



Howard County Department Of Planning And Zoning

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Marsha S. McLaughlin, Director

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July 7, 2011

St. Johns Properties
attn: Jennifer McLaughlin, Authorized Agent
2560 Lord Baltimore Drive
Baltimore, MD 21244

RE: **WP-11-197 Maple Lawn Farms, Westside District, Area 1**
(Parcels B-12 thru B-17) SDP-09-060

Dear Ms. McLaughlin:

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 the following section of the Subdivision and Land Development Regulations:

Section 16.155(o)(1)(ii) of the Amended Fifth Edition – For single family attached, apartments and nonresidential developments involving multiple buildings or staged construction, the developer shall apply for building permits for all construction authorized by the approved site development plan within 2 years of signature approval.

Approval is subject to the following two (2) conditions:

- 1) Within **two years** from the date of this approval, the developer/owner shall apply to the Department of Inspections, Licenses and Permits for building permits for all construction authorized by the approved site development plan. The new expiration date to apply for all building permits shall be: **July 7, 2013.**
- 2) Indicate this waiver petition file number (WP-11-197) section of the regulations, request, action and conditions of approval, and approval date in a detailed general note on sheet 1 of SDP-09-060 the next time an approved red-line revision change is made to the plan originals.

The decision of this waiver petition is based on the following justification:

Hardship:

See the applicant's justification letter submitted with this request. The purpose of this waiver is to grant additional time (two years) to apply for all necessary permits to complete all construction that was authorized by the approved site development plan (SDP-09-060). The petitioner has a deadline date of August 12, 2011 to apply for all building permits, but due to a weakened economy and the hardship of selling and leasing commercial space, the developer has encountered a delay in completing this project. Only one proposed building remains to be constructed. The petitioner needs the additional time to complete all business transactions and obtain permits for a building design necessary to proceed with construction.

Not detrimental to public interest:

See the applicant's justification letter submitted with this request. 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 mixed use and has received site development plan approval. No changes are occurring to the SDP beyond what is approved on the redline revision and the SDP shall remain compliant with all County and State laws.

Not nullify the intent or purpose of the regulations:

See the applicant's justification letter submitted with this request. Based upon all of the above justifications, approval of this waiver request will not nullify the intent of the Regulations which requires the developer, within 2 years of receiving signature approval of the site development plan original, to apply to the Department of Inspections, Licenses and Permits for building permits. The developer had met all requirements to allow them to initiate the building permitting process and went through the appropriate process to make limited changes to the approved SDP, which was approved in January of 2010. The petitioner should be able to execute the obligations associated with this plan once the real estate market improves.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all future permits. **This requested waiver will remain valid for the periods specified in the above conditions or as long as the permit application(s) remain in active processing.**

If you have any questions, please contact Derrick Jones at (410) 313-2350.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/dj

cc: Research

DED

DILP

Zoning Division (Annette/Steve)

GLW

File: SDP-09-060