



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
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November 9, 2010

William Devereux
1850 SW Florence Road
Mount Airy, MD 21771

RE: WP-11-070, Kogan Trust (F-08-103)

Dear Mr. Devereux:

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 Sections 16.144(p) and (q) – Within 120 days of receiving approval of the final plan, the developer shall pay all fees to the County, post all monies and/or file appropriate surety covering the developer's financial obligations for the required public or private improvements covered under a developer's agreement, and within 180 days, submit the original mylar plat to the Department of Planning and Zoning for all signatures and recordation.

Approval is subject to the following conditions:

1. The Developer's Agreement shall be submitted to the Department of Public Works, Real Estate Services within one year from October 28, 2010 (on or before October 28, 2011).
2. The original Final Plat shall be submitted to the Department of Planning and Zoning one year from December 27, 2010 (on or before December 27, 2011). Contact Carol Stirn at (410) 313-2350 to set up a new original plat appointment within this allotted time period. The applicant is responsible for any processing fee charges that may have occurred since the technically complete letter was issued for F-08-103.

Please be aware that the 2007 Stormwater Management Regulations are in effect. Please see the attached DED comments for additional information.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - Due to the economic climate, the applicant had difficulty obtaining a Letter of Credit from the bank and is concerned about the climate of the new home market. This explanation is consistent with several waivers currently approved for subdivisions throughout the County. The additional time will be used to investigate alternative banking solutions.

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 residential or commercial properties.

Will Not Nullify the Intent or Purpose of the Regulations - The granting of this waiver is consistent with other waivers allowing for additional processing time for subdivisions and development plans

throughout the County. This waiver is regarding processing time only; the plat must remain in compliance with all other County regulations.

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 until the dates outlined in the conditions of this waiver.

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
Vogel Engineering
F-08-103