



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

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February 10, 2012

Patapsco Landing I, LLC
P.O. Box 280
Stevenson, MD 21153

RE: WP-12-122, Cider Mill – Phase II (SDP-06-149)

Dear Sir or Madam:

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)(iii) of the Subdivision Regulations "For single family detached site development plans involving multiple lots, the developer shall apply for building permits for all construction authorized by the approved SDP within 5 years of approval and Section 16.156(O)(2) If the developer does not apply for building permit as required by Paragraph (1) of this Subsection, the site development plan shall expire and a new site development plan submission will be required. The waiver request is to reactivate the SDP plan approval and to extend the approval period for 2 years to apply for building permits for the remaining six lots.

Approval is subject to the following conditions:

The Division of Land Development recommends APPROVAL for waiver of Section 16.156 (O)(1)(iii) & 16.156(O)(2) to reactivate and extend SDP-06-149 subject to the following conditions:

1. The owner/builder shall apply for building permits on the remaining 6 lots within two years (on or before **February 10, 2014**) from the date of the waiver petition approval letter.
2. Add a general note on the SDP that indicates this waiver petition file number, section of the regulations, request and extended approval date the next time an approved red-line revision is made on the SDP-06-149 originals.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

Due to the current economic climate, which has affected the sale of the lots, strict compliance with the regulations would result in extraordinary hardship since the project has already been through an extensive review through the Subdivision and Land Development process. Requiring the applicant to go through site development plan process again for reviewing the 6 remaining lots would create unnecessary time delay and effort and cause practical difficulties and extraordinary hardship on the applicant, to start over with a new SDP plan.

Alternative Proposal

Submission of a new site development plan will create an extraordinary hardship as the plans would have to be resubmitted with new fees and re-circulated through the County for review even though the

site development plan has not been altered, thereby wasting County resources and creating an unnecessary additional time delay for the applicant. The SDP has an established file history and has been through previous review cycles and has received approval by the SRC agencies. The applicant has already received building permits for 49 of the 55 lots approved under this SDP.

Not Detrimental to the Public Interest

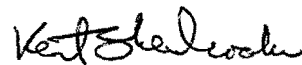
Approval of the waiver request will not alter the essential character of the neighborhood and will not impair the appropriate use or development of the surrounding properties. Furthermore, the proposed development of the property has not been altered since previously approved under SDP-06-149.

Will not nullify the intent or purpose of the regulations – The granting of this waiver will not nullify the intent of these regulations as the additional time requested is for obtaining the last few remaining building permits. Therefore, approval of this waiver request will satisfy the Intent of the Regulations by permitting fairness and consistency in the application of the plan processing procedures as is subject to the following conditions:


This requested waiver will remain valid until February 10, 2014 or as long as this site development plan or remains in active processing.

If you have any questions, please contact Jennifer Wellen at (410) 313-2350 or email at jwellen@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS 
cc: Research
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Annette Merson, DPS&ZA
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