



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

November 6, 2014

Mr. Sean McDonough
Ecotone, Incorporated
P.O. Box 5
Jarrettsville, MD 21084

Dear Mr. McDonough:

RE: WP-15-054, Cattail Creek Forest Mitigation
Bank (SDP-14-031)

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(m)** – failure to complete the developer's agreement and submit the site development plan original within 180 days of the approval letter. The Petitioner has missed their deadline date of September 23, 2014 to complete the developer's agreement and submit the site development plan for signatures.

Approval is subject to the following conditions:

1. The developer agreement must be completed and the SDP originals must be submitted within 6 months from the date of this letter (**on or before June 6, 2015**).
2. On the site development plan (SDP-14-031) and all subsequent plans and plats, provide a brief description of waiver petition, WP-15-054, as a general note to include requests, sections of the regulations, action and date.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - The extraordinary hardship or practical difficulty involved with this waiver request would require the developer to submit a site development plan. The developer was unable to meet the deadline date due to delays in receiving signatures on the developer's agreement from the lender. Since the design of the plan has not change, requiring the applicant to file a new site development plan would create an unnecessary hardship because no new regulations have been adopted which would impact this plan. In addition, if the applicant were required to file a new SDP, the comments from the SRC agencies would not change. This site development plan is for a forest mitigation bank is exempt from the APFO requirements.

Not Detrimental to the Public Interest - 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 residential properties because the previously approved site development plan will not change. If a new site development plan were submitted, the design would remain the same.

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 design of the previously submitted site development plan will not change and will comply with current County and State Regulations.

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 of this letter.

If you have any questions, please contact Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/BL

cc: Research
DED
Real Estate Services
Robert Lewis
SDP-14-031