



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

September 29, 2011

Dorsey Family Homes
10717 B Birmingham Way
Woodstock, MD 21163

RE: WP-12-028, Mazie's Place, Lots 2 & 3
(SDP-11-014)

Dear Sir or Madam:

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(m)* of the Subdivision Regulations which states "within 180 days of approval of the site development plan, the developer shall submit the original mylar plans. If the original mylars are not submitted within 180 days of the approval of the site development plan, the approval will expire and a new site development plan submission will be required"; *Section 16.156(k)* Developer Agreements; Major Facilities Agreements – concurrent with the approval of the SDP, the developer shall execute the developer agreement and major facilities agreement if any are required for improvements and *Section 16.156(l)* Payment of Fees; Posting of Financial Obligations: Within 180 days of receiving approval of the site development plan.

Approval is subject to the following conditions:

1. Petitioner shall submit to the DPW, Real Estate Services Division the Declaration of Covenants (DOC) documentation and the balance of the Engineering Review Fees as listed in our letter dated March 17, 2011 within one year from the waiver petition approval letter on or before September 29, 2012.
2. Petitioner shall submit to DPZ the site development plan originals for signature approval and any other items listed in the technically complete letter dated March 17, 2011 within one year from the waiver petition approval letter on or before September 29, 2012.

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. Potential home buyers have not been able to obtain loans from new homes and the water and sewer was just recently constructed but has not yet been dedicated to the county.

Alternative Proposal – One alternative would be to void the site development plan which 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 previous review cycles and has received approval by the SRC agencies.

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-06-022.

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.

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 /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/

cc: Research
DED
MBA