



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

December 13, 2012

Mrs. Jean Dickey
13850 Forsythe Road
Sykesville, Md 21784

Dear Mrs. Dickey:

RE: WP-13-087, Dickey Property (F-12-039)

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(r)(6) – Failure to submit final plat**: Except where delay is caused by government action, failure to submit the final plat within 180 days of final plan approval shall void previous approvals and the application shall be considered withdrawn; and **Section 16.144(q)** – requiring the submission of the original final plat within 180-days from the approval date of subdivision plan.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 final plat originals for F-12-039 shall be submitted to DPZ for signature approval and recording within 3 months from the approval of this waiver petition (**on or before March 13, 2013**).
2. At the time of the final plat originals submission, all remaining SRC comments must be addressed.
3. On all future subdivision plans and site development plans, provide a brief description of waiver petition, WP-13-087, as a general note to include requests, sections of the regulations, action and date.
4. Compliance with the Agricultural Land Preservation Program comments dated December 12, 2012.

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 Final Plan. The developer was unable to submit the plat originals by June 5, 2012 because they were required to construct a driveway pull-off and post signs as required by the Department of Fire and Rescue. Also, in accordance with comments generated by the Health Department, the developer was required to install a new septic system, abandon a well and upgrade a well. In order to comply with these comments, the developer was unable to meet the plat deadline date.


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 submit the plat will not be detrimental to the public because the developer has complied with all County requirements (additional time was needed to address the comments from Health Department and the Department of Fire and Rescue).

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

Enclosure

cc: Research
DED
Real Estate Services
Shanaberger and Lane
Joy Levy, Ag Administrator
F-12-039