



## Howard County Department Of Planning And Zoning

3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

[www.howardcountymd.gov](http://www.howardcountymd.gov)

FAX 410-313-3467

TDD 410-313-2323

March 24, 2010

Mr. Ron Wildman  
Hawk's Watch, LLC,  
4747 Bonnie Branch Road  
Ellicott City, MD 21043

RE: WP-10-052, Hawk's Watch, Lots 1-6 (4 buildable lots and 2 open space lots), TM Parcel 58 (F-03-138), reconsideration request of 03/18/10

Dear Mr. Wildman:

The Director of the Department of Planning and Zoning reconsidered your request for waivers from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request to waive Subdivision Sections:

1. 16.144(p)(1) and 16.144(p)(2), and granted a 120 day extension from the plan processing extension provisional date of 06/30/10 of "HB 921" until 10/28/10 to submit the F-03-138 Developer's Agreement(s), post all required sureties and pay all required fees, and;
2. 16.144(q), and granted a 180 day extension from the plan processing extension provisional date of 06/30/10 of "HB 921" until 12/27/10 to submit the F-03-138 plat originals for signature processing and recording.

The approval of this reconsidered waiver petition is subject to compliance with the following condition(s) of approval:

1. The above referenced extended deadline date of 10/28/10 to submit the F-03-138 Developer's Agreement(s), post all required sureties and pay all required fees shall be complied with, and the above referenced extended deadline date of 12/27/10 to submit the F-03-138 plat originals for signature processing and recording shall be complied with, or the plat, F-03-138, shall become null and void and be removed from processing, and related waiver petition, WP-03-118, shall become null and void.
2. In accordance with our previous letter dated 06/18/09 for final plan/plat, F-03-138, be advised that *the revised forest conservation fee-in-lieu to be paid with the submission of the F-03-138 plat originals is \$18,099.18 based on no reforestation being provided. As a result, the F-03-138 approved/signed plans shall be revised accordingly by utilization of the red-line revision process before the F-03-138 plat*

originals are submitted for signature processing and recording, and the F-03-138 plat originals shall be revised accordingly before they are submitted for signature processing and recording.

Justification for the approval recommendation for this reconsidered waiver petition:

1. The enclosed initial justification submitted by the Petitioner for WP-10-052 on 10/15/09 still remains valid.
2. The enclosed justification dated 03/18/10 that was submitted by the Petitioner for this waiver petition reconsideration.
3. The provisions of "HB 921".
4. Undo hardships and practical difficulties would result from strict compliance with the Regulations do to the current economic downturn and poor housing market.
5. This waiver petition request, if approved, will not nullify the intent and purpose of the Regulations, as it does not waive the above cited Regulations, but merely allows additional time to comply with them when the economy and housing market improves.

Indicate this waiver petition file number, sections of the regulations, request, action, conditions of approval, and date in a detailed note on sheet 1 of the F-03-138 plat and plan.

This waiver petition approval will remain valid in accordance with the above referenced extended deadline date of 10/28/10 to submit the F-03-138 Developer's Agreement(s), post all required sureties and pay all required fees shall be complied with; and the above referenced extended deadline date of 12/27/10 to submit the F-03-138 plat originals for signature processing and recording shall be complied with, or the plat/plan, F-03-138, shall become null and void and be removed from processing, and related waiver petition, WP-03-118, shall become null and void.

Advisory comments:

1. While not a condition of approval for this waiver petition, the applicant is advised to contact Jeff Bronow, Chief of the Division of Research in the Department of Planning and Zoning regarding the applicability of Council Bill 8-2009 to the above referenced residential project. Council Bill 8-2009, effective on 05/06/09, provides for altering the housing unit allocation year for a residential project without breaking the project into phases. By taking advantage of this new legislation, the

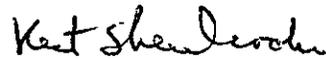
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owner/developer of a residential project can select a different housing unit allocation year and comply with the associated extended project submission deadlines.

2. Please be advised that the 2007 Stormwater Management Regulations are currently in effect, *but that new State Stormwater Management Regulations will go into effect on May, 04, 2010.* Any project not having an approved stormwater plan and sediment and erosion control plan by May 04, 2010 will be required to revise their plans to the *new State regulations.*

If you have any questions, please contact Michael Antol at (410) 313-2350 or email at [mantol@howardcountymd.gov](mailto:mantol@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Acting Chief,  
Division of Land Development

 KS/MA/WP10052.reconsid.appr.ltr.1

cc: Research  
RES/DPW  
DED  
F-03-138  
Greenhorne & O'Mara, Inc.