



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 21, 2016

Buch LLLP
10945 Price Manor Way
Laurel, MD. 20723
c/o Mike Buch

RE: WP-16-082 ("The Vine" Buch Apartments)

Dear Mr. Buch:

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 to **Section 16.156(k), 16.156(l) and Section 16.156(m)** which establish deadlines for submission of developer's agreements, fees, posting of financial obligations, and the submission of plan originals in relation to site development plans.

Waiver approval is subject to the following:

1. The developer must post financial sureties, and if applicable, submit payment to DPW, RES of the balance of the Department of Public Works, Engineering Review Fee in association with SDP-15-044 within **90 days** of waiver approval (**on or before April 20, 2016**).
2. The developer must submit site development plan originals for signature in association with SDP-15-044 within **90 days** of waiver approval (**on or before April 20, 2016**).
3. Contact Carol Stirn at 410-313-4351 to set up an original plan submittal appointment within the allotted time period. The applicant is responsible for any processing fee changes that may have occurred since the "technically complete" letter was issued for SDP-15-044.

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

Extraordinary hardships or practical difficulties:

Per the applicant's justification, "should this waiver not be approved, "the applicant would incur a significant financial and timing hardship which could jeopardize the future of the project. The financing for this project will be provided and has been approved by HUD. This requires the project to stay on a specific timeline to retain the financing. Additionally, the project has building and school allocations. Therefore, if the waiver were not granted the project would lose the current financing and allocations.

In addition, the construction of this project will also facilitate a public water loop from the southern section of Maple Lawn through the subject property and to the existing main adjacent to the Police and Fire facility (Route 216/Scaggsville Road). Therefore, it is in the public's best interest for the project to move forward

and be constructed.”

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

The intent of the regulations is to maintain a reasonable and appropriate processing schedule. The petitioner is anxious to move forward and has continued to address issues under his control. However, the sending plat is under the control of the State and County, and the finalization of that plat has exceeded time expectations. Approval of the waiver would not alter the essential character of the neighborhood nor would it substantially impair the use or development of surrounding residential and open space area. The project (SDP-15-044) has undergone a complete review and has received approval from the Planning Director. The applicant is merely asking for additional time to complete legal documents—for both the applicant and the County/State.

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 above conditions.

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/RIM/waivers 2016/The Vine-Buch apartments WP-16-082 approved 1-21-16

cc: Research
DED
Real Estate Services
Vogel Engineering
SDP-15-044 file