



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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October 17, 2011

Dr. Bruce Taylor
Autumn River Corporation
4100 College Avenue
Ellicott City, MD 21043

RE: WP-12-035, Autumn River, Phase III

Dear Dr. Taylor:

The Director of the Department of Planning and Zoning considered your request for a waiver from the Howard County Subdivision and Land Development Regulations.

On October 14, 2011, the Planning Director **approved** your request to waive **Section 16.144(p)** which requires the developer to pay all required fees to the County and, if subject to a developer agreement or major facility agreement, post all monies and file appropriate surety covering the developer's financial obligations for the required public or private improvements within 120 days of receiving approval of the final plan; and **Section 16.144(q)** which states that within 180 days of final plan approval, the developer shall submit the final subdivision plat to the Department of Planning and Zoning for signatures and recordation.

Approval is subject to the following conditions:

1. The Developer's Agreement for F-10-067 must be submitted for processing, all monies posted, and all sureties posted within 1-year of the current deadline of October 5, 2011 (on or before **October 5, 2012**).
2. The Final Plat for F-10-067 must be submitted for recordation within 1 year of the current deadline of December 4, 2011 (on or before **December 4, 2012**).

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty – The applicant requests this waiver based practical hardships due to the requirement by Public Works to construct the Sewer Pumping Station necessary to service this development prior to the recordation of Phase II. In addition, Phase II is currently being reconfigured and Phase III cannot be recorded prior to Phase II.

Not Detrimental to the Public Interest - Approval of the waiver request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding properties.

Will Not Nullify the Intent or Purpose of the Regulations – The waiver does not request relaxation of any technical or material subdivision or development requirements. There have been no substantive changes to the Subdivision and Land Development code which would affect the approvable status of this project, and no regulatory changes are schedule to go into effect during the extended deadline timeframe. DED has indicated that final approval of the Stormwater Management was given with the issuance of the technically complete

letter prior to May 11, 2011, and therefore the project may proceed with the approved stormwater management structures provided they are constructed prior to May 4, 2017.

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 Jill Manion-Farrar at (410) 313-2350 or email at jfarrar@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/JMF 

cc: Research
DED
Landscape Coordinator
Forest Conservation Coordinator
Vogel Engineering
F-10-067