



## Howard County Department of Planning And Zoning

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Marsha S. McLaughlin, Director

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January 22, 2015

Greenbaum Enterprises  
attn: Mark Bennett  
1829 Reisterstown Road #300  
Baltimore MD 21208

**RE: WP-15-088 Maple Lawn Farms**

(SDP-06-148, SDP-07-002, SDP-08-058, SDP-09-060, SDP-10-067)

Dear Mr. Bennett:

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 the following sections of the Subdivision and Land Development Regulations:

Section 16.156(o)(1)(i): "*Building Permits: Application time limits*: Within 1 year of signature approval of the site development plan original, the developer shall apply to the Department of Inspections, Licenses and Permits for building permits to initiate construction on the site." (*Site Development Plan SDP-08-058*)

Section 16.156(o)(1)(ii): "*Building Permits: Application time limits*: For single family attached, apartment and nonresidential developments involving multiple buildings or staged construction, the developer shall apply for building permits for all construction authorized by the approved site development plan within 2 years of signature approval." (*Site Development Plans, SDP-06-148, SDP-07-002, SDP-09-060, SDP-10-067*)

**Approval** is subject to the following four (4) conditions:

1. Petitioner shall apply to the Department of Inspections, Licenses and Permits to initiate construction authorized by Site Development Plans SDP-08-058 within 1 year from the date of this waiver approval (on or before **January 22, 2016**). Failure to meet the application deadline shall cause respective plan approvals to expire. A new site development plan submission will be required in accordance with Subsection 16.156(m) of the Code.
2. Petitioner shall apply to the Department of Inspections, Licenses and Permits for all construction authorized by Site Development Plan, SDP-06-148, SDP-07-002, SDP-09-060, SDP-10-067 within 2 years from the date of this waiver approval (on or before **January 22, 2017**). Failure to meet the application deadline shall cause respective plan approvals to expire. A new site development plan submission will be required in accordance with Subsection 16.156(m) of the Code.
3. Petitioner is advised to consult previous Department correspondence (e.g. respective plan "technically complete" letters) for additional information regarding submission requirements.

4. On each SDP related to this waiver petition (WP), add a note regarding this waiver petition; include the WP file number, waiver request, the decision, date of approval, and conditions of approval the next time a Plan Revision (red-line) is submitted on the subject site plans. All future building permit applications for the subject SDPs shall reference this waiver petition, file number.

### **Justification for Recommendation**

#### Hardship:

Extraordinary hardship or practical difficulty to the Petitioner would result from strict compliance with the regulations. Strict compliance with the regulations with respect to the relevant plans would result in an extraordinary hardship to the petitioner at this time. The petitioner encountered a delay in applying for building permits to initiate and/or to complete the construction of the aforesaid projects due to a sagging real estate development economy. The Petitioner had arranged the design and site development for several parcels in an effort to be efficient, but it was later determined that the ability to apply for permits for development activity on five (5) SDPs (within a one year and a two year period) was not economically feasible.

#### Not detrimental to public interest:

The waiver request will not be detrimental to the public interest since the relevant plans have been reviewed, found compliant with relevant regulations, and approved. Extensions of the submission deadlines will have no adverse effect on adjacent properties, neighboring communities, or Howard County as a whole. All of the subject SDP plans have received approval from the County and the Planning Board, and comply with the Regulations.

#### Not nullify the intent or purpose of the regulations:

Approval of this waiver will not nullify the intent or purpose of the regulations. To the contrary, waiver approval will help fulfill the purpose of the Subdivision and Land Development Regulations by assisting orderly, efficient, and integrated development of land [Subsection 16.101(a)(1)].

**This requested waiver will remain valid through the time periods specified above.**

If you have any questions, please contact Derrick Jones at (410) 313-2350.

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/dj

cc: Research

DED

GLW

Zoning - Annette Merson

DILP - Shari Logan