



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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May 5, 2010

Arnold Sagner
Port Capital Center of Maryland
P.O. Box 416
Ellicott City, MD 21041

RE: WP-10-135, The Oaks at Waters Edge
DPZ File Reference SDP-05-131

Dear Mr. Sagner:

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 Howard County Subdivision and Land Development Regulations, which states that the Developer must apply for building permits within one year of signature approval or the site development plan shall expire and a new site development plan submission will be required. The applicant is requesting that SDP-05-131 be reactivated to active processing.

Approval is subject to the following conditions:

1. The Petitioner/Developer shall apply for the building permit to initiate construction on the site within one year of signature approval of this waiver petition (**on or before May 5, 2011**).
2. Subject to the attached comments from the Development Engineering Division.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

Due to the economic climate of the past several years the Developer had to postpone construction. An extraordinary hardship would occur if the waiver is not approved and the Developer must resubmit the same Site Development Plan for standard review.

Alternative Proposal

In accordance with the Howard County Subdivision and Land Development Regulations, If the applicant does not meet the deadline dates established under Section 16.156(o) the final plan approval shall be voided and the application shall be considered withdrawn.

Not Detrimental to the Public Interest

The proposed waiver petition will not be detrimental to the public interest because the Site Development Plan has been reviewed by the Subdivision Review Committee for compliance with all State and County regulations, and had been approved by the Department of Planning and Zoning.

Will not Nullify the Intent or Purpose of the Regulations

The proposed waiver petition will not nullify the intent or purpose of the Regulations since the Site Development Plan, which complied with all State and County regulations upon review, had received signature approval. This waiver is only to allow additional time due to the current economic downturn.

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 above.

If you have any questions, please contact Julia Boone at (410) 313-2350 or email at jboone@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Acting Chief
Division of Land Development

enclosure
KS/TKM/jb
cc: Research
DED
SDP-05-131
Vogel Engineering, Inc.