



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 18, 2011

Mr. and Mrs. Walter Dustin  
11903 Lime Kiln Road  
Fulton, MD 20759-9616

Dear Mr. and Mrs. Dustin:

RE: WP-12-049, Dustin's Golden Fields  
(F-09-028)

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)** – requiring the payment of fees and posting of financial obligations within 120 days from the approval date of the subdivision plan; and **Section 16.144(q)** – requiring the submission of the final subdivision plan for recordation within 180 days from the approval date of the subdivision plan. The Petitioner is requesting a one year extension from the October 28, 2011 deadline date (developer's agreement and payment of fees deadline) and from the December 27, 2011 deadline date (plat submission).

Approval is subject to the following conditions:

1. The Developer's Agreement and Payment of fees must be completed by October 28, 2012, and the plat originals must be submitted to DPZ by December 27, 2012.
2. The plan must comply with any fee changes.

Our decision was made based on the following:

**Extraordinary Hardship or Practical Difficulty** - The extraordinary hardship or practical difficulty involved with this waiver request would require the developer to lose their housing allocations. If the waiver petition was not approved, the issued housing unit allocations will be forfeited and a new Final Plan would be required thus placing a hardship on the applicant.

**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 residential properties. Allowing the applicant additional time to complete the developer's agreement and pay the required fees, and submit the original final plat will not be detrimental to the public since the design is not changing. The extension of time will allow the developer additional time to deal with the current economic conditions.

**Will Not Nullify the Intent or Purpose of the Regulations** - Approval of this waiver request will not nullify the intent or purpose of the regulations since the design of the previously submitted final plan will not change.

This requested waiver will remain valid for the time period specified in the conditions of approval or as long as this subdivision remains in active processing.

If you have any questions, please contact Brenda Luber at (410) 313-2350 or email at [BLuber@howardcountymd.gov](mailto:BLuber@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/BL

cc: Research  
DED  
F-09-028  
Fisher, Collins and Carter