



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

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May 3, 2013

Mr. Tim Feaga  
P.O. Box 482  
15950 North Avenue  
Woodbine, MD 21797

RE: WP-13-154, Heritage Office

Dear Mr. Feaga:

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)(i) which requires that within 1 year of Signature approval of the site development plan original, the developer shall apply to the Department of Inspections, Licenses and Permits for building permits to initiate construction on the site 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 1 year to apply for a building permit.

Approval is subject to the following conditions:

1. Approval of SDP-04-074 is hereby reactivated and extended for a one-year period from the date of the waiver petition approval letter to apply for a building permit to initiate construction on the subject property or until May 3, 2014. The applicant shall comply with all building permit application requirements of the Department of Inspections, Licenses and Permits.
2. The applicant shall submit a standard red-line revision of SDP-04-074 to the Development Engineering Division for processing that adds a general note on sheet 1 referencing this waiver petition file number, request, section of the regulations and approval date of the one year extension to apply for building permits.
3. All construction on this project must be completed prior to May 4, 2017.
4. Advisory Comment – DPZ will not entertain additional waiver requests for permit deadline extensions since this project is grandfathered from complying with the new 2007 SWM regulations.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

Extraordinary hardship would result if the applicant were required to process a new site development plan for the subject property. The applicant has an approved site development plan on file, which still conforms to all County regulations and requirements. Requiring the applicant to go through site development plan process again for reviewing the proposed general retail/office building 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.

Not Detrimental to the Public Interest

The waiver request will not be detrimental to the public interest since the site development plan for this project has been reviewed by the SRC agencies for compliance of the County and State regulations and was approved. Therefore, the requested extension of SDP approval to file for building permits will not have any adverse effect on the surrounding properties where the project is located.

Will not nullify the intent or purpose of the regulations

Approval of this waiver request will not nullify the intent or purpose of the Regulations since the site development plan is in compliance with the County and State regulations and received signature approval. 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. All SRC agencies have recommend approval of this waiver request to reactivate plan approval for SDP-04-074.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This requested waiver will remain valid for one year from the date of this letter (on or before May 3, 2014) or as long as this site development plan remains in active processing.

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

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/jw

cc: Research  
DED  
Real Estate Services  
Robert H. Vogel Engineering, Inc.