



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

www.howardcountymd.gov
FAX 410-313-3467
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November 5, 2010

Joe Snodgrass
6168 Investment and Rental Property, LLC
5705 Landing Road
Elkridge, Maryland 21075

Re: Shady Lane Crossing
Waiver Petition WP-11-064

Dear Mr. Snodgrass:

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(p) and 16.144(q) of the Howard County Code. Waiver approval allows the deadlines for submission of developer agreements, fees, and plat originals to be extended.

Approval is subject to the following conditions:

1. Petitioner shall submit to the Department of Public Works Real Estate Services Division a developer agreement, shall post financial surety for construction of roads, stormwater management and storm drainage, and shall address remaining items listed under Step 2 of our letter of May 9, 2008 on or before October 28, 2011.
2. Petitioner shall submit to the DPZ the final plat for signature and recordation and shall address remaining items listed under Step 3 of our letter of May 9, 2008 on or before December 27, 2011.
3. Submission of the final plat original shall comply with any fee changes since the "technically complete" letter was issued on May 9, 2008.

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

Extraordinary Hardship or Practical Difficulty

Extraordinary hardship and practical difficulty to the petitioner would result if the waiver was denied and strict adherence to the regulations was enforced. The now well-documented deflationary housing market and restrictive lending practices have made development prohibitive at this time, and denial of the waiver would force the petitioner to either commit to a financially risky venture or abandon the plan. Since the petitioner has already made a significant investment in the plan and the County has a "technically complete" plan and approved final construction drawings associated with the plan on file, approval of the waiver is recommended.

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Not Detrimental to the Public Interest

The waiver will not be detrimental to the public interest since subdivision plans have already been processed and determined "technically complete". The requested extensions of the final plan submission deadlines will not have any adverse effect on the surrounding properties and the community where the property is located.

Will Not Nullify the Intent or Purpose of the Regulations

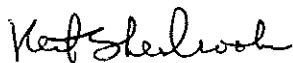
Approval of this waiver request will not nullify the intent or purpose of the regulations. Waiver approval will satisfy the intent of the Regulations by permitting fairness and consistency in the application of plan processing procedures.

The justification for recommendation is supported by information provided by the petitioner.

Indicate this waiver petition file number on all related plats and site development plans. This waiver shall expire on December 28, 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
DPZ, DED
Robert H. Vogel Engineering, Inc.
Grace Schutt
F-06-097 file