



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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November 15, 2011

Sam Brown
Robert Todd Landy
10805 Hunting Lane
Columbia, MD 21044

RE: WP-12-063, Holiday Hills, Section 4, Lots 105 & 106 (F-11-056), Waiver Petition Approval Letter,
Request received on October 20, 2011

Dear Mr. Brown and Mr. Landy:

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 the request for a 1 year extension to waive Section 16.144(q), which includes; Final Subdivision Plat: 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. The developer shall submit the final subdivision plat to the Department of Planning and Zoning for signatures and recordation as indicated within the DPZ technically complete letter dated April 1, 2011, within 1 year of the previous deadline date of October 26, 2011 (or until October 26, 2012).

Justification:

Extraordinary Hardship or Practical Difficulty – Extraordinary hardship or practical difficulty would result if the applicant is required to submit a new final plan and pay all the associated fees since the significant slowdown in the economy and real estate market has made it difficult for the owners and developers to obtain construction financing with favorable terms creating much higher development costs at the current time.

Alternative Proposal – The only alternative for not granting the requested deadline extensions is to require the submission of a new final plan for this project. Because the project already went through the entire final subdivision plan review cycle, received a “technically complete” designation, and has an established file history, the alternative for requiring a new final plan submission is not recommended by this Division.

Not Detrimental to the Public Interest – The waiver request will not be detrimental to the public interest since final subdivision plans have already been processed and approved for this project. The requested deadline extensions will not have any adverse effect on the surrounding properties and the community where the property is located. In fact, an extension would allow the developer to preserve the natural state of the lot, rather than potentially having a lot that is half-developed and unsightly because of the recent downturn in the housing market. Therefore, approval of this waiver petition would not be detrimental to the public interest.

Will not Nullify the Intent or Purpose of the Regulations – Final subdivision plans have already been processed and approved for this project. Since there have been no significant policy or regulation changes since the approval of the final plan, the approval of this requested extension would not nullify the intent or purpose of the regulations. Additionally, approval of this waiver request will satisfy the intent of the Regulations by permitting fairness and consistency in the application of 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 above.

If you have any questions, please contact J.J. Hartner at (410) 313-2350 or email at jehartner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/TKM/JH

cc: DED
Research
Mildenberg, Boender, and Associates
File # F-11-056
File # WP-12-063
Annette Merson, Zoning