



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 20, 2012

Blue Stream, LLC
P.O. Box 416
Ellicott City, MD. 21041
ATTN: A. Sagner

RE: WP-13-070 (Blue Stream)
Associated with:
(P-10-005, Blue Stream Phases I through III)
(F-10-055, Blue Stream, Open Space Lots G-1 &
G-2 & Buildable Bulk parcels 'H'-'M')

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 16.1106(d)** which establishes milestone dates for the submission of residential projects and **Section 16.1106(h)(2)(i)** which states that a bulk parcel for apartment, single-family attached or mobile home development is recorded and tentative allocations have been assigned, the project must proceed with a site development plan for the project in accordance with the milestones provided for in Section 16.1106(d). Failure to meet a milestone will result in the voiding of allocations.

Waiver approval is subject to the following:

1. The required site development plan (or plans) for the 89 housing units in Phase III shall be submitted **on or before the extended milestone deadline date of October 26, 2013** or the tentative housing allocations (89 units) approved under P-10-005 for Phase III shall be voided.

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

Extraordinary hardships or practical difficulties:

"Currently, the first two approved site development plans (SDP-11-032 and SDP-11-040) are under construction. It is anticipated that the remaining 89 tentative allocations in Phase III will be combined with the Phase IV allocations and utilized in conjunction with the next multi-family project. As with the Grosvenor House (SDP-11-032), the developer will finance through HUD which is a difficult, complex, and time consuming process. Denial of the waiver petition would result in undue hardship because it would result in the voiding of the project and the next phase of the multi-family development could not be financed or processed without the requisite number of necessary allocations."

Detrimental to the Public Interest/Nullifies the Intent or Purpose of the Regulations:

The extension of deadline dates for the submission of the Site Development Plan will not be detrimental to the Public Interest nor Nullify the Intent or Purpose of the Regulations because "this waiver does not

request relief from any design requirements or regulations. The granting of the waiver will provide the time necessary to obtain financing and file the next site development plan.”

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.

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/Blue Stream WP-13-070 approval 11-20-12

cc: Research
DED
Vogel Engineering
F-10-055 file
P-10-005 file
S-06-018 file