



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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March 26, 2012

Blue Stream
PO Box 416
Ellicott City, MD. 21041

RE: WP-12-133 (Blue Stream-Phase IV)
(associated with P-11-003)

Dear Mr. Sagner:

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 16.1106(h)(2)(i)** which states that if a bulk parcel for apartment, single-family attached or mobile home development is recorded and tentative allocations have been assigned, the project must proceed with a site development plan for the project in accordance with the milestones provided for in Section 16.1106(d), a waiver to **Section 16.1106(d)** which outlines timing (milestone dates) for residential projects (for 101+ housing units-9 months after starting date) and a waiver to **Section 16.1106(e)** which outlines timing (milestone dates) for non-residential projects (9 months after starting date).

Approval is subject to the following conditions:

1. The required site development plan (or plans) for the 177 housing units and 263,334 square feet of commercial development in Phase IV shall be **submitted on or before the extended milestone deadline date of March 28, 2013** or the tentative housing allocations (177 units) and the commercial development approved under P-11-003 for Phase IV shall be voided.

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 result in "the loss of tentatively approved allocations and the applicant would incur significant financial impacts if current approvals were not preserved". In addition the applicant states that "several of the phases of the Blue Stream project are being considered for HUD funding which at this time is a slow process with many steps and requirements", thus the desire for additional time to address such issues.

Detrimental to the Public Interest or Nullify the Intent or Purpose of the Regulations:

Per the applicant's justification, "at this time the Developer is processing several record plats and two site development plans for the previous phases and allocations received within this project and is expected to enter into Developer Agreements for both Grosvenor House (SDP-11-032) and Dorset Gardens (SDP-11-040). An extension to the Blue Stream project, Phase III was granted under WP-12-071 on November 18, 2012. Therefore, the requested waiver to the Phase IV milestone date is necessary to maintain the fluidity of plan processing and also affords the developer the time needed to obtain funding, execute

agreements, record necessary subdivision and easement plats and to receive County signature approval of plans currently in process prior to starting the next phase”.

“The granting of the waiver would not be detrimental to the Public Interest or Nullify the Intent of the Regulations because the waiver does not request relaxation of any technical subdivision or development requirements, but merely allows additional time to complete current plan processing.”

This requested waiver will remain valid for the time period specified in the conditions of approval.

If you have any questions, please contact Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at tmaenhardt@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/tkm/Waivers 2012/Blue Stream Phase IV WP-12-133 approval 3-22-12

cc: Research
DED
Vogel Engineering
P-11-003 file