



Howard County Department Of Planning And Zoning
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Marsha S. McLaughlin, Director

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August 25, 2011

BV Business Trust
attn: Tim Feaga
15950 North Avenue
PO Box 482
Lisbon, MD 21765

RE: **WP-12-006 Walnut Creek, Phase 2 (F-08-81)**

Dear Mr. Feaga:

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 the following sections of the Subdivision and Land Development Regulations:

Sections 16.144(p) and 16.144(q) of the Amended Fifth Edition of the Subdivision Regulations for the payment of fees, posting of financial obligations within 120 days of receiving approval of the final plan and the submission of the final subdivision plat within 180 days of final plan approval.

Approval is subject to the following condition:

Final Plan, F-08-81, for Phase 2 of this project, is hereby extended one (1) year from the previously extended plan submission dates between July 1, 2011 through November 1, 2011, to initiate the DPW Developer's Agreement and for the submission of the final plat originals. **The new plan submission deadline dates shall be between July 1, 2012 through November 1, 2012.**

The decision of this waiver petition is based on the following justification:

Extraordinary Hardship:

Extraordinary hardship would result if the applicant is required to submit and process a completely new final plan for this project. The applicant has the existing approved subdivision plan, F-08-81 already on file for this project. Extraordinary hardship would result if the applicant is required to submit and process a completely new preliminary equivalent sketch plan for this project for Phases 2 thru 4. The applicant has the existing approved subdivision plan, SP-06-07 already on file for this project. The housing market is still in an economic downturn. It is difficult for developers to obtain financing for bonds to complete plan processing at the present time.