



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

www.howardcountymd.gov
FAX 410-313-3467
TDD 410-313-2323

April 19, 2010

Phillip Dorsey
Dorsey Builders
13090 Old Frederick Road
Sykesville, MD 21784

RE: WP-10-127, Hay Meadow Overlook
Lots 1-7 Buildable Preservation Parcel 'A'
and Non-Buildable Preservation Parcel 'B'

Dear Mr. Dorsey:

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(p)** of the Subdivision and Land Development Regulations, which states that within 120 days of receiving approval of the final plan the developer shall pay all required fees to the County and if subject to a developer agreement or major facility agreement, shall post all monies and file appropriate surety covering the developer's financial obligations for the required public or private improvements; and **Section 16.144(q)** of the Subdivision and Land Development Regulations, which states that within 180 days of final plan approval, the developer shall submit the final subdivision plat to the Department of Planning and Zoning for signatures and recordation.

Approval is subject to the following conditions:

1. Compliance with all SRC Agency comments generated with the review of the sketch preliminary plan, P-08-011, and final plan, F-09-110.
2. The deadline date to submit the Developer's Agreement and Payment of Fees to the Department of Public Works, Real Estate Services Division is hereby extended for an additional 120 days from the "tolling" period of June 30, 2010 until (**on or before October 28, 2010**). The deadline date to submit the Final Plat to the Department of Planning & Zoning is hereby extended for an additional 180 days from the "tolling" period of June 30, 2010 until (**on or before December 27, 2010**).

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

Due to the current economic conditions the owner/developer has incurred delays in securing surety. Should this waiver not be granted and the plan is removed from processing it would result in a significant financial hardship for the owner/developer to resubmit the plan and restart the subdivision process.

Alternative Proposal

In accordance with Section 16.144(r)(5) & (6) of the Howard County Subdivision and Land Development Regulations, If the applicant does not meet the deadline dates established under Section 16.144(p) and Section 16.144(q) the final plan approval shall be voided and the application shall be considered withdrawn.

Not Detrimental to the Public Interest

The proposed waiver petition will not be detrimental to the public interest because the final plan has been reviewed by the Subdivision Review Committee for compliance with all State and County regulations, and has been deemed technically complete by the Department of Planning and Zoning.

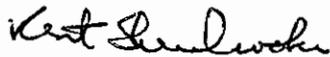
Will not Nullify the Intent or Purpose of the Regulations

The proposed waiver petition will not nullify the intent or purpose of the Regulations since the final plan, which complied with all State and County regulations upon review, has received technically complete status.

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 above.

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

Sincerely,



Kent Sheubrooks, Acting Chief
Division of Land Development

KS/TKM/jb

cc: Research
DED
Vogel Engineering
F-09-110
Steve Kawakami