



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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June 3, 2010

Morsberger, LLC-Land Design & Development
5300 Dorsey Hall Drive
Suite 102
Ellicott City, MD. 21042
ATTN: D. Reuwer

RE: WP-10-143 (Waverly Overlook)

Dear Mr. Reuwer:

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 **Section 16.144(p) and Section 16.144(q)** which establish deadline dates to submit developer's agreements and payment of fees, post financial obligations and to submit the final subdivision plat.

Approval is subject to the following condition:

1. The Developer must submit Developer's Agreements and any remaining DPW fees and sureties in association with F-10-027 within 120 days of June 30, 2010 (**on or before October 28, 2010**) and shall submit final plat originals in association with F-10-027 for signature and recordation within 180 days of June 30, 2010 (**on or before December 27, 2010**).
2. The State tolling Bill for HB921/SB-958 expires on June 30, 2010. Please be advised that any additional plan extension requests for this project will require the submission of a **new** waiver petition application for processing.

Our decision was made based on the following:

Extraordinary hardships or practical difficulties:

Denial of the waiver petition would result in undue hardship because it would require the submission of a new subdivision plat. No site changes would occur with a new subdivision plat or submittal. The project has already been subject to complete subdivision review and has an established file history. See also the justification provided by the consultant dated April 15, 2010.

Detrimental to the Public Interest:

The extension of deadline dates for the paying of fees, signing developer's agreements and submitting plan originals will not be detrimental to the Public Interest. The subdivision has already been approved. See also the justification provided by the consultant dated April 15, 2010.

Nullifies the Intent or Purpose of the Regulations:

All SRC applicable review agencies have reviewed the proposed subdivision and therefore the Intent and Purpose of the Regulations have been upheld through the required review process. See also the justification provided by the consultant dated April 15, 2010.

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 stated in the above condition.

If you have any questions, please contact Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at tmaenhardt@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Acting Chief
Division of Land Development

KS/TKM/Waivers 2010/Waverly Overlook WP-10-143 approval

Enclosure

cc: Research
DED
FCC