



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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May 20, 2011

John L. Carroll
3841 Manor Lane
Ellicott City, MD 21042

RE: WP-11-172, Carroll-Ziegler Property
(F-11-003)

Dear Mr. Carroll:

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) of the Subdivision and Land Development Regulations, which states that within 120 days of receiving approval of the final plan the developer shall pay all required fees to the County and if subject to a developer agreement or major facility agreement, shall post all monies and file appropriate surety covering the developer's financial obligations for the required public or private improvements; and Section 16.144(q) of the Subdivision and Land Development Regulations, which states that within 180 days of final plan approval, the developer shall submit the final subdivision plat original to the Department of Planning and Zoning for signatures and recordation..

Approval is subject to the following conditions:

1. Compliance with all SRC Agency comments generated with the review of the final plan, F-11-003.
2. The deadline date to submit the Developer's Agreement and Payment of Fees to the Department of Public works, Real Estate Services Division and the deadline date to submit the Final Plat to the Department of Planning and Zoning is hereby extended for an additional ninety (90) days from the date of this letter (**on or before August 18, 2011**).
3. Please be advised that the extension of the developer's agreement process and submission of the final plat original does not automatically extend the approval received for BA-09-044V. The applicant shall continue to monitor the status of BA-09-044V.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

This project was extensively reviewed and determined to be in compliance with the Howard County Regulations. The developer did not realize the need to contact RES to start the Developer's Agreement process; therefore the developer missed the due date to submit the required information to RES. Since the project has been approved and the Forest Conservation plan has been signed the resubmission of the final plat and developer's agreement would place a hardship on the applicant.

Alternative Proposal

The alternate proposal to the waiver petition would be to submit a new final plan for standard review.

Not Detrimental to the Public Interest

Approval of this waiver will not be detrimental to the public interest because there are no additional impacts to the surrounding public facilities other than those already accounted for in the previous submission and approval.

Will not Nullify the Intent or Purpose of the Regulations

The intent of the Regulations will be met by the continued progress towards the completion of this project. The final plat has been reviewed and approved in compliance with the Howard County Regulations. The waiver is required so the developer can continue to process the plan in accordance with County Regulations and requirements.

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.

If you have any questions, please contact Julia Boone at (410) 313-2350 or email at jboone@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/TKM/jb
cc: Research
DED
Benchmark Engineering, Inc.
Joy Levy