



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

Marsha S. McLaughlin, Director

www.howardcountymd.gov
FAX 410-313-3467
TDD 410-313-2323

August 27, 2010

Aladdin Village MHC, LLC
6800 Deerpath Road, Suite 100
Elkridge, MD. 21075
ATTN: Mark Levy

RE: WP-11-017 (Howard Square)
(associated with SDP-08-078-Phase 1, Section 3A)

Dear Mr. Levy:

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 16.156(g)(2)** which establishes timelines (45 days) for the submission of revised plans and **Section 16.1104(b)**, which outlines the phasing process and the establishment of the phasing schedule and associated milestones.

Waiver approval is subject to the following conditions:

1. The developer must submit revised plans in association with SDP-08-078 for the remaining 105 units **on or before May 14, 2011.**
2. The developer must submit the next phase for 73 units (designated Phase 3 in the Department of Planning and Zoning's letter of May 27, 2008) **on or before September 30, 2011.**
3. Revised plans will be submitted to **ALL** SRC agencies for review.

The Planning Director's 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 proposal resulting in additional/duplicate reviews by applicable SRC agencies. The project has already been subject to multiple reviews and has an established file history. Per the applicant's justification received on August 6, 2010, "the property is changing ownership via judicial action. The court has not yet allowed the transfer of ownership. The uncertainty of transfer timing combined with the fragile market conditions made necessary for the project to be postponed and broken up into separate sections. Due to current market conditions, it is unclear as to what type of units could be sold. The builder...is not sure as to which model could be sold and at what pace. Time is needed to make this determination. Processing this plan without such determination will be a great hardship." See also the justification provided by the consultant on August 6, 2010.

Detrimental to the Public Interest:

The extension of deadline dates for the submission of revised plans and phased plans will not be detrimental to the Public Interest. The waiver is for an extension of time to submit revised plans, not to remove the project from a standard review. See also the justification provided by the consultant on August 6, 2010.

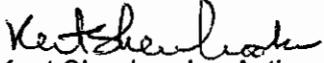
Nullifies the Intent or Purpose of the Regulations:

All SRC review agencies will be provided the opportunity to review the revised plans and subsequent Site Development Plans and therefore the Intent and Purpose of the Regulations will be upheld through the required review process. See also the justification provided by the consultant on August 6, 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 at (410) 313-2350 or email at tmaenhardt@howardcountymd.gov.

Sincerely,


Kent Sheubrooks, Acting Chief
Division of Land Development

KS/TKM/Waivers 2010/Howard Square WP-11-017 approval 8-27-10

cc: Research-Jeff Bronow
DED
SHA
Mildenberg, Boender & Assoc.