



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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November 7, 2012

Thomas & Barbara Palacorolla
12183 Triadelphia Road
Ellicott City, MD 21042

RE: WP-13-057, Riverwatch,
Buildable Parcels A&B, Phases 1-3
(SDP-08-109)

Dear Mr. & Mrs. Palacorolla:

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(o)(1)(i)** for a 1 year extension of time to apply to the Department of Inspections, Licenses and Permits for building permits to initiate construction on the site, and **Section 16.156(o)(1)(ii)** for a 2 year extension of time to apply to the Department of Inspections, Licenses and Permits for building permits for all construction authorized by the approved site development plan. Approval of this waiver for the extension of SDP approval is subject to the following:

1. The developer shall apply to the Department of Inspections, Licenses and Permits for building permits to initiate construction as shown and approved on SDP-08-109 within 1 year from the previous deadline date of October 22, 2012 (or until October 22, 2013), and the developer shall apply for building permits for all construction authorized by the approved site development plan within 2 years from the previous deadline date of October 22, 2012 (or until October 22, 2014).
2. Red-line the site development plan by adding a note stating that this waiver petition will be valid for one additional year from the previous deadline date of October 22, 2012 (or until October 22, 2013) to apply for the initial building permit for this project, and until October 22, 2014 to apply for permits for all construction authorized by the approved site development plan. Include waiver petition number and explanation of waivers granted in the note.
3. This waiver extension applies for the entire project, Phases 1-3. A red-line to SDP-08-109 to remove all references to the prior phasing schedule, phasing notes and phasing plans on all plan sheets is required.
4. Compliance with the attached DED comments dated October 24, 2012.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - Extraordinary hardship or practical difficulty would result if the applicant is required to submit a new site development plan and pay all the associated fees since, due to current economic conditions, the number of units allowed to have FHA backed loans has been substantially reduced under current government regulations. Consequently,

the ability to obtain financing by prospective buyers and prospective builders has become more difficult.

Alternative Proposal - The only alternative for not granting the requested extension of the site development plan approval status established under SDP-08-109 is to require the submission of new site development plan for this project. Because the project already went through the entire site development plan review cycle and has an established file history, the alternative for requiring a new site development plan is not recommended by this Division.


Not Detrimental to the Public Interest - Approval of this waiver will not be detrimental to the public interest since a site development plan has already been processed and approved for this project. Therefore, the requested plan extension of the site development plan status will not have any adverse effect on the surrounding properties and the community where the property is located.

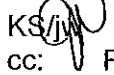
Will not Nullify the Intent or Purpose of the Regulations - Site development plans have already been processed and approved for this project. Since there have been no significant policy or regulation changes since the approval of the site development plan, the approval of this requested extension would not nullify the intent or purpose of the regulations. Additionally, approval of this waiver request will satisfy the intent of the Regulations by permitting fairness and consistency in the application of plan processing procedures.

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 periods specified above in the approval conditions or as long as this site development plan remains in active processing.

If you have any questions, please contact Jennifer Wellen at (410) 313-2350 or email at jwellen@howardcountymd.gov.

Sincerely,


Kent Sheubrooks, Chief
Division of Land Development


cc: Research
DED
Real Estate Services
J. Neil Lanzi, Esq.
SDP-08-109
Phoenix Engineering, Inc.