



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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May 15, 2012

Carlos, LLC
6800 Deerpath Road
Elkridge, MD 21075

RE: WP-12-155, New Colony Village, Phase 1
(SDP-97-003)

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)(2) of the Subdivision and Land Development Regulations regarding expiration of plan approval. If the developer does not apply for building permits 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 1 year to apply for a building permit under SDP-97-003.

Approval is subject to the following conditions:

1. The red-line revision shall be submitted to DPZ within 6 months from the date of the waiver petition approval letter (on or before **November 15, 2012**). Submission of a red-line revision of SDP-97-003 to remove the two SFD units and to show the proposed Daycare Center is required prior to application for building permit. Failure to submit the required red-lined revisions to add the proposed Day Care Facility by the deadline date shall void this waiver petition approval.
2. Add a general note on the SDP that indicates the 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 plan originals.
3. Provide a copy of the minutes and summary from the pre-submission community meeting that was held on May 9, 2012 for the day care facility with the red-line plan submission.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

The voiding of SDP-97-003 would require the owner to process a new site development plan, which would take unnecessary effort and time. This would cause practical difficulties and hardship.

Alternative Proposal

The intent of the regulations is to provide timely processing and predictable development process in Howard County, and to ensure compliance with the Subdivision Regulations. This plan was approved in 1997 and even though some of the regulations changed the project does comply with all of the current County regulations. The project had no environmental issues and no APFO related issues. The

applicant will be submitting a red-line revision to SDP-97-003 to make the necessary plan changes to add the Day Care Facility for the County's review and approval.

Not Detrimental to the Public Interest

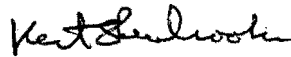
The project has been reviewed and approved and it meets all the regulations. Granting this waiver will not be detrimental to the public interest,. On the contrary, it will better serve the public interest by eliminating unnecessary duplicate review by DPZ staff.

Will not nullify the intent or purpose of the regulations – The intent of the regulations is to provide review of the site work and assess its impact on the County and its residents. This project will comply with County regulations and codes. Approval of this waiver will not nullify the intent of the regulations.

This requested waiver will remain valid for the time period specified in the conditions of approval or as long as this site development plan or grading plan 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/jw

cc: Research
DED
MBA