



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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January 19, 2012

Stanley Sersen
Environmental Design and Resource Center
7761 Waterloo Road
Jessup, MD 20794

RE: WP-12-107, Envirocenter (SDP-09-059)

Dear Mr. Sersen:

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(l) and (m)**, which state that within 180 days of receiving approval of site development plan the developer shall pay all fees to the County, post all monies and/or file appropriate surety covering the developer's financial obligations for the required improvements covered under a developer's agreement or major facility agreement, and submit the original mylar plans corrected to meet the requirements of the various State and County agencies and the Planning Board (if required by the Zoning Regulations). The applicant also requested a waiver to Section **16.156(o)(1)(i)**, which requires the applicant to apply for a building permit within one-year of signature approval of the plan; however, this waiver is not necessary at this time since SDP originals have not been signed.

Approval is subject to the following conditions:

1. The Developer's Agreement and Site Development Plan Original must be submitted on or before **December 27, 2012**.
2. The applicant is responsible for any processing fee changes that may have occurred since the Technically Complete letter was issued for SDP-09-059.
3. Subject to the attached DED comments dated January 6, 2012.
4. Subject to the attached comment from DILP dated January 6, 2012.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - Due to the economic downturn and reduced lending practices, the applicant is having difficulty obtaining financing to complete the project. If this waiver is not granted, the applicant will be required to reapply for the site development plan as if it was a new plan and pay all fees necessary to submit a new plan. This justification is consistent with the extension of deadlines for other projects.

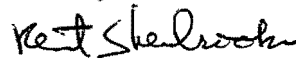
Not Detrimental to the Public Interest - Approval of the waiver request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding residential or commercial properties. Allowing the applicant additional time to submit a site development plan does not create a detriment to the public, but allows an already approved project to proceed once financing is secured.

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 no regulations have changed or are anticipated to change within the extended time period. The applicant is advised by DED to consider the potential impacts the new stormwater management regulations may have to this project. None of these impacts would be imposed during the extension period granted with this waiver petition.

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 in the conditions of approval or as long as the site development plan remains in active processing.

If you have any questions, please contact Jill Manion-Farrar at (410) 313-2350 or email at jfarrar@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/JMF 

cc: Research
DED
SDP-09-059