



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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March 26, 2012

Blue Stream  
PO Box 416  
Ellicott City, MD. 21041

RE: WP-12-132 (Blue Stream: Grosvenor House)  
(associated with SDP-11-032)

Dear Mr. Sagner:

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(l) and Section 16.156(m)** which establish deadlines for submission of fees, posting of financial obligations, and the submission of plan originals in relation to site development plans.

**Approval is subject to the following conditions:**

1. The developer must post financial sureties, and if applicable, submit payment to DPW, RES of the balance of the Department of Public Works, Engineering Review Fee in association with SDP-11-032 within **180 days** of the date of February 25, 2012 (**on or before August 23, 2012**).
2. The developer must submit site development plan originals for signature in association with SDP-11-032 within **180 days** of the date of February 25, 2012 (**on or before August 23, 2012**).

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The Planning Director's decision was made based on the following:

**Extraordinary hardships or practical difficulties:**

Denial of the waiver petition would result in undue hardship because it would require the submission of a new site development plan. No site changes would occur with a new submission. The project has already been subject to a complete site plan review and has an established file history. Per the applicant's justification, "the owner/petitioner, Blue Stream, LLC is currently finalizing financing through the Department of Housing and Urban Development for the Grosvenor House project and the final commitment is expected in the next several weeks. This financing provides the source of funding for outstanding fees and is the basis for the issuance of surety. Due to the current economic conditions HUD has been inundated with applications for financing which has impacted processing times. Once the financing is secure, the owner/petitioner intends to process the Developer Agreement and plans for signature approval as quickly as possible".

**Detrimental to the Public Interest:**

The extension of deadline dates for the paying of fees, providing sureties and submitting a site development plan will not be detrimental to the Public Interest. The site development plan has already been approved. Per the applicant's justification, "the developer of the project is currently completing the construction of the public roads, water, sewer, storm drain and stormwater management and the entire

site has also been mass graded. The building plans are currently submitted to the Department of Inspections, Licenses and Permit who has accepted the plans to provide preliminary review pending signed site development plans”.

**Nullifies the Intent or Purpose of the Regulations:**

Granting of this waiver would not Nullify the Intent or Purpose of the Regulations. This project has received a “technically complete” from the County. The applicant will be working on the developer’s agreement and remaining sureties and fees. Per the applicant’s justification, “the requested relief is to extend time only and does not compromise the Intent of the Regulations”. Strict compliance with the Regulations at this point in time, “would necessitate the owner/petitioner to obtain additional, interim financing and surety which is not feasible or obtainable. Therefore, if the waiver request is not approved, the owner/petitioner would lose allocations and be required to initiate a new site development plan, which would be considered a hardship”.

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This requested waiver will remain valid for the time period specified in the conditions of approval.

If you have any questions, please contact Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at [tmaenhardt@howardcountymd.gov](mailto:tmaenhardt@howardcountymd.gov).

Sincerely,

  
Kent Sheubrooks, Chief  
Division of Land Development

KS/tkm/Waivers 2012/Blue Stream Phase (Grosvenor House) WP-12-132 approval 3-26-12

cc: Research  
DED  
Vogel Engineering  
SDP-11-032 file