



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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January 22, 2013

Mr. Walter Lynch
TSG Development "Maryland"
455 Magna Drive
Aurora Ontario Canada L4G7A9

Dear Mr. Lynch:

RE: WP-13-099, Laurel Park Station (S-10-004),
Phase III

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(a)(3) – Milestones – Purpose and Description:** requiring the filing of a complete preliminary plan application, final plan application or site development plan application; **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, **Section 16.1106(e) – Milestones – Timing for Non-Residential Projects:** For nonresidential projects, each milestone occurs 9 months after the starting date, and **Section 16.144(g)(3)(iii)** requiring the submission of a Preliminary Plan within 9 months from the approval of the sketch plan.

Approval is subject to the following conditions:

1. On all future subdivision plans and site development plans, provide a brief description of waiver petition, WP-13-099, as a general note to include requests, sections of the regulations, action and date.
2. The Preliminary Plan or Site Development Plan for Phase III must be submitted on or before **January 1, 2014.**

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. The extension will allow the developer adequate time to work with MDE concerning the approval of the necessary wetland permit (NT-0260/210261039). Requiring the developer to move forward may result in a waste of time and money if MDE determines that a redesign of the site is required.

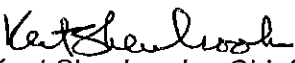
Not Detrimental to the Public Interest - Approval of the waiver request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding properties. The granting of the waiver petition for an extension of the APFO milestone deadline date will not change the design of the site and will not be detrimental to the public interest. The extension will allow MDE time to review and approve the required wetland permit. If necessary, the developer will have adequate time to redesign the site.

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 the conditions of approval.

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
Real Estate Services
Vogel Engineering
S-10-004