



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

www.howardcountymd.gov

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February 6, 2013

Duncan Slidell
BA Waterloo Townhomes, LLC
7850 Walker Drive, Suite 400
Greenbelt, MD 20770

RE: WP-13-106, Shipley's Grant (Parcel
D-80), SDP-12-045

Dear Mr. Slidell:

The Director of the Department of Planning and Zoning considered your request for a waiver from the Howard County Subdivision and Land Development Regulations.

On February 5, 2013, the Planning Director **approved** your request to waive **Section 16.156(k), 16.156(l), and 16.156(m)**, which outline the deadline for developer agreements, fees and surety, and original mylar plans subsequent to the approval of a site development plan. However the request to extend the deadlines 180 days has been **denied**.

Approval of the waiver petition is subject to the following conditions:

1. The applicant is granted a **60 day** extension from the February 4, 2013 deadline to post surety, execute the Developer's Agreement, and submit the Site Development Plan original mylar (**on or before April 5, 2013**), and in accordance with the attached comments from the Development Engineering Division. Contact Carol Stirn at (410) 313-2350 to set up new a new plan submission appointment within this allotted time period. New stormwater management regulations are in effect.
2. The Original Only revision plat must be submitted and recorded prior to signature approval of SDP-12-045.
3. The applicant is responsible for addressing any remaining comments from the letter dated July 9, 2012.

Denial of the applicant's request for a 180-day extension was based on the following reason:

1. Any project not having signature approval of stormwater management and sediment control plans by May 4, 2013 will required revised plans designed to meet current regulations.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty – Denial of the waiver petition would result in undue hardship because it would require the submission of a new Site Development Plan (SDP). The project has already been subject to a complete site plan review and has an

established file history. The Developer is in the process of finalizing paperwork and securing bonds for the site. To void the project would delay the project unnecessarily.

Not Detrimental to the Public Interest - Approval of the waiver request will not alter the essential character of the site and will not impair the appropriate use or development of the surrounding properties. Furthermore, the proposed site development plan has not been altered.

Will Not Nullify the Intent or Purpose of the Regulations - The granting of this waiver will not nullify the intent of this regulation as the additional time requested is for processing only. The applicant has been working with Real Estate Services to prepare the Developer's Agreement and is seeking construction funding and surety alternatives. The extension requested is minimal compared with many other projects in the County that have received extensions for years. The Developer intends for this to be their first and only extension for these apartment buildings.

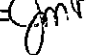
Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This requested waiver will remain valid for the time period specified in the conditions of approval or as long as this site development plan remains in active processing.

If you have any questions, please contact Jill Manion-Farrar at (410) 313-2350 or email at jfarrar@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/JMF 

cc: Research
DED
Real Estate Services
GLW
SDP-12-045
Jill Manion-Farrar (scan)