



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

Marsha S. McLaughlin, Director

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July 29, 2010

Hillary Cahan
Chase Land, LLC
14401 Switzer Lane, Ste 200
Laurel, MD 20707

RE: WP-10-177, Chase Land Subdivision (F-09-071)

Dear Ms. Cahan:

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)**, 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)**, 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. The applicant must post surety and execute a Deed of Forest Conservation Easement and a Forest Conservation Agreement, and any other required Developer's Agreement, within 6 months from the date of the waiver approval (**on or before January 29, 2011**).
2. The applicant must submit the original final mylar to the Department of Planning and Zoning within 6 months from the date of the waiver approval (**on or before January 29, 2011**). Please note that the Developer's Agreement should be submitted at least three weeks prior to the submission of the original final plat mylar to allow adequate time for execution of the agreement).

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - Due to the economic climate, the original intended use for the site was no longer viable. In addition, the applicant had difficulty obtaining the private easements necessary to for the public utilities required for the project.

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. Furthermore, the proposed subdivision of the land has not been altered even though the corresponding site development plan may no longer move forward. The applicant still intends to subdivide the existing parcel of land into two new commercial lots of the same size and shape.

Will Not Nullify the Intent or Purpose of the Regulations - The granting of this waiver is consistent with State Law allowing for additional processing time for subdivisions and development plans throughout the State and within the County. All adequate public facilities are still accounted for.

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 six months from the date of this letter.

If you have any questions, please contact Jill Manion-Farrar at (410) 313-2350 or email at jfarrar@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Acting Chief
Division of Land Development

KS/JMF

cc: Research
DED
CME Engineering

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