



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

November 9, 2010

Phillip & Jean Muth  
13131 Triadelphia Mill Rd.  
Clarksville, MD. 21029

RE: WP-11-058 (Muth Properties)

Dear Mr. and Mrs. Muth:

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(o), Section 16.144(p) and Section 16.144(q)** which establish deadline dates to submit final construction drawings, to submit payment of fees, to post financial obligations and to submit final subdivision plats.

**Approval is subject to the following conditions:**

1. The developer must submit the **Supplemental Plan** which includes storm drainage construction, landscape plan and forest conservation plan in association with F-09-109 within 1 year of October 28, 2010 to **on or before October 28, 2011.**
2. The developer must complete any applicable **Developer's Agreements** and pay any remaining DPW fees in **association** with F-09-109 within 1 year of December 27, 2010 to **on or before December 27, 2011.**
3. The developer must submit **final plat originals** in association with F-09-109 for signature and recordation within 1 year of December 27, 2010 to **on or before December 27, 2011.** The developer is responsible for any processing fee changes that have occurred since the "Technically Complete" letter was issued for F-09-109.
4. All conditions/comments issued from the Development Engineering Division must be addressed.

The Planning Director's decision was made 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 subdivision plat. No site changes would occur with a new subdivision plat or submittal. The project has already been subject to complete subdivision review and has an established file history. The applicant's justification states the owners have had difficulty addressing lingering HSCD design issues. See also the justification provided by the consultant submitted on October 18, 2010.

**Detrimental to the Public Interest:**

The extension of deadline dates for the paying of fees, signing developer's agreements and submitting plan originals will not be detrimental to the Public Interest. The subdivision has already been approved. See also the justification provided by the consultant submitted on October 18, 2010.

**Nullifies the Intent or Purpose of the Regulations:**

All SRC review agencies have approved the subdivision and therefore the Intent and Purpose of the Regulations have been upheld through the required review process. See also the justification provided by the consultant submitted on October 18, 2010.

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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 conditions or as long as the subdivision remains in active processing.

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

Sincerely,



Kent Sheubrooks, Acting Chief  
Division of Land Development

**Attachment**

CH/tmaenhardt/waivers 2010/Muth Property approval WP-11-058

cc: Research  
DED  
LDE, Inc.