Proposal –The alternate proposal for not waiving Section 16.120(c)(1) would be to adhere to the 60' road frontage requirement which would then require relocation of the pumping station which would not be cost effective for Department of Public Works. Howard County Public Works, Utility Design Division and Knott Realty Group determined that this location was the most cost effective for the proposed pumping station. The applicant is still required to process a final subdivision plat, site development plan and once approved, then they will be required to apply for all building permits as well as other state/local requirements.


Not Detrimental to the Public Interest –Waiving the public road frontage access to Whiskey Bottom Road will have no adverse effects or impacts to the surrounding properties along Whiskey Bottom Road. It is in the County's best interest to relocate and replace the water pumping station at this location.

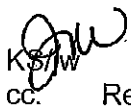
Will not Nullify the Intent or Purpose of the Regulations – The waiver request will not nullify the intent or purpose of the regulations since the final plan and site plan requirements will be met with a plan exhibit that will feature the proposed water pumping station. The Subdivision Review Committee has reviewed the waiver request for compliance with the Regulations and has no objection to the request to reduce the public road frontage requirement to allow the water pumping station to be accessed by an access easement within the gated secured campus.

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 Jennifer Wellen at (410) 313-2350 or email at jwellen@howardcountymd.gov.

Sincerely,


Kent Sheubrooks, Chief
Division of Land Development



cc. Research
DED
Real Estate Services
DMW