



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

January 4, 2016

W. R. Grace & Co.
7500 Grace Drive
Columbia, Maryland 21044

RE: WP-16-073, Simpson Oaks

Dear Owner:

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(d)(2)** of the Subdivision and Land Development Regulations, which states that if the Department of Planning and Zoning or the Review Committee indicates that additional information is needed in order to decide whether to approve the sketch plan, the developer shall provide the information within 45 days of receiving such indication; and **Section 16.104(b)(1)** of the Subdivision and Land Development Regulations, which states that if the County requests additional justifying information for a decision on a waiver petition request, the information must be submitted within 45 days of the Department's letter of request. The applicant is requesting to extend the deadline dates to submit the revised information for the sketch plan and associated waiver petition.

Approval is subject to the following condition:

1. Within **90 days** from the date of the approval letter (**on or before April 3, 2016**) the developer shall resubmit to the Department of Planning and Zoning the revised sketch plan, S-15-007, and revised waiver petition, WP-16-038. If the sketch plan and waiver petition are not resubmitted within 90 days, the sketch plan will be voided and the waiver petition will be denied. After 90 days any plans resubmitted must be processed as a new sketch plan and new waiver petition request.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

This is the first CEF zoning project to be submitted to the Department of Planning and Zoning since the CEF zoning district was adopted by the 10/6/13 Comprehensive Zoning Plan. The applicant has followed the procedures per Section 121.0.J of the Zoning Regulations, including presenting the project to the community, the Design Advisory Panel and the Planning Board. And the project has received rezoning approval by the Zoning Board. Upon review of the Sketch Plan, the applicant was alerted by the Subdivision Review Committee of major design changes that must be made to comply with the Subdivision and Land Development Regulations and Design Manuals. The applicant has had several meetings with the Department of Planning and Zoning to discuss the required changes and how to proceed with major redesign in accordance with the new CEF zoning district procedures. The uncertainty on how to proceed has resulted in a practical difficulty in resubmitting the sketch plan within the 45 day timeline.

Alternative Proposal Will Serve the Regulations to a Greater Extent

Allowing additional time for the consultant to prepare an acceptable Sketch Plan to the Subdivision Review Committee, instead of submitting an incomplete redesign, will serve the Regulations to a greater extent.

Not Detrimental to the Public Interest

Allowing an additional 90 days for the consultant to prepare a plan in accordance with the County and State Regulations will not be detrimental to the public interest.


Will Not Nullify the Intent or Purpose of the Regulations

The intent of the Regulations is to continue actively processing plans in a timely manner. The applicant has scheduled several meetings with the Department of Planning and Zoning to discuss the new CEF zoning district procedures; therefore activity pursuing this project. Allowing an extra 90 days for the applicant to redesign the subdivision per the Subdivision Review Committee's request 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 conditions of approval or as long as the subdivision plan remains in active processing.

If you have any questions, please contact Julia Boone at (410) 313-2350 or email at jboone@howardcountymd.gov.

Sincerely,


Kent Sheubrooks, Chief
Division of Land Development

KS/jb

cc: Research
DED
MRA
Vogel Engineering
Chesapeake Realty Partners