



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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August 30, 2010

Mr. Robert Brantley
14821 Hanover Pike
Upperco, MD. 21155

RE: WP-11-014 (Westhaven @ Nixon's Farm)

Dear Mr. Brantley:

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(m)** which establishes timelines (45 days) for the submission of revised plans.

Approval is subject to the following conditions:

1. The developer must submit revised plans in association with F-08-024 within 180 days of this waiver approval (**on or before February 26, 2011**).

The Planning Director's Decision was based on the following:

Extraordinary hardships or practical difficulties:

Denial of the waiver petition would result in undue hardship because it would require the submission of a new Preliminary Sketch Plan and Final Plat/Plan proposal resulting in additional/duplicate reviews by applicable SRC agencies. The project has already been subject to multiple reviews and has an established file history. Per the applicant's justification, "due to the current economic climate, additional time is required to finalize project financing that will allow the final subdivision and bridge designs to be completed and the project to move forward". See also the justification provided by the consultant dated August 4, 2010.

Detrimental to the Public Interest:

The extension of deadline dates for the submission of revised plans will not be detrimental to the Public Interest. No significant changes to the subdivision or zoning regulations have occurred since the last submittal. Should the regulations be modified, these changes would be reflected in the next set of revised plans. See also the justification provided by the consultant dated August 4, 2010.

Nullifies the Intent or Purpose of the Regulations:

All SRC review agencies will be provided the opportunity to review the revised plans and therefore the Intent and Purpose of the Regulations will be upheld through the required review process. See also the justification provided by the consultant dated August 4, 2010.

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 based on the dates outlined in the above condition.

If you have any questions, please contact Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at tmaenhardt@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Acting Chief
Division of Land Development

KS/tkm/Waivers 2010/Westhaven @ Nixon's Farm WP-11-014 approval 8-30-10

cc: Research
DED
SHA
PHRA
The Nixon Family-2800 Nixon Farm Lane
Daniel & Kimberly Valenti
F-08-024 file