



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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April 25, 2012

Mr. Walter E. Lynch, AIA
c/o The Stronach Group
455 Magna Drive
Aurora, Ontario L4G7A9

Dear Mr. Lynch:

RE: WP-12-153, Laurel Park Station (S-10-004),
Phase II

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 16.144(g) (3) (iii) – Submission of Preliminary Plan**, which requires the submission of the Preliminary Plan within 9 months of sketch plan approval. **Section 16.1106(a)(3) – Milestones** – To submit the next plan stage means to file a complete preliminary plan application, final plan application or site development plan application with the Department of Planning and Zoning and to pay the required fees. **Section 16.1106(d) – Milestones - Timing for Residential Projects:** For residential projects, each milestone occurs: 50 or fewer housing units 4 months after starting date; 51 - 100 housing units 6 months after starting date; 101 + housing units 9 months after starting date. The applicant is requesting a 9 month extension to the deadline date for Phase II (between July 1, 2011 and April 1, 2012) for the submission of the Preliminary Plan or Site Development Plan if the applicant decides to pursue this option.

Approval is subject to the following conditions:

1. Compliance with all Subdivision Review Committee.
2. On all future subdivision plans and site development plans, provide a brief description of waiver petition, WP-12-153, as a general note to include requests, sections of the regulations, action and date.
3. The Preliminary Plan or Site Development Plan for Phase II must be submitted on or before **January 1, 2013**.

Our decision was made based on the following:

Extraordinary hardship or practical difficulties which may result from strict compliance with the Regulations - The extraordinary hardship or practical difficulty involved with this waiver request would require the developer to lose their housing unit allocations if the APFO milestone date is not met. If the waiver petition was not approved, the issued housing unit allocations will be forfeited and a new Sketch Plan would be required thus placing a hardship on the applicant.

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 properties. The granting of the waiver petition for an extension of the APFO milestone deadline date will not change the design of the site and will not be detrimental to the public interest. The extension will allow the developer time to work with the various County and State agencies as it relates to the Tax Incentive Financing; and site design issues such as: sidewalk, deceleration lane and bus stop along U.S. Route 1; and access configuration and signal design. Build-out of the approved Sketch Plan design will require final plats and site development plans to finalize the site design and construction of the infrastructure and buildings.

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 design of the previously submitted sketch plan will not change.

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 this letter.

If you have any questions, please contact Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/BL

cc: Research
DED
Vogel Engineering, Inc.