



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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March 6, 2013

Guild Development, LLC.
4609 Learned Sage Court
Ellicott City, MD 21042
Attn: T. Douglas Taury

RE: Guilford Landing Lots 1-3 & OS Lot 4
WP-13-118 (F-09-064)

Dear Mr. Taury:

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 **Sections 16.144.(p) & (q)** – which establishes Subdivision Process deadline dates for the developer to complete his obligation of payment of fees and posting of financial sureties which are to be completed within 120 days of final plan approval and for the submission of the final plat for signatures and recordation within 180 days of final plan approval. Approval is subject to the following conditions:

1. Compliance the enclosed comments from the Development Engineering Division regarding stormwater management for this project which requires the **payment fees and posting of financial obligations on or before May 4, 2013.**
2. If the May 4, 2013, deadline date noted above is met, then this office will grant an time extension for the **submission of the final plat original for signature and recordation to be six(6) months from the date of this waiver petition approval letter, to on or before September 6, 2013.**

Please be advised, the applicant is responsible for plan processing fee changes that may have occurred since the Technically Complete letter was issued by DPZ on October 22, 2010.

3. If the developer fails to pay fees and post financial obligations before the May 4, 2013, deadline date (as noted in #1 above), then: the developer will be required to redesign the stormwater management using the 2007 regulations; the final plan approval and previously allocated housing allocations will be rescinded; and, a revised final plan submission will be required within **45-days** from May 4, 2013 (**on or before June 18, 2013**) in order for this subdivision plan to remain in active processing.
4. In accordance with the requirements of #3, above:
 - a. **One-half of the “initial review and processing fee” will be required for “re-design” and must be paid at time of the revised submission.**
 - b. **After review and approval of the stormwater management redesign, this subdivision will be re-evaluated for availability of housing unit allocations and re-tested for open / closed schools in accordance with the requirements of the Adequate Public Facilities Ordinance (APFO).**
 - c. **At the time of approval of the stormwater management redesign, new deadline dates will be established in accordance with the Section 16.144.(o), (p) & (q) of the Subdivision Regulations.**

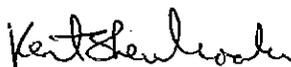
Our decision was made based on the following justification:

- Extraordinary Hardship or Practical Difficulty - The extraordinary hardship or practical difficulty involved with not granting this waiver request would result in voiding final plan, F-09-064. This action would require the developer to submit a new final plan for County agency review and approval.
- Not Detrimental to the Public Interests - Approval of this waiver request will not be detrimental to the public interest. It will not create incompatibility or destroy the continuity and the harmony of the existing neighborhood. Allowing the applicant additional time to pay all fees, to post required financial sureties and to submit the original final plat for recordation 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 final plan has been reviewed and approved by the County's Subdivision Review Committee. No design changes are proposed.

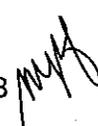
Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This requested waiver will remain valid for the time period specified in the conditions of approval.

If you have any questions, please contact Ms. Pat Britt-Fendlay at 410-313-3371 or via e-mail at pfendlay@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/JMF/MPB 

cc: Research
Heather Pandullo – Development Engineering Division
Real Estate Services Division, Department of Public Works
Vanmar Associates, Inc.
DPZ File # F-09-064