



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 11, 2010

Bob Corbett
Williamsburg Group, LLC
5485 Harpers Farm Road, Suite 200
Columbia, MD 21044

Dear Mr. Corbett:

RE: WP-11-007, *Trotter Landing (F-10-039)*

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)** – requiring the payment of fees and posting of financial obligations within 120 days from the approval date of the subdivision plan; and **Section 16.144(q)** – requiring the submission of the final subdivision plan for recordation with 180 days from the approval date of the subdivision plan. The Petitioner is requesting a six-month extension to the deadline dates.

Approval is subject to the following condition:

1. The Developer's Agreement and Payment of fees must be completed within 6 months from the previous deadline date of August 12, 2010 on or before February 12, 2011 and the plat originals must be submitted to DPZ within 6 months from the previous deadline date of October 11, 2010 on or before April 11, 2011.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - See the enclosed justification statement from the applicant. The extraordinary hardship or practical difficulty involved with this waiver request would require the developer to submit a new Sketch Plan or Preliminary Equivalent Sketch Plan and the applicant would lose their housing allocations. If the waiver petition was not approved, the six issued housing unit allocations will be forfeited and a new Sketch or Preliminary Equivalent Sketch Plan would be required thus placing a hardship on the applicant.

Not Detrimental to the Public Interest - See the enclosed justification statement from the applicant. 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 submit the final plan submission will not be detrimental to the public since the design is not changing. The extension of time will allow the developer additional time to deal with the current economic conditions.

Will Not Nullify the Intent or Purpose of the Regulations - See the enclosed justification statement from the applicant. Approval of this waiver request will not nullify the intent or purpose of the regulations since the design of the previously submitted preliminary equivalent sketch plan will not change.

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 above or as long as this subdivision remains in active processing.

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

Sincerely,



Kent Sheubrooks, Acting Chief
Division of Land Development

KS/BL

Enclosure

cc: Research

DED

Howard and Barbara Janoske

Jane Athey

Justification (if additional space is needed for justification, please attach to the application)

All waiver requests must be fully justified by the petitioner. Incomplete or inadequate justification may result in rejection of the application. Justification must be specific to the subject property. The justification provided by the petitioner should include all factors which rationalize or substantiate the request in accordance with the following criteria:

- a. Summarize any extraordinary hardships or practical difficulties which may result from strict compliance with the Regulations.
- b. Verify that the intent of the Regulations will be served to a greater extent through the implementation of the alternative proposal.
- c. Substantiate that approval of the waiver will not be detrimental to the public interests.
- d. Confirm that approval of the waiver will not nullify the intent of the Regulations.
The current economic conditions are such that insurance companies are not issuing bonds required to secure Developer's Agreements. Lenders alike are not financing the purchase of raw land nor the development thereof. An extension of six (6) months is requested for both Developers Agreements and Plat submissions to allow for improvement in the financial environment which may create avenues through which Developers Agreements may be bonded and project development funded.

IV. **Pre-Submission Meeting Requirements**

- a. **HDC Meeting Requirement** - A pre-submission advisory meeting with the Historic District Commission is required for new development located within a Historic District or if the site is listed in the Historic Sites Inventory in accordance with Section 16.605 of the Howard County Code. Verify this requirement by checking the Historic Sites Inventory list and maps available at the DPZ public service desk. The property owner/developer must contact the DPZ, Division of Public Service and Zoning Administration for the HDC scheduling process and procedures. **The property owner/developer must submit a copy of the minutes from the HDC Advisory Meeting to DPZ along with the initial subdivision or site development plan application.**
- b. **MAA Meeting Requirement**- For all proposed subdivisions or developments located within the BWI Airport Noise Zone or the Airport Zoning District (4 mile radius from the center of the airport), the review and approval by the Maryland Aviation Administration is required prior to signature approval of final plan road and SWM construction drawings, and/or site development plans, or waiver approval of SDP. Please contact the MAA at P.O. Box 8766, BWI Airport, Maryland, 21240-0766, or (410) 859-7100. A copy of the MAA approval letter must accompany the submission of the final road/SWM construction plan original drawings, and/or site development plan original, or waiver petition application.
- c. **Design Advisory Panel (DAP)** – For projects requesting a waiver of the SDP requirement for any proposed building or site improvements, a pre-submission advisory meeting with the Design Advisory Panel may be required for new development or redevelopment projects on parcels located on the U.S. Route 1 corridor that are zoned 'CE', 'CAC' or 'TOD' or that adjoin the Route 1 right-of-way and that are subject to the Route 1 Design Manual in accordance with Sections 16.1501 and 16.1504 of the Howard County Code (CB Nos. 24-2008 and 25-2008). The property owner/developer must contact the DPZ, Division of Comprehensive and Community Planning to verify this requirement and for information concerning the DAP meeting scheduling process and procedures. The property owner/developer must submit a copy of the DAP project design recommendation to DPZ along with the waiver petition application submission, if applicable.