



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

Marsha S. McLaughlin, Director

www.howardcountymd.gov
FAX 410-313-3467
TDD 410-313-2323

September 11, 2014

Ms. Rosalie Welsh
4738 Ilchester Road
Ellicott City, MD 21043

RE: WP-15-024 ("Locust Chapel")
[associated with S-06-006: Locust Chapel Section II]

Dear Ms. Welsh:

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 16.144(g)** which establishes a deadline date for the submittal of a preliminary plan within 4 months of sketch plan approval for subdivisions of 50 or fewer housing units.

Approval is subject to the following conditions:

1. The developer must submit a Preliminary Plan or Preliminary Equivalent Sketch Plan for Locust Chapel, Section II within 180 days of the current milestone date of October 27, 2014 (**on or before April 25, 2015**).
2. Contact Carol Stirn at (410) 313-2350 to set up a submittal appointment for a Preliminary Plan or Preliminary Equivalent Sketch Plan associated with Locust Chapel, Section II within the allotted time period.

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

Extraordinary hardships or practical difficulties:

Per the applicant's justification, "the property owner has executed a contract of sale with Land Developer-Hailey Development, LC. MRA was authorized by contract on July 25, 2014 to begin work on design of the project. This contract execution was the culmination of 2 months of contract negotiations. Wetland studies, specimen tree identification and location are complete and field survey is underway. MRA is to begin work soon on the site grading and ECP preparation." Per MRA, it will take approximately 3 months to design the SWM facilities, complete Geotechnical studies and submit the ECP for review and receipt of approval. This 3 month timeline will extend beyond the current milestone date of October 27, 2014 to submit the Preliminary Equivalent Sketch Plan. As evidence of progress (and moving the project forward), MRA has also submitted a project timeline, which estimates the submittal date of a Preliminary Equivalent Sketch Plan to be some time in February, 2015.

In addition, the consultant has indicated in their justification that "the time spent since the last extension request in February, 2014 has involved negotiations with several other parties. Contract negotiations of this nature are very complex and take a long time. It would be a disadvantage and would constitute a hardship on the property owner to rush such negotiations and the subsequent selection of the best developer to contract with".

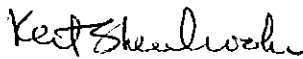
Detrimental to the Public Interest or Nullifies the Intent or Purpose of the Regulations:

Waiver approval would not be Detrimental to the Public Interest nor Nullify the Intent or Purpose of the Regulations because the obligation to submit a Preliminary Plan is not to be waived completely, just delayed. The necessary allocations required for this development have already been approved and accounted for.

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

attachment

KS/tkm/waivers 2014/Locust Chapel WP-15-024 approval 9-11-14

cc: Research
RES
DED
MRA-T. Madden
S-06-006 file