



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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December 11, 2012

Jeffrey S. & Janet C. Harman  
13319 Elliot Drive  
Clarksville, MD 21029

RE: Sidehill Road Property  
WP-13-077 (SDP-06-130)

Dear Mr. & Ms. Harman:

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)** which requires the developer to apply to the Department of Inspection, Licenses and Permits for building permits to initiate construction on the site within one(1) year of signature approval of the site development plan original.

Approval is subject to the following conditions:

1. The application for the building permit to initiate construction on this site must be made on or before 1 year from the date of the approval of this waiver petition (**on or before December 11, 2013**).
2. Compliance with the enclosed comments from the Development Engineering Division which requires that construction of the Storm Water Management facility must be completed by May 4, 2017, or the design will have to be revised to meet the current storm water design in place at that time.
3. The site development plan, SDP-06-130, must be red-lined to add the following:
  - A General Note which reference this waiver extension (WP-13-077) and the previously approved waiver extensions (WP-08-124, WP-09-243, WP-11-011, WP-12-027) which includes the waiver petition numbers, the date of the request, action taken and conditions of approval. (The purpose of this note is to assist DILP in permit processing).
  - Add a General Note to reflect the requirements as outlined in the attached comments from the Development Engineering Division regarding storm water management requirements.

Our decision was made based on the following justification:

- Extraordinary Hardship or Practical Difficulty – The purpose of this waiver is to grant additional time to apply for the building permit for the construction of a single-family

developer had a previously extended deadline date of November 4, 2011, to apply for building permits to commence the construction on the site. The owner / developer is justifying hardship due to poor economic conditions in the current housing market. The risk of constructing a house during such economic conditions could be detrimental to the owner's / developer's personal assets, due to the real possibility of not being able to sell the house.

- Not Detrimental to the Public Interests – By granting this waiver, it will not have any detrimental impacts to the public interests, will not alter the essential character of the area and will not impair the use or development of the surrounding properties; because, the site is zoned for residential use and it is considered a buildable lot. SDP-06-130 was reviewed and approved by the Subdivision Review Committee and the site meets all County regulations for site development. This request for extension will not have an adverse effect on the surrounding properties within this community.
- Will not nullify the intent or purpose of the regulations – Based upon all of the above justifications, approval of this waiver request will not nullify the intent of the regulations which require the owner developer, within 1 year of signature approval of the site development plan original, to apply to the Department of Inspections, Licenses and Permits for building permits to initiate construction on site. Approval of this waiver request will satisfy the intent of the Regulations by permitting fairness and consistency in the application of plan processing procedures. All SRC agencies have reviewed and approved the site design for this parcel.

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 site development plan remains in active processing.

If you have any questions, please contact Ms. Pat Britt-Fendlay at 410-313-3371 or via e-mail at [pfendlay@howardcountymd.gov](mailto:pfendlay@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/JMF/MPB 

Attachment - DED

cc: Research  
Chad Edmondson – Development Engineering Division  
Real Estate Services  
DPZ File #'s: SDP-06-130 / WP-12-027 / WP-11-011 / WP-09-243 / WP-08-124 / WP-07-044