



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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March 7, 2011

Mr. Jacob Hikamt
6800 Deerpath Road, Ste. 150
Elkridge, MD 21075

RE: WP-11-127, Mt. Hebron Meadow, Lots 1-4
(SDP-10-072)

Dear Mr. Hikmat:

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 16.156(g)(2)** requiring the submission of additional information within 45 days for SDP-10-072:

Approval is subject to the following conditions:

1. The applicant shall submit to DPZ, the revised SDP plans addressing the comments included with our letter of December 22, 2010 within 1 year of the approval of this waiver petition (on or before March 7, 2012).
2. Upon submission of the revised SDP plan, the applicant shall pay one-half the review fee (\$467.50) as indicated in DPZ's previous letter dated December 22, 2010 for SDP-10-072 (see attached).
3. Compliance with DED comments dated February 23, 2011.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties: - Due to the current economic climate, no builder is interested in purchasing the lots, and no bank will finance the lots without a builder contract. This creates a practical difficulty since the lots cannot be recorded without bank financing.

Alternative Proposal - One alternative would be to void the site development plan if it was not submitted. This would create an extraordinary hardship as the plans would have to be resubmitted with new fees and re-circulated through the County for review even though the subdivision plan has not been altered, thereby wasting County resources and creating an unnecessary additional expense for the applicant. The SDP has an established file history and has been through three previous review cycles.

Not Detrimental to the Public Interest - Approval of the waiver request will not alter the essential character of the neighborhood and will not impair the appropriate use or development of the surrounding properties. Furthermore, the proposed subdivision of the land has not been altered under F-08-119.

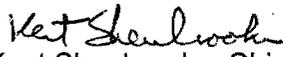
Will not nullify the intent or purpose of the regulations - The granting of this waiver will not nullify the intent of these regulations as the additional time requested is for processing only and the site development plan will fall within a reasonable timeframe from the approval of the plan. Therefore, approval of this waiver request will satisfy the Intent of the Regulations by permitting fairness and

consistency in the application of the plan processing procedures. The applicant's request is justified because a plan processing extension until December 27, 2011 has already been granted for the associated final plat, F-08-119 for this project.

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 one year from the date of this letter or as long as this site development plan 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/jw
Attachment:
cc: Research
DED
MBA
F-08-119
SDP-10-072