



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350
Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

September 30, 2015

Daivd Paplauckas
6532 Montgomery Road
Elkridge, MD. 21075

RE: WP-16-037 Samuel's Grant, F-13-042

Dear Mr. Paplauckas:

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)** and **Section 16.144(q)** of the Howard County Subdivision and Land Development Regulations. Section 16.144(p) established dates to submit payment of fees, and to post financial obligations. Section 16.144(q) requires submission of the Final Plat within 180 days of approval. The applicants are requesting a 90 day extension of the current submission deadlines established by the Adequate Public Facilities Ordinance and Plat Originals for signature approval, while awaiting a decision from K. Hovnanian Homes.

Approval is subject to the following conditions:

1. The developer must complete any applicable Developer's Agreements and pay any remaining DPW fees in association with F-13-042 within **90 days of the current submission deadline of September 20, 2015 until December 21, 2015.**
2. The developer must submit final plat originals in association with F-13-042 for signature and Recordation within **90 days of the current submission date of November 19, 2015 until February 17, 2016.**
3. Contact Carol Stirn at (410) 313-2350 to set up a submittal appointment for the Final Plat mylars within this allotted time period. **The applicant is responsible for any processing fee charges that may have occurred since the last submittal associated with F-13-042. Developer Agreements and Declaration of Covenants are processed through Real Estate Services (410-313-2330).**

Our decision was made based on the following:

1. **Extraordinary hardships or practical difficulties:**

- ❖ The applicants are currently awaiting the final answer for the sale of the subject property to K. Hovnanian Homes; and were instructed by their tax advisor not to record the final plat in their name since this would create financial liability. This would create an extreme hardship to the applicant.

2. **Detrimental to the Public Interest:**

- ❖ Per the consultant's justification, "the public interest will be served to a greater extent as the property will be allowed to develop, albeit the development would be delayed. The development

of the property will help continue to energize the economy and help surrounding property values.”

3. **Nullifies the Intent or Purpose of the Regulations:**

- ❖ Per the applicant's justification, waiver approval would not nullify the Intent or Purpose of the Regulations because “the obligation of the developer's agreements and the submission of the plat are not to be waived completely, just delayed. The necessary allocations required for this development have already been approved and accounted for.”

This requested waiver will remain valid for the time period specified in the conditions of approval or as long as this subdivision plan remains in active processing.

If you have any questions, please contact Rashidi Jackson at (410) 313-2350 or email at rjackson@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/TKM/RJ

cc: Research
DED
Real Estate Services
William Erskine
F-13-042