



**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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FAX 410-313-3467  
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December 09, 2010

Mr. Frank Federico  
Ducketts Ridge, LLC  
7310 Esquire Court, Suite 14  
Elkridge, MD 21075

RE: WP-11-078, The Legacy at Ducketts Ridge, Parcel A, Phases I and II, 52 ARAH SFA units (SDP-06-070)

Dear Mr. Federico:

The Director of the Department of Planning and Zoning considered your request for waivers from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request to waive Subdivision Section(s):

1. 16.120(C)(4), to not be required to provide any of the required minimum "single family attached" lot frontage of 15 feet on an approved public road, and to be permitted to have the "single family attached" lots front on a private road exceeding a length of 200 feet measured from the edge of a public road right-of-way for SDP-06-070, and;
2. 16.156(o)(1)(i), and granted a one year extension from the previously extended deadline date of 04/07/11 (per WP-10-109) *until* 04/07/12 to apply for one or more of the building permits to initiate construction on the site, and;
3. 16.156(o)(1)(ii), and granted a two year extension from the previously extended deadline date of 04/07/12 (per WP-10-109) *until* 04/07/14 to apply for all of the building permits for all construction authorized by the approved site development plan, SDP-06-070.

The approval of this waiver petition is subject to compliance with the following conditions of approval:

1. The Petitioner/developer or builder shall apply for one or more of the building permits to initiate construction on the site on or before 04/07/12.
2. The Petitioner shall apply for and obtain any required deadline date extension for BA-04-030C.
3. The Petitioner/developer or builder shall apply for all of the building permits for all

construction authorized by the approved site development plan, SDP-06-070, on or before 04/07/14.

4. A homeowner's association shall be created for this development in accordance with Subdivision Section 16.121(c).
5. A resubdivision plat to create the fee simple SFA lots shall be submitted, approved and recorded.
6. After the resubdivision plat to create the fee simple SFA lots has been recorded, the red-line revision process shall be utilized to revise SDP-06-070 to indicate the fee simple SFA lots, etc.

Justification for the approval recommendation for this waiver petition:

1. The enclosed justification submitted by the Petitioner/developer.
2. Due to current financial requirements, in order to obtain financing, the developer is proposing to change the condominium SFA units without fee simple lots to SFA units on fee simple lots without frontage on a public road.
3. Undo hardships and practical difficulties would result from strict compliance with the Regulations do to the current economic downturn, poor housing market and lack of available financing.
4. This waiver petition request, if approved as cited above, will not nullify the intent and purpose of the Regulations:
  - A. As the private roads will comply with all Howard County design and construction requirements, and be maintained by a HOA, and provide the residents with greater control over the roads in their community.
  - B. As it does not eliminate the above cited Regulations, but merely allows additional time to comply with them when the economy and housing market improves and financing becomes available.

Indicate this waiver petition file number, requests, sections of the regulations, action, conditions of approval, and date in a detailed note on sheet 1 of related plan, SDP-06-070.


This waiver petition approval will remain valid until 04/07/12 to apply for one or more of the building permits to initiate construction on the site, and; until 04/07/14 to apply for all of the building permits for all construction authorized by the approved site development plan,

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SDP-06-070.

If you have any questions, please contact Michael Antol by telephone at (410) 313-2350 or by email at [mantol@howardcountymd.gov](mailto:mantol@howardcountymd.gov).

Sincerely,

  
Kent Sheubrooks, Acting Chief  
Division of Land Development

<sup>KS</sup>KS/MA/WP11078.appr.ltr.  
cc: Research  
RES/DPW  
DED  
Bob Frances, Plan Review Division, DILP  
SDP-06-070  
Mildenberg, Boender and Associates, Inc.