



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

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November 4, 2011

Jeffery and Janet Harman
13319 Ellicott Drive
Clarksville, MD 21029

RE: WP-12-027, Sidehill Road Property, Waiver
Petition, request to waive Section 16.156(o)(1)(i)

Dear Mr. and Mrs. Harman:

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)(i)** which requires the developer to apply to the Department of Inspections, Licenses and Permits for building permits to initiate construction on the site within 1 year of signature approval of the site development plan original. Approval of this waiver for the extension of SDP-06-130 approval is subject to the following:

1. The developer shall apply to the Department of Inspections, Licenses and Permits for building permits to initiate construction on the site **within 1 year from the date of the approval letter** from this department. At this time, this Division is only approving extensions of time for a maximum of one year.
2. It is recommended that the site development plan be red-lined to add a description of the previously approved waiver extensions by adding a note stating that this waiver petition will be valid for one additional year to apply for the initial building permit. Include waiver petition number and explanation of waivers granted in the note (the reason for this comment is to assist DILP in permit processing).

Justification:

Extraordinary Hardship or Practical Difficulty - Extraordinary hardship or practical difficulty would result if the applicant is required to submit a new site development plan and pay all the associated fees since, due to current economic conditions, there is a poor economic outlook for new housing in Howard County. Additionally, we already have an approved site development plan on file for this project, and requesting that a new site development plan be submitted would result in an extraordinary hardship or practical difficulty.

Alternative Proposal - The only alternative for not granting the requested extension of the site development plan approval status established under SDP-06-130 is to require the submission of new site development plan for this project. Because the project already went through the entire site development plan review cycle and has an established file history, the alternative for requiring a new site development plan is not recommended by this Division.

Not Detrimental to the Public Interest - Approval of this waiver will not be detrimental to the public interest since a site development plan has already been processed and approved for this project. Therefore, the requested plan extension of the site development plan status will not have any adverse effect on the surrounding properties and the community where the property is located.

Will not Nullify the Intent or Purpose of the Regulations - Site development plans have already been processed and approved for this project. Since there have been no significant policy or regulation changes since the approval of the site development plan, the approval of this requested extension would not nullify the intent or purpose of the regulations. Additionally, approval of this waiver request will satisfy the intent of the Regulations by permitting fairness and consistency in the application of plan processing procedures.

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 the time period specified above or as long as the site development plan remains in active processing.

If you have any questions, please contact J.J. Hartner at (410) 313-2350 or email at jehartner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Acting Chief
Division of Land Development

KS/TKM/JH

cc: DED
Research
Shanaberger and Lane
J.J. Hartner, DLD
File # WP-12-027
File # SDP-06-130