



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

September 18, 2015

Doug Chamberlain
SD Properties LLC
12235 Heathcliff Court
Ellicott City, MD 21042

RE: WP-16-027 Holiday Hills- Lots 115 & 116
(SDP-14-053)

Dear Mr. Chamberlain:

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)(1)(i)** which requires that 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 a building permit to initiate construction on the site and from **Section 16.156(o)(2)** which states that if the developer does not apply for building permits as required, the site development plan shall expire and a new site development plan submission will be required.

Approval is subject to the following conditions:

1. Approval of SDP-14-053 is hereby reactivated and extended for a one-year period from the date of the waiver petition approval letter to apply for a building permit to initiate construction on the subject property (**on or before September 18, 2016**). The applicant shall comply with all building permit application requirements of the Department of Inspections, Licenses and Permits.
2. Be advised for single family detached site development plans showing multiple lots, the developer shall apply for building permits for all construction authorized on the plan within 5 years from the date of the waiver petition approval letter (**on or before September 18, 2020**).
3. When the next redline revision to SDP-14-053 is submitted for processing, should any plan changes be proposed by the applicant, add a general note on sheet 1 referencing this waiver petition file number, request, section of the regulations and approval date of the one-year extension to apply for building permits.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

Per the applicant's justification, the recent downturn in the real estate market in Howard County for houses in the price range of \$750,000-\$800,000 has resulted in the delay of the building permit application. A recent project in Waverly in the same price range had trouble selling at asking price and ended up being rented as the market for that price point was dead. The applicant evaluated the market this spring and did not think it was able to support construction of a new home in that price range. Several homes are for sale in this price range in nearby Maple Lawn Farms, which creates difficult competition for new homes in Holiday Hills. The applicant

will reevaluate the market next spring and believes that the market potential will be better for a product in this price range. Chamberlain Construction is a commercial general contractor with a small capacity to build custom homes and is currently holding three lots in inventory in Howard County. Requiring the applicant to submit a new site development plan would be an extraordinary hardship and is not beneficial since the regulations have not changed substantially since the time of plan approval.

Not Detrimental to the Public Interest

The waiver request will not be detrimental to the public interest since the site development plan for this project has been reviewed by the SRC agencies for compliance of the County and State regulations, has no environmental or APFO related issues and was previously approved. The development of the two vacant lots will not have any adverse impact on the surrounding properties and promotes the orderly development of Holiday Hills and completes the streetscape.

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 site development plan is in compliance with the County and State regulations and received signature approval. The extension to apply for building permits is only necessary due to the recent downturn in the real estate market.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, 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 Eric Buschman at (410) 313-2350 or email at ebuschman@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/eb

cc: Research
DED
Real Estate Services