



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

www.howardcountymd.gov
FAX 410-313-3467
TDD 410-313-2323

September 10, 2013

Colvin Properties, LLC
8489 Heatherwold Drive
Laurel, MD 20723
Attn: Stuart Colvin

RE: Colvin Property Parcel 840
6197 Old Washington Boulevard
WP-14-018 (SDP-08-098)

Dear Mr. Colvin

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 **Sections 16.156.(o).(1).(i) and 16.156.(o).(2)** of the Subdivision and Land Development Regulations for the reactivation of SDP-08-098 plan approval. Waiver approval is subject to the following conditions:

1. The application for the building permit to initiate construction on this site must be made on or before one(1) year from the date of the approval of this waiver petition (on or before September 10, 2014)..
2. The site development plan, SDP-08-098, must be red-lined to add a General Note which references this waiver extension and which includes the waiver petition number (WP-14-018), the date of the request, action taken and conditions of approval. (The purpose of this note is to assist DILP in permit processing).

Justification for our decision was made based on the following:

- Extraordinary Hardship or Practical Difficulty – The purpose of this waiver is to re-activate the plan approval status of SDP-08-098 so that the developer/builder can apply for and obtain the permits necessary to commence construction at this site. The developer is a Maryland licensed builder and remodeler based in Howard County who only builds custom homes on properties not in development. The developer/builder is justifying hardship due to recent poor economic conditions in the housing market which resulted in the lot being on the market for several years, a longer period of time than initially anticipated. It wasn't until the time that the developer/builder initiated the permit application process, that he was advised that the SDP approval had expired. Unfortunately, he now has a "custom home" buyer who has an approved loan and banking approval which will expire on November 30, 2013. The extraordinary hardship or practical difficulty involved with this waiver request would require the developer/builder to submit a new site development plan for review and approval by the Subdivision Review Committee. In light of changes to the SWM regulations, the Development Engineering Division is on record as having "no objection" to approval of the waiver petition request.
- Not Detrimental to the Public Interests – Approval of the waiver request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding properties. Re-activation of SDP-08-098 in order to allow the applicant additional time to apply for building permits to start construction at this site will not have an adverse effect on the surrounding properties within this community and will not be detrimental to the public since the previously approved site design is not changing.

- Will not nullify the intent or purpose of the regulations – Approval of this waiver request will satisfy the intent of the Regulations by permitting fairness and consistency in the application of plan processing procedures. All SRC agencies that reviewed the SDP for this parcel have reviewed and approved the site design and no design changes are being proposed.

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.

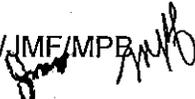
This requested waiver will remain valid for the time period specified in the conditions of approval or as long as this site development plan remains in active processing.

If you have any questions, please contact Ms. Pat Britt-Fendlay at 410-313-3371 or via e-mail at pfendlay@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/JMF/MPB 

cc: Research
Jayesh Pancholi – Development Engineering Division
Annette Merson – Division of Public Service and Zoning Administration
Real Estate Services - DPW
Department of Inspections, Licenses & Permits
DPZ File #SDP-08-098