



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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April 11, 2013

Ron Wildman
Granite Manor, LLC
4747 Bonnie Branch Road
Ellicott City, Maryland 21043

Re: Granite Manor
Waiver Petition WP-13-114
(Final Plan F-09-008, Site Development Plan SDP-12-008)

Dear Mr. Wildman:

The Director of the Department of Planning and Zoning considered your request for a waiver of Subsections 16.144(p), 16.144(q), 16.144(r)(5), 16.144(r)(6), 16.156(l) and 16.156(m) of the Howard County Subdivision and Land Development Regulations as they apply to the plans referenced. Waiver approval would allow for the extension of various deadlines associated with the plans.

As of the date of this letter, the Planning Director approved your request to waive Subsections 16.144(p), 16.144(q), 16.144(r)(5), 16.144(r)(6) as they apply to F-09-008 and Subsections 16.156(l) and 16.156(m) as they apply to SDP-12-008, subject to the following conditions:

1. Petitioner shall execute a Deed of Forest Conservation Easement and a Forest Conservation Agreement for the proposed forest conservation area and pay associated financial obligations pursuant to Final Plan F-09-008 within 120 days from the May 4, 2013 deadline (**on or before September 1, 2013**).
2. Petitioner shall submit to the DPZ the final plat original for signature and recordation and shall address other items listed under Step 2 of our letter of February 26, 2009 re: F-09-008 within 180 days from the May 4, 2013 deadline (**on or before October 31, 2013**).
3. Petitioner shall submit a developer agreement and pay fees to the Department of Public Works, Real Estate Services Division and shall address other items listed under Step 1 of our letter of November 23, 2011 re: SDP-12-008 within 180 days from the May 4, 2013 deadline (**on or before October 31, 2013**).
4. Petitioner shall submit the site development plan original for signature approval and shall address other items listed under Step 2 of our letter of November 23, 2011 re: SDP-12-008 within 180 days from the May 4, 2013 deadline (**on or before October 31, 2013**).
5. Petitioner is advised that the stormwater management for this project has been approved using the 2000 regulations. The developer's agreement must be executed with 120 days of May 4, 2013 and the record plat originals must be signed within 180 days of May 4, 2013. Failure to meet these deadlines will require redesign of the stormwater management to the 2007 Stormwater Management Regulations.
6. Petitioner is responsible for any fee increases implemented since the issuance of the "technically complete" letters for F-09-008 and SDP-12-008.
7. Petitioner is advised that all construction for his project must be complete prior to May 4, 2017.

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8. Petitioner is advised that no additional time extensions associated with the May 4, 2013 stormwater management deadline will be permitted for this project.

Our decision to approve the waiver was made based on the following justification:

Extraordinary hardship or practical difficulty may result from strict compliance with the regulations.

The petitioner would be subject to extraordinary hardship or practical difficulties if the waiver is denied and strict compliance with the relevant regulations is enforced. Waiver denial would force the petitioner to either: 1) execute documents relating to the forest conservation areas and submit plat originals for signature and recordation, resulting in devalued lots having no builders, or 2) abandon the plan as being financially infeasible based on the justification provided, resulting in the plan being voided by the Department, the plan application being withdrawn, and the plan residential unit allocations being lost. Waiver denial would limit options available to the petitioner, and would be inefficient and inappropriate in light of the Department's processing of similar requests in recent years.

Waiver approval will not be detrimental to the public interest.

Waiver approval will not be detrimental to the public interest since the plan complies with current regulations and it has been determined "technically complete" by the Subdivision Review Committee. Waiver approval and deadline extension will have no adverse effect on the surrounding properties, the community in which the property is located, or Howard County in general.

Waiver approval will not nullify the intent or purpose of the regulations.

Approval of this waiver will not nullify the intent or purpose of the regulations. Approval of this waiver will satisfy the intent of the Regulations by assisting orderly and efficient development and providing uniform procedures and standards for the processing of subdivision plans.

Indicate this waiver petition file number, sections of the regulations, action, conditions of approval, and date on all related plats and site development plans. This requested waiver will remain valid for the time period specified in the conditions of approval.

Should you have any questions please contact Dave Boellner by telephone at 410-313-3956 or by email at dboellner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
DPZ, Division of Land Development
KS/DBB:dbb

CC: DPZ, Research
DPZ, DED
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