



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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May 28, 2013

Melinda Jane Utt
Carl Roger Utt
8022 Four Quarter Road
Ellicott City, MD 21042

RE: WP-13-166, Patapsco Park Estates Lot 97
(SDP-02-112)

Dear Sir/Madam:

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)(2)**, which states that if the developer does not apply for building permits as required by Section 16.156(o)(1), the site development plan shall expire and a new site development plan submission will be required.

Approval is subject to the following conditions:

1. The Petitioner/Developer shall apply for the building permit to initiate construction on the site within **one year** from the date of this waiver petition (**on or before May 28, 2014**).
2. A redline revision for Lot 97 shall be submitted for processing for the proposed house model in accordance with approved ECP-13-049. Add a note stating that this SDP will be valid for one additional year until May 28, 2014 to apply for a building permit. Include the waiver petition number and explanation of waivers granted in the note.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty:

The additional review time required for a new Site Development Plan will delay the start of construction pushing home construction closer to the late fall or early winter months. This would create a hardship on the builder and delay the new homeowners move in date into the winter season which is not preferred.

Not Detrimental to the Public Interest:

Approval of this waiver will allow the timely development of the remaining lots within this subdivision. In addition, the Subdivision and Land Development Regulations for this type of home construction have not changed significantly enough since SDP-02-112 that a new plan review process would be required. All

site plan issues for the proposed new house on Lot 97 can be adequately addressed as a red-line revision to SDP-02-112.

Will Not Nullify the Intent or Purpose of the Regulations:

Approval of this waiver petition will allow the development of these remaining residential lots to proceed in a timely manner and will not nullify the intent of the Regulations.

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

If you have any questions, please contact Eric Buschman at (410) 313-2350 or email at ebuschman@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/eb/H:/waivers/WP13166PatapscoParkEstatesLot97

cc: Research
DED
Real Estate Services
SDP-02-112
FCC