



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
TDD 410-313-2323

January 28, 2011

Mr. Anton Haug
2530 Kensington
Ellicott City, MD 21043

RE: WP-11-099, Allview Estates, Section 11, Lots
8 thru 11, A resubdivision of Lots 4 & 5
(F-06-035)

Dear Mr. Haug:

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) & (q) – Payment of Fees; Posting of Financial Obligations: Within 120 days of receiving approval of the final plan *and* 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 use-in-common driveway maintenance agreement must be signed by ALL property owners. Please have the agreement signed and dated by the property owners to submit at the time you are submitting the original mylar.
2. The Forest Conservation fee-in-lieu amount is \$26,136.00, which must be paid at the time you are submitting the original mylars.
3. All originals must be submitted 1 year of the date of this letter on or before **January 28, 2012**.
4. The applicant is responsible for any fee changes since the issuance of the technically complete letter dated May 15, 2006 for F-06-035, Allview Estates, Lots 8-11.

Our decision was made based on the following:

Extraordinary hardship or practical difficulties

The purpose of this waiver is to grant additional time to submit the final subdivision plan originals (F-06-035). The Developer had a deadline date of December 27, 2010 to submit final plat originals. By requiring the owner to process a new subdivision plan, would cause practical difficulties and hardship.

Alternative Proposal

Approval of this waiver petition would allow the owner to continue with the original final subdivision plan that was granted technically complete on May 15, 2006.

Not Detrimental to the public interest

Approval of this waiver request will not nullify the intent or purpose of the Regulations. Therefore, approval of this waiver request will satisfy the intent of the Regulations by permitting fairness and consistency in the application of plan processing procedures.

Will not nullify intent or purpose of the regulations


Based upon all the above justifications, approval of this waiver request will not nullify the intent of the Regulations which requires the developer within 180 days of receiving approval of the final subdivision plan, pay all required fees to the County and post all monies and/or file appropriate surety covering the developer's financial obligations for the required improvements and to submit the final originals for signature.

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 the time period specified in the conditions of approval or as long as this subdivision remains in active processing.

If you have any questions, please contact Jennifer Wellen at (410) 313-2350 or email at jwellen@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/TKM:jw
cc: Research
DED
F-06-035
MBA