



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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December 20, 2010

Dr. Pirazadeh Shams
805 Stags Head Road
Towson, MD 21286

RE: WP-11-086, Shams Subdivision

Dear Dr. Shams:

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 December 16, 2010, the Planning Director **approved** your request to waive **Sections 16.144(p) and (q)**, which state that within 120 days of receiving approval of the final plan, the developer shall pay all fees to the County, post all monies and/or file appropriate surety covering the developer's financial obligations for the required public or private improvements covered under a developer's agreement, and within 180 days, submit the original mylar plat to the Department of Planning and Zoning for all signatures and recordation.

Approval is subject to the following conditions:

1. The Developer's Agreement shall be submitted to the Department of Public Works, Real Estate Services within one year from December 8, 2010 (**on or before December 8, 2011**).
2. The original Final Plat shall be submitted to the Department of Planning and Zoning one year from February 6, 2011 (**on or before February 6, 2012**). Contact Carol Stirn at (410) 313-2350 to set up a new original plat appointment within this allotted time period.
3. The applicant shall be advised that the 2007 Stormwater Management Regulations are in effect. Any stormwater management facilities not constructed by May 4, 2017 will be subject to redesign in accorded with the 2007 regulations. Please see the attached DED comments.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - Due to the economic climate, the applicant had difficulty obtaining loans from financial institutions, and is also concerned in pursuing a project during uncertain economic times. This explanation is consistent with several waivers currently approved for subdivisions throughout the County.

Not Detrimental to the Public Interest - 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 properties. Waiver approval will not be detrimental to the public interest because subdivision plans have already been processed and approved for this project.

Will Not Nullify the Intent or Purpose of the Regulations - The granting of this waiver is consistent does not impact any site design issues, but instead only extends the allowable processing time. The

project must otherwise remain in compliance with all applicable County regulations. The extension of deadlines due to the economy is consistent with many other waivers approved throughout the County.

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 deadlines listed within the conditions of this waiver petition.

If you have any questions, please contact Jill Manion-Farrar at (410) 313-2350 or email at jfarrar@howardcountymd.gov.

Sincerely,


Kent Sheubrooks, Acting Chief
Division of Land Development

KS/JMF

cc: Research
DED
Advanced Engineering Consultants