



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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September 9, 2010

Jeffrey S. & Janet C. Harman
13319 Elliot Drive
Clarksville, MD 21029

RE: Sidehill Road Property
WP-11-011 (SDP-06-130)

Dear Mr. & Mrs. Harman:

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)** of the Subdivision and Land Development Regulations requesting a two-year extension to apply for building permits.

Approval is granted for a 1 year extension to apply for building permits and 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 1 year from the date of the approval of this waiver petition, on or before **September 9, 2011**.
2. Add a note to SDP-06-130 to reflect the requirements as outlined in the attached comments from the Development Engineering Division regarding stormwater management requirements.

JUSTIFICATION FOR RECOMMENDATION:

- Extraordinary Hardship or Practical Difficulty – The purpose of this waiver is to grant additional time to apply for the building permit for the construction of a single-family house that was approved by Site Development Plan (SDP-06-130). The owner / developer had an extended deadline date of July 31, 2010, to apply for building permits to commence the construction on the site. The owner/developer is justifying hardship due to poor economic conditions in the current housing market. The risk of constructing a house during such economic conditions could be detrimental to the owner's/developer's personal assets, due to the real possibility of not being able to sell the house. See the enclosed justification letter submitted by the owner / developer.
- Not Detrimental to the Public Interests – By granting this waiver, it will not have any detrimental impacts to the public interests, will not alter the essential character of the area and will not impair the use or development of the surrounding properties; because, the site is zoned for residential use and it is considered a buildable lot. SDP-06-130 was reviewed and approved by the Subdivision Review Committee and the site met all County regulations for site development. This request for extension will not have an adverse effect on the surrounding properties within this community. See the enclosed justification letter submitted by the owner / developer.
- Will not nullify the intent or purpose of the regulations – Based upon all of the above justifications, approval of this waiver request will not nullify the intent of the regulations which require the owner developer, within 1 year of signature approval of the site development plan original, to apply to the Department of Inspections, Licenses and Permits for building permits to initiate construction on site. 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 have reviewed and approved the site design for this parcel. See the enclosed justification letter submitted by the owner / developer.

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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 approval of this waiver petition** 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, Acting Chief
Division of Land Development

KS/MPB 

cc: Research
Chad Edmondson – Development Engineering Division
Shanaberger & Lane
DPZ File #'s: SDP-06-130; WP-07-044; WP-08-124; WP-09-243