



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 7, 2013

Dominick Tardogno
6040 NW Old Washington Road
Elkridge, Maryland 21075

RE: WP-13-121 Tardogno Property

Dear Mr. Tardogno:

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)** of the Subdivision and Land Development Regulations, which states that within 120 days of final plan approval, the developer must pay all required fees to the County and shall post all monies and file appropriate surety; and **Section 16.144(q)** of the Subdivision and Land Development Regulations, which states that 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:

Our decision was made based on the following:

1. Compliance with all SRC Agency comments generated with the review of the final plan, F-06-017. Compliance with the attached comments from the Development Engineering Division dated March 1, 2013.
2. The deadline date to pay all fees, post all monies and file appropriate surety is hereby extended from December 5, 2012 to **April 12, 2013**. Be advised, if Developer's Agreements are not executed by May 4, 2013 the subject property will be required to be redesigned in accordance with the 2007 Stormwater Management Regulations.
3. The deadline date to submit the Final Plat to the Department of Planning and Zoning is hereby extended for an additional six months from the February 4, 2013 deadline date to **August 3, 2013**.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

The applicant is in the process of obtaining special financing for the property through a private lender. The applicant could not supply the lender with the information requested prior to the Department of Planning and Zoning's established deadline date, therefore the applicant could not proceed with the Developer's Agreement process with the County. Since this project has an established file history, approval of this waiver petition will serve the Regulations to a greater extent as it will preclude the need to begin the lengthy plat review process which will create extraordinary hardships and practical difficulty for the owner.

Not Detrimental to the Public Interest

The waiver approval would not jeopardize public interest because the plan is not changing from the original County approval, just the timeline in which to submit the plans for final signature and recordation.

Will not Nullify the Intent or Purpose of the Regulations

The granting of the requested waiver would not compromise the intent of the Regulations. This waiver does not request relaxation of any development requirements. The waiver request only allows additional time to complete the Developer Agreement and submit the original plat for recordation. However, in accordance with the Development Engineering Division comments, the Developer's Agreements must be completed prior to May 4, 2013 or the subject property will be required to be redesigned in accordance with the 2007 Stormwater Management Regulations.

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 Julia Boone at (410) 313-2350 or email at jboone@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/jb

cc: Research
DED
Real Estate Services
Christopher Rachuba
F-06-017