



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
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Marsha S. McLaughlin, Director

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July 11, 2011

George Hamilton
EVG Ellicott Meadows, LLC
3684 Center View Drive, Suite 120
Chantilly, VA 20151

RE: WP-11-200: Ellicott Meadows (SDP-05-070)

Dear Mr. Hamilton:

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(o)(1)(ii) of the Subdivision and Land Development Regulations, which states that for single family attached developments the developer shall apply for building permits for all construction authorized by the approved site development plan within 2 years of signature approval.

Approval is subject to the following conditions:

1. The Petitioner/Developer shall apply for the building permit for the 3 remaining units on the SDP within one year of signature approval of this waiver petition (**on or before July 11, 2012**).
2. Subject to all milestones for the construction of stormwater management practices prior to May 4, 2017 (please see the attached Development Engineering comments).

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

Due to the current economic conditions the original builder backed out after building 12 of the 20 units and the project went into default. Approximately 15 months ago the current builder purchased the remaining 8 units, but only constructed 5 units before the plan voided. The builder currently has pending offers on 2 of the remaining 3 units. The builder had never worked in Howard County and was unaware of the deadline dates established by the Howard County Subdivision and Land Development Regulations. For cost and timely reasons, an extraordinary hardship would arise if the builder was required to submit a new site development plan for review and approval.

Alternative Proposal

The alternative proposal to this waiver would be for the applicant to submit a new site development plan for standard review.

Not Detrimental to the Public Interest

Approval of this waiver is not detrimental to the public interests. All common area improvements have already been constructed and seems to be in conformance with the approved plans.

Will not Nullify the Intent or Purpose of the Regulations

The proposed waiver petition will not nullify the intent or purpose of the Regulations since the Site Development Plan, which complied with all State and County regulations upon review, had received

signature approval. All infrastructures such as, water, sewer, road, stormwater management and storm drains have already been constructed and completed and the grading permit for Units 4-6 has already been obtained. Only 3 units of the 20 units proposed on the plan have not been constructed. This waiver is only to allow additional time due to complications from the recent economic downturn.

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.

If you have any questions, please contact Julia Boone at (410) 313-2350 or email at jboone@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/JB:jb

cc: Research
DED
MBA