



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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July 28, 2010

Miller and Smith at Emerson
8401 Greensboro Drive, Suite 450
McLean, VA. 22102

RE: WP-11-006 (associated with SDP-08-037:
Emerson, Section 2, Phase 3-Lots 1-45,
Open Space Lots 46-50)

Dear Interested Parties:

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 **Sections 16.156(o)(1)(i), 16.156(o)(1)(ii), 16.156(o)(2) and to reinstate the Plan: SDP-08-037.**

Approval is subject to the following conditions:

1. The developer shall apply to the Department of Inspections, Licenses and Permits for building permits to initiate construction on site **on or before June 30, 2011.**
2. The developer shall apply for building permits for all construction authorized by the approved site development plan **on or before June 30, 2012.**

Our decision was made based on the following:

Extraordinary hardships or practical difficulties:

Denial of the waiver petition would result in undue hardship because it would require the submission of a new site development plan and all associated documents. No site changes would occur with a new site development plan submittal. The project has already been subject to a complete plan review and has an established file history. Please also refer to the justification submitted by DeMario Design Consultants on July 14, 2010.

Detrimental to the Public Interest:

Issues such as grading, layout, parking, utilities, storm water management, sediment control, and landscaping have already been addressed with the Site Development Plan. Granting the extension of time for building permit application will not be detrimental to the public interest. Per the applicant's justification, "due to the economic climate the project has not progressed as quickly as initially planned. The utilities and roads are almost completed and building permits will be applied for as soon as the site is ready to proceed." Please also refer to the justification submitted by DeMario Design Consultants on July 14, 2010.

Nullifies the Intent or Purpose of the Regulations:

Granting of this waiver would not nullify the intent or purpose of the regulations. This is an approved and signed site development plan. Please also refer to the justification submitted by DeMario Design Consultants on July 14, 2010.

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 based on the dates outlined in the above conditions.

If you have any questions, please contact Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at tmaenhardt@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Acting Chief
Division of Land Development

Attachment

CC: Research
DED
DeMario Design Consultants