



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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November 5, 2010

Paul Miller
2885 Rosemar Drive
Ellicott City, Maryland 21043

Re: Normandy Oaks
Waiver Petition WP-11-023
(Preliminary Equivalent Sketch Plan SP-07-004, Final Plan F-07-167)

Dear Mr. Miller:

The Director of the Department of Planning and Zoning considered your request for a waiver of the Howard County Subdivision and Land Development Regulations. As of the date of this letter, the Planning Director approved your request to waive Subsections 16.144(r)(1)(ii) and 16.144(r)(6) of the Howard County Code. The effect of waiver approval will be to reactivate the plans referenced.

Waiver approval is subject to the following conditions:

1. Petitioner shall submit a final plan for all development approved on Preliminary Equivalent Sketch Plan SP-07-004 within one year from the date of this letter (on or before November 5, 2011).
2. Petitioner shall submit final plat originals and address all items listed in the DPZ letter of August 28, 2007 regarding Final Plan F-07-167 within one year from the date of this letter (on or before November 5, 2011).
3. Petitioner shall pay applicable fees in accordance with fee schedules in effect at time of payment.

Furthermore, please be advised of the following:

1. Be advised that concurrent with waiver approval the Department of Planning and Zoning hereby grants tentative allocations for 6 housing units for the subdivision approved on Preliminary Equivalent Sketch Plan SP-07-004 for the Ellicott City Planning Area and for the year 2013. These tentative allocations will remain valid provided you continue to meet all milestones and processing deadlines. Tentative allocations will become permanent upon recordation of the final subdivision plat. This subdivision, located in the North School Region, the Hollifield Elementary School District and the Patapsco Middle School District, has passed a preliminary assessment of the Adequate Public Facilities Ordinance test for roads, open school region, open elementary school district, and open middle school district.
2. Be advised that the stormwater management plan approved under SP-07-004 is in conformance with the 2000 MDE Stormwater Management Regulations. The plan was approved prior to May 4, 2010 and is therefore grandfathered. Furthermore, MDE has indicated that if all associated stormwater management measures approved under the 2000 regulations are not fully constructed by May 4, 2017 and final approvals are not granted prior to May 4, 2013, the stormwater management measures shall no longer be grandfathered. Any plans which are not grandfathered shall be designed in accordance with the 2007 MDE Stormwater Management Regulations.

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Our decision to approve the waiver was made based on the following:

Extraordinary Hardship or Practical Difficulty

Strict compliance with the relevant regulations would result in extraordinary hardship and practical difficulty to the petitioner, in that the related plans would remain void. The plans have been approved and have an established history on file in the Department. Strict compliance would force the petitioner to submit new plans (likely duplicates of the voided plans), pay additional review fees, and repeat the review process unnecessarily. The petitioner would be relieved of undue hardship and difficulty by waiver approval.

Not Detrimental to the Public Interest

The waiver request will not be detrimental to the public interest since the plans were processed and approved by the Subdivision Review Committee under regulations still current.

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.

Indicate this waiver petition file number on all related plats and site development plans. This waiver shall expire on November 6, 2011.

Should you have any questions please contact Dave Boellner by telephone at 410-313-3956 or by e-mail at dboellner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Acting Chief
DPZ, Division of Land Development

KS/DBB:dbb

CC: DPZ, Research
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