



Howard County Department Of Planning And Zoning
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Marsha S. McLaughlin, Director

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April 1, 2013

Highland Real Estate Investments
12745 Lime Kiln Road
Highland, MD 20777
ATT: Ted Pary

RE: WP-13-101/Washington Manor Park, Sec. A, Lot 55
Reconsideration to Deadline Date for Revised SDP Plans
(SDP-08-70)

Dear Mr. Pary:

The Director of the Department of Planning and Zoning reconsidered your request for an extension of time from the deadline date of March 9, 2013, by which to submit revised site development plans for SDP-08-070. As of the date of this letter, the Planning Director granted a **six month extension** subject to the following conditions:

1. The deadline date previously approved under WP-13-101 on January 8, 2013, by which to complete the Developer's Agreement and payment of fees for SDP-08-070 remains the same. The deadline date is **on or before December 30, 2013**.
2. The deadline date previously approved under WP-13-101 on January 8, 2013, by which to submit the site development plan originals for signature processing for SDP-08-070 remains the same. The deadline date is **on or before December 30, 2013**.
3. A **six month extension** of time is approved from the previous due date of March 9, 2013, by which to submit revised site development plans for SDP-08-070. The new deadline date to submit revised plans is on or before **September 9, 2013**. Compliance with the enclosed comments from the Development Engineering Division. Redesign of this site will be required using the new Environmental Site Design - Storm Water Management Practices per the 2007 Storm Water Management requirements. Please follow the processing of the revised site plans as previously instructed in the Revised Plan Letter Request for SDP-08-070 of January 8, 2013.
4. The applicant is advised that a new Fee Schedule has been adopted on July 1, 2011. Increase of any processing fees previously indicated in the Technically Complete Letter for SDP-08-070 must be paid at the time of submission of applicable plan originals.

JUSTIFICATION FOR RECONSIDERATION:

1. Extraordinary hardships or practical difficulties will result from strict compliance with the Regulations. The applicant intends to construct a 28,744 sq.ft. bakery manufacturing facility on the subject lot. The site plan has been reviewed by all County and state agencies and the owner has received a Technically Complete letter for SDP-08-70. A revision plat to show a 20' public water and utility easement on Lot 55 has been recorded and water and sewer drawings have been approved. WP-13-101 was the fourth request for an extension to the deadline dates. An approval letter was issued on 1/08/13 granting extension of time to the deadline dates to execute the Developer's Agreement and to submit the site plan originals. In addition, due to new storm water management requirements, the owner was required to submit revised site plans redesigned to the new standards by March 9, 2013. The owner missed that deadline due to financial difficulties in continuing with the project and was considering other all options. The owner is in need of additional time to pursue financial bonding and to review alternatives for development of the bakery facility. To void the site plan at this time would create extraordinary hardship to the owner by requiring the resubmission of a new site plan. A better solution would be to grant an additional six month extension of time from the previous deadline date of March 9, 2013, to submit revised site development plans which shall be redesigned to meet the new storm water management requirements.
2. The intent of the Regulations will still be served to a greater extent through implementation of an alternative proposal and approval of the waiver request(s) will not nullify the intent of the Regulations. The owner was previously granted extensions to the deadline dates to execute the Developer's Agreement and submit the site plan originals under WP-09-112, WP-11-083, WP-12-085 and WP-13-101. In addition, under WP-13-101 a Condition of Approval was for submission of revised site development plans by March 9, 2013, which are redesigned to meet new storm water management standards. Reconsideration of this deadline date so as to permit an additional six month extension will allow the owner time to redesign the site and resubmit revised site plans.
3. Approval of the waiver request(s) will not adversely affect the interests of the public nor nullify the intent of the Regulations. The applicant is not circumventing any of the Subdivision or Zoning Regulations by approval of the reconsideration request, but only requires an additional extension of time to process a revised site plan. All relevant agencies will review the revised plans and the owner will be required to address comments prior to submission of the site plan originals, as well as, to meet processing steps as outlined in the site development plan approval letter.

Indicate this waiver petition file number, request, section of the regulations, action taken, date and conditions of approval on all related future plats, site development plans and and/or building permits. This requested waiver will remain valid for the above specified time period or as long as the development plan remains in process. Should you have any questions regarding this matter, please contact Brenda Barth at (410) 313-2350 or email: bbarth@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development



cc: Research/DED/RES
FSH Assoc.
SDP-08-070