



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

December 6, 2011

Paul C. Miller
2885 Rosemar Drive
Ellicott City, Maryland 21043

Re: Normandy Oaks
Waiver Petition WP-12-076
(Preliminary Equivalent Sketch Plan SP-07-004)

Dear Mr. Miller:

The Director of the Department of Planning and Zoning considered your request for a waiver of Subsection 16.144(k)(3)(i) of the Howard County Subdivision and Land Development Regulations. As of the date of this letter, the Planning Director approved your request, subject to the following conditions:

1. Petitioner shall submit a final plan for all development approved on Preliminary Equivalent Sketch Plan SP-07-004 within one year from the date of the letter notifying the petitioner of waiver approval (**on or before December 6, 2012**).
2. Petitioner shall pay applicable fees in accordance with fee schedules in effect at time of submission.

Waiver approval includes the following advisory comment:

1. Be advised that the stormwater management plan approved under SP-07-004 is in conformance with the 2000 MDE Stormwater Management Regulations. The plan was approved for preliminary stormwater management prior to May 4, 2010 and is therefore grandfathered. All final approvals for stormwater management are required prior to May 4, 2013 and the associated stormwater management measures must be fully constructed by May 4, 2017. If these milestone dates are not met, the stormwater management approvals will be void and a redesign will be required.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

The current economic climate has resulted in the owner encountering difficulty obtaining loans, bonds and letters of credit; this has presented a significant impediment to development of the property. Strict compliance with the relevant regulations would result in extraordinary hardship and practical difficulty to the petitioner in that the related plan would be voided and the application considered withdrawn by the Department. The plans have been approved and have an established history on file. Strict compliance would force the petitioner to submit the new final plan with apparently no intention to development the

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property in the near future. The petitioner would be relieved of undue hardship and difficulty by waiver approval.

Not Detrimental to the Public Interest

The waiver request will not be detrimental to the public interest since the plan was processed and approved by the Subdivision Review Committee under regulations that are still current. Extension of the deadline for final plan submission will have no detrimental effect on adjacent properties, the surrounding community or Ellicott City Planning Area, or Howard County as a whole.

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.

Indicate this waiver petition file number on all related plats and site development plans. **This waiver will expire on December 7, 2012.**

Should you have any questions please contact Dave Boellner by telephone at 410-313-3956 or by e-mail at dboellner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
DPZ, Division of Land Development

KS/DBB:dbb

CC: DPZ, Research
DPZ, DED
FC&C
Jerry Nagy
Chris Carlyle
Sanford Berman
Monica Machovec
Todd Masse