



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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January 6, 2014

Mrs. Kim Taylor
The Chatterbox, Inc.
t/a Harbin Farms
9944 Route 99
Ellicott City, MD 21042

Dear Mrs. Taylor:

RE: **WP-14-060, The Chatterbox, Inc.**
t/a Harbin Farms

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 16.156(i)(1) and (2) – requiring the payment and posting of financial obligation within 180-days of approval of the site development plan; and Section 16.156(m) – requiring the submission of the original site development plan within 180-days from the approval date of site development plan.** The applicant is requesting a six month extension for the completion of the developer's agreement and the submission of the original site development for signatures.

Approval is subject to the following conditions:

1. The **Developer's Agreement and Payment of fees must be completed and the Site Development Plan originals must be submitted by June 3, 2014.**
2. Compliance with all SRC comments.
3. On the site development plan, provide a brief description of waiver petition, WP-14-060 as a general note to include request(s), section(s) of the regulations, action and date.

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 site development plan and the applicant would lose the approval of their conditional use. If the waiver petition was not approved, the conditional use and site development plan would be voided and a new conditional use and site development plan would be required thus placing a hardship on the applicant. The additional time will allow the developer to secure their required financial sureties. The developer is experiencing financial hardships given the current economic conditions. In addition, the developer's attorney was processing a restructuring of their business and passed away unexpectedly.

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 complete the Developer's Agreement and to submit the original site development plan will not be detrimental to the public since the

design is not changing. The extension of time will allow for a possible change in the economic market, but also, allow for adequate time for the developer to restructure their business and secure the required monies necessary to develop the site and post their securities.

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 site development plan will not change and the Site Development Plan has been determined technically complete by the SRC review.

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 until June 3, 2014.

If you have any questions, please contact Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/

cc: Research
DED
Real Estate Services
Tammy Franks, DPS&ZA
AB Consultants, Inc.
SDP-13-024