



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

August 16, 2012

Cheta Mehta
5551 Oakland Mills Road
Columbia, MD. 21045
ATTN: Barry Mehta

RE: WP-13-010 (Elkridge Crossing)

F-12-001 (Elkridge Crossing: Lots 1-36, O.S. Lot 37, & Bulk Parcel "F")
SDP-06-078 (Elkridge Crossing: Phase 2, Parcels 'A' through 'E')
SDP-07-055 (Elkridge Crossing Phases 3 & 4, Parcels 'A through D')

Dear Mr. Mehta:

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(q)** which dictates that within 180 days of final plan approval, the developer shall submit the final subdivision plat mylars to the Department of Planning and Zoning for signatures and recordation and a waiver to **Section 16.156 (o)(1)(ii)** which states that for single family attached, apartment and nonresidential developments involving multiple buildings or stage construction, the developer shall apply for building permits for all construction authorized by the approved site development plan within 2 years of signature approval.

Approval is subject to the following conditions:

1. The Developer shall submit final plat originals in association with F-12-001 for signature and recordation on or before **December 31, 2013**.
2. Any redesign of the approved final plan (F-12-001) to revise lot sizes, arrangement, and/or road design will require that this project be placed back into a revised plan submission with the "technically complete" status rescinded.
3. The petitioner/developer or builder shall apply for all building permits for all construction shown on SDP-06-078, Phase 2 on or before **December 31, 2013**.
4. The petitioner/developer or builder shall apply for all building permits for all construction shown on SDP-07-055, Phases 3 and 4 on or before **December 31, 2013**.

NOTE: Per DED, the 2007 Stormwater Management Regulations are in effect. Any project not having an approved stormwater management plan and sediment and erosion control plan by May 4, 2013 will be required to submit revised plans designed to current regulations.

Please be advised that if stormwater management construction approved under MDE 2000 regulations is not completed before May 4, 2017, you will be required to submit revised plans designed to current regulations.

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 subdivision plat and two new site development plans. The projects have already been subject to complete subdivision and site development plan review and have established file histories. Per the applicant's justification, "the poor economic conditions over the past years have halted growth at "Elkridge Crossing". Contributing to the "stagnation", neighboring properties within the Route One corridor have extremely competitive pricing on smaller fee simple townhomes which negatively impacted the 2 over 2 townhome product and apartment condominiums at "Elkridge Crossing". Adapting to market conditions, efforts have been made to change from condo to fee-simple townhomes. Marketing efforts have just begun to find a replacement builder for the project. Given the market conditions, it may take longer than anticipated to find a new buyer at this time." The applicant also submitted letters from representatives from Ryland Homes and Richmond American Homes indicating a lack of desire at this time to purchase inventory in the "Elkridge Crossing" project, considering both the current state of the economy and the saturation of other affordable product currently being built along the Route 1 corridor.

Detrimental to the Public Interest:

The extension of the deadline date for submitting plan originals will not be detrimental to the Public Interest. The subdivision and site development plans have already been approved. Per the applicant's justification, "it is the goal of the land owner to complete the project and create an upscale community with higher townhome values, plenty of parking, and urban amenities. Higher values will also allow for higher property tax income for the County and also preserve the values of existing properties".

Nullifies the Intent or Purpose of the Regulations:

The Intent and Purpose of the Regulations have been upheld through the required review process.

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 this subdivision and site development plans remain in active processing.

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

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/TKM/waivers 2012/Elkridge Crossing WP-13-010 approval 8-16-12

cc: Research
DED
RES
SDP-06-078 file
SDP-07-055 file
F-12-001 file