



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Voice/Relay

Amy Gowan, Director

FAX 410-313-3467

April 17, 2020

Mr. Daniel Lubeley
Howard County Public Schools
9020 Mendenhall Court, Suite C
Columbia, MD 21045

Dear Mr. Lubeley:

RE: WP-20-077, High School #13 (SDP-19-066)

The Director of the Department of Planning and Zoning considered your request for an alternative compliance from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **denied** your request for an alternative compliance of **Section 16.132(a)(2)(i)** requires a property owner which owns land on only one side of a local or minor collector road to construct one side of the road up to one-half of the full designated pavement width; **Section 16.133(a)(4)** requires the developer to provide storm drainage improvements to handle off-site runoff to an acceptable outlet; **Section 16.134(a)** requires the developer to provide for the construction of sidewalks associated with the required road improvements; **Section 16.135** requires the developer to provide street lights associated with required road improvements; and **Section 16.136** requires the developer to provide street trees associated with the required road improvements.

Denial is based on the following:

- 1. Strict conformance with the requirements will deprive the applicant of rights commonly enjoyed by others in similar areas.**

The frontage improvement requirements are those that are required of any project and are not specific to this proposed use.

- 2. Uniqueness of the property or topographical conditions would result in practical difficulty; other than economic, or unreasonable hardship from strict adherence to the regulations.**

Based on the justification, the applicant has failed to demonstrate a hardship, other than economic, for compliance with the regulations. The applicant has also not identified any unique characteristics or topographical conditions that would result in a practical difficulty if alternative compliance to the regulations is not granted.

- 3. The variance will not confer to the applicant a special privilege that would be denied to other applicants.**

A special privilege will not be granted if the request is denied.

4. The modification is not detrimental to the public health; safety or welfare, or injurious to other properties.

The applicant indicated that the approval of this request would not be detrimental to public health, safety or welfare, or affect neighboring properties because road improvements will eventually be provided when the elementary school is constructed. However, the applicant failed to demonstrate that the request would not be detrimental to the public for the interim period of time prior to construction of the elementary school.

Public safety issues could arise if the sidewalk is not constructed along the full frontage of the property. Sidewalks that do not extend to the corner intersections force pedestrians to choose between continuing to walk along the curb in the street or to make an unsafe mid-block crossing to the other side. Neither of these options are desirable and place pedestrians at risk.

If the request is approved, this would result in additional future disruption along Mission Road and will create additional issues for future maintenance of traffic and reconstruction of Mission Road. In addition, the Pleasant Chase neighborhood is less than a mile from the north end of the property and these improvements would directly serve this community. The deferral of these road improvements will not provide the required connectivity within the broader community and pedestrian safety would be negatively impacted if only a portion of improvements were completed as requested. The required complete frontage improvements for the full length of Mission Road, include the 5-foot bike lane, conform with the Howard County Complete Streets Policy and should be enforced.

If you have any questions, please contact Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,



Anthony Cataldo, AICP, Chief
Division of Land Development

AC/bl

cc: Research
DED
DLD - Julia Sauer
Real Estate Services
FCC
SDP-19-066



Howard County Maryland
Department of Planning and Zoning
 3430 Courthouse Drive, Ellicott City, MD 21043

(410) 313-2350

DPZ Office Use only:
 File No. *WP-20-077*
 Date Filed *2/13/20*

ALTERNATIVE COMPLIANCE APPLICATION

Site Description: High School 13
Subdivision Name/Property Identification: High School 13
Location of property: Ridgelys Run Road (between Mission Road & Rt 1)
Existing Use: vacant **Proposed Use:** Institutional
Tax Map: 42 & 43 **Grid:** 24 & 19 **Parcel No:** 102,349&24 **Election District:** Sixth
Zoning District: R-SC MXD-3, R-SA-8 MXD-3 & R-12 **Total site area:**

Please list all previously submitted or currently active plans on file with the County (subdivision plans, Board of Appeals petitions, alternative compliance petitions, etc.). If no previous plans have been submitted, please provide a brief history of the site and related information to the request:

GP-17-047, WP-17-109, WP-19-027, ECP-19-026, SDP-19-066, F-19-086

In the area below, the petitioner shall enumerate the specific numerical section(s) from the Subdivision and Land Development Regulations for which an alternative compliance is being requested and provide a brief summary of the request.

| Section Reference No. | Brief Summary of Request |
|-----------------------|--|
| 16.132(a)(2)(i) | Defer the requirement for the construction of one side of Mission Road up to on-half of the full designated pavement width until time of Elementary School SDP |
| 16.133(a)(4) | Defer the requirement for the construction of storm drainage improvements associated with road widening until time of Elementary School SDP |
| 16.134(a) | Defer the requirement for the construction of sidewalks associated with the road improvements until time of Elementary School SDP |
| 16.135 | Defer the requirement for the construction of street lighting associated with road improvements until the time of the Elementary School SDP. |
| 16.136 | Defer the requirement for street trees and landscaping associated with the road widening until the time of the Elementary School SDP. |

Signature of Property Owner: Daniel Lubeley Date: 2.4.2020

Signature of Petitioner Preparer: Stephanie Tuite Date: 2/4/20

Name of Property Owner: Howard Co Public Schools Name of Petition Preparer: Fisher, Collins & Carter, Inc.

Address: 9020 Mendenhall Court, Suite C Address: 10272 Baltimore National Pike

City, State, Zip: Columbia, Maryland 21045 City, State, Zip: Ellicott City, Maryland 21042

E-Mail: Daniel_Lubeley@hcpss.org E-Mail: stephanie@fcc-eng.com

Phone No.: 410-313-8203 Phone No.: 410-461-2855

Contact Person: Daniel Lubeley Contact Person: Stephanie Tuite

Owner's Authorization Attached