



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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December 16, 2011

Mr. William T. Wheeler, Trustee  
850 E. Gude Road, Suite A  
Rockville, MD 20850

RE: WP-12-094, Jessup Park Asphalt Plant, Jessup Park, Parcel B (SDP-09-021)

Dear Mr. Wheeler:

The Director of the Department of Planning and Zoning considered your request for waivers from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request to waive Subdivision Sections:

1. 16.156(o)(2), and reactivated site development plan, SDP-09-021, to "approved plan" status, and;
2. 16.156(o)(1)(i), and granted a one year extension from the date of this approval letter until 12/16/12 to apply for one or more of the building permits to initiate construction on the site as shown on approved, SDP-09-021, and;
3. 16.156(o)(1)(ii), and granted a two year extension from the date of this approval letter until 12/16/13 to apply for the building permits for all construction authorized on approved, SDP-09-021.

The approval of this waiver petition is subject to compliance with the following conditions of approval:

1. The Petitioner/developer or builder shall apply for one or more of the building permits to initiate construction on the site as shown on approved, SDP-09-021, by 12/16/12, or SDP-09-021, shall become null and void and be removed from processing, and;
2. The Petitioner/developer or builder shall apply for the building permits for all construction authorized on approved, SDP-09-021, by 12/16/13, or SDP-09-021, shall become null and void and be removed from processing.

Justification for the approval recommendation for this waiver petition:

1. The Petitioner was required to obtain the approval of the Maryland Department of the Environment (MDE) for the SWMF. The MDE SWMF requirements are very extensive and time consuming, and the required MDE permit was not issued until 10/05/11.
2. The site is currently importing fill material and being graded in accordance with grading permit, GP-11-016.

3. Undo hardships and practical difficulties would result from strict compliance with the Regulations, as delay in the commencement of this project was the result of the extensive amount of time required to obtain the required MDE permit.
4. This waiver petition, if approved as cited above, will not nullify the intent and purpose of the Regulations, because SDP-09-021 has been completely processed, complied with all applicable requirements, was approved, its subject site is currently being filled/graded, and approval of this waiver petition will result in a new business and new employees of great importance to Howard County.

Indicate this waiver petition file number, sections of the regulations, request, action, conditions of approval, and approval date in a detailed note on sheet 1 of SDP-09-021.

This waiver petition approval will remain valid in accordance with the above cited dates of 12/16/12 and 12/16/13.

If you have any questions, please contact Michael Antol at (410) 313-2350 or email at [mantol@howardcountymd.gov](mailto:mantol@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

<sup>7</sup>  
KS/MA/WP12094.appr.ltr.  
cc: File  
Research  
DED  
SDP-09-021  
R. Vogel Engineering, Inc.  
Cindy Hamilton/Zoning