



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

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April 14, 2010

Stephen Kaffl  
Clarksville Auto Properties, LLC  
12188 Clarksville Pike  
Clarksville, Maryland 21029

Re: Clarksville Auto Center  
Waiver Petition WP-10-122  
(Site Development Plan SDP-08-123)

Dear Mr. Kaffl:

The Director of the Department of Planning and Zoning considered your request for a waiver of the Howard County Subdivision and Land Development Regulations. As of the date of this letter, the Planning Director approved your request to waive Subsections 16.156(o)(1)(i) and 16.156(o)(2) of the Howard County Code as they pertain to Site Development Plan SDP-08-123. Waiver approval extends the deadline by which application must be made for building permits to initiate construction on the Clarksville Auto Center site as depicted by SDP-08-123.

Approval is subject to the following condition:

1. Application for building permits to initiate construction on the site shall be made by the petitioner to the Department of Inspections, Licenses and Permits on or before April 3, 2012.

The following is made as an advisory comment:

1. Petitioner is advised that all agency approvals associated with approved SDP-08-123 remain valid until such a time as the site development plan expires.

Our decision was made based on the following:

***Extraordinary Hardship or Practical Difficulty***

Extraordinary hardship to the petitioner would result should this petition be denied and the petitioner be required to apply for building permits in accordance with deadlines established by DPZ letter of April 3, 2009. The now well-documented national recession and its effect on the banking and construction sectors make application for building permits a risky, if not futile, proposition since the development in question would prove difficult at this point in time.

Stephen G. Kaffl  
April 14, 2010  
Page 2 of 2

***Alternative Proposal***

The alternative to granting the requested waiver and extending the deadline by which building permit application is made is to void the plan (assuming building permit application is not made) and either a) require submission of a new site development plan or b) require submission of a waiver petition at a later time requesting reactivation of the voided site development plan. Since the plan has been approved and has an established file history, the alternative consisting of voiding the plan is not recommended by this Division.

***Not Detrimental to the Public Interest***

The waiver request will not be detrimental to the public interest since site plans have been processed and approved. Extension of the deadlines by which building permit application must be made will have no adverse effects on the surrounding properties and the community where the property is located.

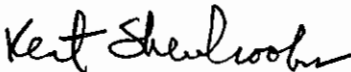
***Will Not Nullify the Intent or Purpose of the Regulations***

Approval of this waiver request 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 plats, site development plans, and building permits. This waiver will remain valid until April 3, 2012.

Should you have any questions please contact Dave Boellner by telephone at 410-313-3956 or by e-mail at [dboellner@howardcountymd.gov](mailto:dboellner@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Acting Chief  
DPZ, Division of Land Development

KS/DBB:dbb

CC: DPZ, Research  
DPZ, DED  
Civil Design Services, LC  
Edgar W. Zepp  
Pat Marlatt – St. Louis Catholic Church