



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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FAX 410-313-3467
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December 3, 2012

SK Homes at Highland Owings, LLC
790 Samuel Morse Drive, Suite 500
Columbia, MD 21046

Dear Sir or Madam:

RE: WP-13-081, Owings Property (F-06-112 and F-09-073)

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 and posting of financial obligation within 120-days from the approval date of the subdivision plan; and **Section 16.144(q)** – requiring the submission of the original final plat within 180-days from the approval date of subdivision plan.

Approval is subject to the following conditions:

1. The Developer's Agreement and Posting of financial obligations shall be submitted to the Department of Public Works, Real Estate Services Division within 6 months of October 4, 2012 (**on or before April 4, 2013**).
2. The final plat originals for F-06-112 and F-09-073 shall be submitted to DPZ for signature approval and recording within 6 months of November 19, 2012 (**on or before May 19, 2013**).
3. The final plat for F-06-112 shall be recorded prior to the recording of F-09-073.
4. The applicant is responsible for any increase in processing fees per the latest County Fee Schedule since the technically complete letters were issued for F-06-112 and F-09-73.
5. At the time of the final plat originals submission, all remaining SRC comments must be addressed.
6. The applicant shall comply with the attached comments from the Development Engineering Division dated November 16, 2012 regarding compliance with the stormwater management requirements. Advisory Comment – The applicant is advised that this may be the last plan extension to be granted based on compliance with the SWM requirements.

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 submit a new Preliminary Equivalent Sketch Plan and the applicant would lose their housing allocations. If the

waiver petition was not approved, the issued housing unit allocations will be forfeited and a new Preliminary Equivalent Sketch Plan would be required thus placing a hardship on the applicant. The additional time will allow the developer to complete the required well drilling. In addition, the developer initiated the start of the developer's agreement before the required deadline date and expects to have the agreement executed soon.

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 to submit the original final plat will not be detrimental to the public since the design is not changing. The extension of time will allow for a possible change in the economic market, but also, allow for adequate time for completion of the required well drilling. Recent weather conditions have prevented the developer from completing this task before the deadline date.

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.

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 Brenda Lubber at (410) 313-2350 or email at BLubber@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/BL

Attachment

cc: Research
DED
Real Estate Services
AB Consultants
F-06-112
F-09-073