



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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FAX 410-313-3467
TDD 410-313-2323

April 10, 2012

Blue Stream
PO Box 416
Ellicott City, MD. 21041

RE: WP-12-146 (Blue Stream: Dorset Gardens)
(associated with SDP-11-040)

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 16.156(k), Section 16.156(l) and Section 16.156(m)** which establish deadlines for submission of fees, posting of financial obligations, execution of developer agreements and the submission of plan originals in relation to site development plans.

Approval is subject to the following conditions:

1. The developer must execute developer's agreements and post financial sureties, and if applicable, submit payment to DPW, RES of the balance of the Department of Public Works, Engineering Review Fee and submit site development plan mylars in association with SDP-11-040 within **180 days** of the date of March 24, 2012 (**on or before, September 20, 2012**).
2. Contact Carol Stirn at (410) 313-2350 to set up a new original plan appointment within this allotted time period. **The applicant is responsible for any processing fee charges that may have occurred since the technically complete letter was issued for SDP-11-040.**
3. New stormwater management regulations are in effect. Any project not having a signature approved stormwater management and sediment control plan by May 4, 2013 will require revised plans designed to meet current regulations.

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 require the submission of a new site development plan. No site changes would occur with a new submission. The project has already been subject to a complete site plan review and has an established file history. Per the applicant's justification, "the subject parcels are in the process of being transferred to the home builder. The home builder is responsible for executing the developer agreement which cannot be completed until the land transfer occurs. The home builder has been coordinating with Real Estate Services so that the developer agreement can be released for execution as soon as the purchase is completed and recording information is provided. Should the waiver not be approved, a new site development plan would need to be submitted, resulting in substantial time delays, additional fees and other issues related to plan processing". This would be considered an "extraordinary hardship."

Detrimental to the Public Interest:

The extension of deadline dates for the paying of fees, providing sureties and submitting a site development plan will not be detrimental to the Public Interest. The site development plan has already been approved. Per the applicant's justification, "the waiver would allow for the orderly transfer of property and execution of the Developer Agreement. The infrastructure for the Blue Stream community has been completed."

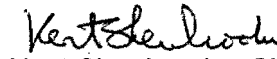
Nullifies the Intent or Purpose of the Regulations:

Granting of this waiver would not Nullify the Intent or Purpose of the Regulations. The waiver does not request the relaxation of any technical or material plan requirement but merely requests additional time to address remaining requirements. This project has received a "technically complete" from the County. The applicant will be working on the developer's agreement and any remaining sureties and fees.

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 parcel K (Dorset gardens) WP-12-146 approval 4-10-12

cc: Research
DED
Vogel Engineering
SDP-11-040 file