



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 31, 2011

Mr. Joseph Rutter
Waverly Woods Development Corp.
C/O Land Design and Development, Inc.
5300 Dorsey Hall Drive, Suite 102
Ellicott City, MD 21042

RE: WP-11-104, GTW's Waverly Woods, Section 14, ARAH (SDP-09-039)

Dear Mr. Rutter:

As of the date of this letter the Planning Director **approved** your request to waive Subdivision Sections 16.1106(d) and 16.1106(h)(2)(i):

1. And granted a one year extension from the previous milestone deadline date between 07/01/10 and 01/01/11 until 07/01/11 and 01/01/12 to submit the red-line revision to add Phase IV to SDP-09-039, and the final plan/plat for Phase IV if required, and;
2. Granted a one year extension from the current milestone deadline date between 07/01/11 and 01/01/12 until 07/01/12 and 01/01/13 to submit the red-line revision to add Phase V to SDP-09-039, and the final plan/plat for Phase V if required.

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

1. The red-line revision to add Phase IV to SDP-09-039, and the final plan/plat for Phase IV if required, shall be submitted by the extended milestone deadline date between 07/01/11 and 01/01/12, or Phase IV of SDP-09-039 and its 100 tentative housing unit allocations shall become void, and;
2. The red-line revision to add Phase V to SDP-09-039, and the final plan/plat for Phase V if required, shall be submitted by the extended milestone deadline date between 07/01/12 and 01/01/13, or Phase V of SDP-09-039 and its 90 tentative housing unit allocations shall become void.

Justification for the approval recommendation for this waiver petition:

1. Undo hardships and practical difficulties would result from strict compliance with the Regulations do to the current economic downturn, the current poor housing market,

and if the Petitioner cannot obtain additional time to coordinate the reconstruction of Marriottsville Road with the construction of the homes in order to provide adequate and safe access to the site.

2. This waiver petition request, if approved, will not nullify the intent and purpose of the Regulations, as it does not waive the above cited Regulations, but merely allows additional time to comply with them when the economy and the housing market improves, and the reconstruction of Marriottsville Road is completed.
3. The approval of this waiver petition will not have a detrimental effect on public interest because it will not alter the essential character of the neighborhood or impair the use or development of the surrounding properties.

Indicate this waiver petition file number, sections of the regulations, request, action, condition of approvals, and approval date in a detailed note added to the General Notes on sheet 1 of SDP-09-039.

This waiver petition approval will remain valid in accordance with the above cited extended milestone dates between 07/01/11 and 01/01/12 for Phase IV and between 07/01/12 and 01/01/13 for Phase V.

If you have any questions, please contact Michael Antol at (410) 313-2350.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/MA/WP11104.appr.ltr.

cc: Research
DED
Fisher, Collins & Carter, Inc.
SDP-09-039
RES/DPW