



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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November 15, 2011

Sang Dae Chon
10705 Vista Road
Columbia MD 21044-4223

RE: WP-12-052, Holiday Hills, Section 6, Lot 100
(SDP-06-118)

Dear Ms. Chon:

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)** which requires that within 1 year of signature approval of the site development plan original, the developer shall apply to the Department of Inspections, Licenses and Permits for a building permit to initiate construction on the site and from **Section 16.156(o)(2)** expiration of plan Approval: If the developer does not apply for building permits as required by Paragraph (1) of the Subsection, the site development plan shall expire and a new site development plan submission will be required.

Approval is subject to the following conditions:

1. Approval of SDP-06-118 is hereby reactivated and extended for a one-year period from the date of the waiver petition approval letter to apply for a building permit to initiate construction on the subject property (on or before **November 15, 2012**). The applicant shall comply with all building permit application requirements of the Department of Inspections, Licenses and Permits.
2. The applicant shall submit a standard red-line revision of SDP-06-118 to the Development Engineering Division for processing that adds a general note on sheet 1 referencing this waiver petition file number, request, section of the regulations and approval date of the one year extension to apply for building permits.
3. See the attached Development Engineering Division comments.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

Extraordinary hardship would result if the applicant is required to process a new site development plan for the subject property as a result of the current depressed economy and real estate market. The applicant has an approved site development plan on file, which still conforms to all County regulations and requirements.

Alternative Proposal

One alternative would be to void the site development plan. This would create an extraordinary hardship as the plans would have to be resubmitted with new fees and re-circulated through the County for review even though the subdivision plan has not been altered, thereby wasting County resources and creating an unnecessary additional expense for the applicant. The SDP has an established file history and has been through a previous review cycle.

Not Detrimental to the Public Interest

The waiver request will not be detrimental to the public interest since the site development plan for this project has been reviewed by the SRC agencies for compliance of the County and State regulations, has no environmental or APFO related issues and was approved. Therefore, the requested extension of SDP approval to file for building permits will not have any adverse effect on the surrounding properties where the project is located.

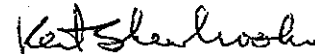
Will not nullify the intent or purpose of the regulations

Approval of this waiver request will not nullify the Intent or Purpose of the Regulations since the site development plan is in compliance with the County and State regulations and received signature approval. Therefore, approval of this waiver request will satisfy the Intent of the Regulations by permitting fairness and consistency in the application of the plan processing procedures.

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 until November 15, 2012 or as long as this site development plan remains in active processing.

If you have any questions, please contact Jennifer Wellen at (410) 313-2350 or email at jwellen@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/TKM:jw

cc: Research
DED
MBA
SPD-06-118