



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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August 14, 2013

George Roscoe  
14527 MacClintock Drive  
Glenwood, Maryland 21738

RE: WP-14-009/G. Roscoe Property  
Lots 1, 2 & 3 and O.S. Lot 4

Dear Mr. Roscoe:

The Director of the Department of Planning and Zoning considered your request for waiver(s) from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request for waivers to Section 16.144(r)(5) requiring execution of Developers Agreement and posting of surety within 120 days of plan approval or plan will become void; Section 16.144(r)(6) requiring submission of final plat originals within 180 days of plan approval or plan will become void; Section 16.144(p) requiring that within 120 days of receiving approval of the final plan the developer shall: (1) Pay all required fees to the County, and (2) if subject to a developer agreement or major facility agreement, shall post all monies and file appropriate surety covering the developer's financial obligations for the required public or private improvements; and Section 16.144(q) requiring 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:

1. Approval is granted for the reactivation of the final plat for F-08-158.
2. Approval is granted for a one year extension from the April 30, 2013, deadline date by which to pay all required fees to the County; and, if subject to a developer agreement or major facility agreement, post all monies and file appropriate surety covering the developer's financial obligations for the required public or private improvements for F-08-158. The new deadline date is on or before **April 30, 2014**.
3. Approval is granted for a one year extension from the June 30, 2013, due date by which to submit the final plat mylar for signature processing and recordation. The new deadline date is on or before **June 30, 2014**.
4. In accordance with the enclosed comments from the Development Engineering Division, the storm water management design for this site meets the requirements of the current SWM Regulations. The site was designed using disconnection practices which are approved methods under the current SWM Regulations.
5. The applicant is advised that this is the **last plan extension** to be granted for this project (F-08-158).

JUSTIFICATION FOR APPROVAL:

1. Extraordinary hardship would result if the waiver requests were not approved. The final plat for the G. Roscoe Property (F-08-158) received a Technically Complete Letter dated July 24, 2008, has been granted tentative allocations and the Supplemental/Forest Conservation, Landscape and Grading Plan originals have been signed. The applicant was granted extension of time to the deadline dates under WP-09-81, WP-09-189, WP-11-46, WP-12-050 and WP-13-073. This request is for reactivation of the final plan and is the sixth

request for extensions to the deadline dates. These extensions are once again necessary due to the economic condition of the housing market. The owner is unable to obtain bonding and financing in a timely manner and is in need of extensions to the deadline dates by which to execute developer's agreements, make payment of fees and submit the plat originals. To void the final plan at this time would create extraordinary hardship to the owner, resulting in the voiding of all previously approved plans and housing unit allocations. Resubmission of development plans would create redundant review of this subdivision by County and state agencies and further create financial burdens to the developer. A better solution would be to grant the requested reactivation and extension of time to the deadline dates as previously approved under WP-13-073, allowing this project to move forward.

- 2. The requested waivers will not be detrimental to the interest of the public. The owner is not circumventing the intent of any Subdivision or Zoning Regulations but only once again requires extension to the due dates so as to delay construction until a more economically feasible market is met. Completion of all processing steps as outlined in the final plan Technically Complete Letter for F-08-158 will be complied with. Additionally, reconsideration of the due dates is in compliance with previously mandated state law and represents the most advantageous and adequate response to present day economic conditions. This project will meet current regulations including new Storm Water Management requirements. Although this subdivision based SWM requirements on the 2000 MDE Storm Water Management Regulations, all proposed practices (disconnections) are those required under the new regulations.
- 3. The intent of the Regulations will still be served to a greater extent through implementation of an alternative proposal and approval of the waiver request(s) will not nullify the intent of the Regulations. The applicant is not circumventing any of the Subdivision or Zoning Regulations by approval of the waiver requests, but only requires reactivation of the final plan and extension to the deadline dates to delay construction until financial processing can be undertaken. All County and state comments have been addressed and the final plan has been approved. This alternative of granting the waivers is the better solution than voiding previously approved plans. However, the applicant shall be advised that this is the last plan extension to be granted for this project (F-08-158).

Indicate this waiver petition file number, request, section of the regulations, action taken, date and conditions of approval on all related future plats, site development plans and and/or building permits. The requested waivers will remain valid for the time periods as specified and for as long as the associated development plans remain in process. Should you have any questions regarding this matter, please contact Brenda Barth at (410) 313-2350 or email: [bbarth@howardcountymd.gov](mailto:bbarth@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development



:btb  
cc: Research/DED/RES  
FSH Assoc.  
F-08-158