



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

June 6, 2016

BA Waterloo Townhomes, LLC
C/O Bozzuto Homes, INC.
Attn: Chris Block
6406 Ivy Lane, Suite 700
Greenbelt, MD 20770

RE: WP-16-138 Shipley's Grant, Phase VI
(SDP-12-045)

Dear Mr. Block:

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)**, **Section 16.156(o)(1)(ii)**, and **Section 16.156(o)(2)** of the Howard County Subdivision and Land Development Regulations. **Section 16.156(o)(1)(i)** states within one 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. **Section 16.56(o)(1)(ii)** states 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 two years of signature approval. **Section 16.156(0)(2)** states if the developer does not apply for building permits as required by paragraph (1) of this subsection, the site development plan shall expire and a new site development plan submission will be required.

Approval is subject to the following conditions:

1. The developer shall apply to the Department of Inspections, Licenses and Permits for building permits to initiate construction on the site, or submission of a new Site Development Plan within one year, from the date of the waiver approval (**on or before June 6, 2017**).
2. The developer shall apply to the Department of Inspections, Licenses and Permits for building permits for all units approved on SDP-12-045 within two years from the date of this waiver approval (**on or before June 6, 2018**).
3. A redline revision to SDP-12-045 is be submitted to DPZ to add this waiver (WP-16-138) as a general note with the approval and conditions.
4. A copy of the waiver petition letter approving the extension of the permit deadline should be presented to the Department of Inspections Licenses and Permits at the time that the building permit application is submitted.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

If this waiver is not granted, it will not be possible to submit a new Site Development Plan for this parcel, and the original Site Development Plan will be voided. This would create a situation where the parcel would sit vacant for a few years awaiting housing allocations. The time spent waiting for the housing allocations would delay the completion of the Shipley's Grant Development. With Buzzuto Homes, and the new builder in negotiations it is anticipated that the project will not require further extensions. Shipleys Grant Development and Bozzuto Homes has submitted the required paperwork to DPW Real Estates Services to extend their Developers Agreement.

Implementation of an Alternative Proposal: The Shipley's Grant subdivision has met all required APFO deadlines for previous phases of the subdivision. The parcel and required easements have been recorded. Requiring a new site plan would require County agencies to review a plan that is nearly identical to the already approved plan.

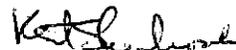
Not Detrimental to the Public Interest - Approval of the waiver request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding properties. No SRC agencies have any objection to granting an additional reactivation and extensions.

Will Not Nullify the Intent or Purpose of the Regulations – This waiver reactivates SDP12-045 and extends the time to apply for building permits and does not waive any technical requirements of the plan. There have been no changes to the regulations that would impact the approval of this project within this timeframe.

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 periods 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 Rashidi Jackson at (410) 313-2350 or email at rjackson@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/RJ

cc: Research
DED
Real Estate Services
Jill Manion-Farrar
GLW
SDP-12-045