



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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April 2, 2014

Mark Kovach
Howard County Department of Public Works
9250 Bendix Road
Columbia, Maryland 21045

Re: Blandair Regional Park, Phase 2
Waiver Petition WP-14-105
(Site Development Plan SDP-12-063)

Dear Mr. Kovach:

The purpose of this letter is to inform you that the Director of the Department of Planning and Zoning considered your request for a waiver of Subsection 16.156(m) of the Howard County Subdivision and Land Development Regulations. As of the date of this letter, the Planning Director approved your request, subject to the following condition:

1. Petitioner shall address the requirements included in our letter of July 26, 2012 regarding SDP-12-063 and shall submit SDP originals to this office within 180 days from the date of this letter (**on or before September 29, 2014**).

Our decision to approve the waiver was made based on the following justification:

Extraordinary Hardship or Practical Difficulty Would Result from Strict Compliance with the Regulations.

Extraordinary hardship and practical difficulty to the petitioner would result if the waiver was denied and strict compliance with the regulations enforced. Strict compliance with the regulations would result in the plans being voided and the petitioner being forced to submit a new site development plan and application for the proposed work. Delays caused to the petitioner resulted from underground utility design conflicts, specifically a Verizon duct bank in the location of a swale adjacent to Oakland Mills Road, and the Maryland State Highway Administration (SHA) approval process necessary to allow activities to take place in the MD175 right-of-way. A case may be made for governmental delay as a result of the SHA approval process; however the petitioner chose to submit a waiver petition to allow for extension of the deadline.

Waiver Approval will not be Detrimental to the Public Interest

Now that the design conflicts are resolved and the project is ready to commence, waiver approval will help ensure that the project is completed in a timely fashion, which is in the public interest. The project either complies with all current regulations or will comply once conditions of waiver approval are

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observed. Waiver approval will result in no adverse impact to surrounding properties, the adjacent community, or the County as a whole.

Will Not Nullify the Intent or Purpose of the Regulations

Approval of this waiver will not nullify the intent or purpose of the regulations.

Indicate this waiver petition file number, section of the regulations, action, conditions of approval, and date on the related site development plan. This waiver will expire on September 30, 2014.

Should you have any questions please contact Dave Boellner by telephone at 410-313-3956 or by email at dboellner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
DPZ, Division of Land Development

KS/DBB:dbb

CC: DPZ, Research
DPZ, DED