



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

Marsha S. McLaughlin, Director

[www.howardcountymd.gov](http://www.howardcountymd.gov)  
FAX 410-313-3467  
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January 25, 2011

Paul Revelle (for Eric Conn)  
7017 Meandering Stream Way  
Fulton, MD. 20759

RE: WP-11-107 (Fulton Woods-Phase II)  
(related to F-08-014-Fulton Woods-Phase II)

Dear Mr. Revelle and Mr. Conn:

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(r)(5) and Section 16.144(r)(6)** which establish deadlines to pay fees, sign developer's agreements, provide surety and to submit a final plat original for recording.

**Approval is subject to the following conditions:**

1. The developer must submit Developer's Agreements, post financial surety for construction of roads, stormwater management, storm drainage, and the shared public sewage disposal system for Lots 3-9 (if applicable) and Buildable Preservation Parcel "A", prepare and execute a deed for the dedication of public road right-of-way for any required road widening and submit payment to DPW, RES of the balance of the Department of Public Works, Engineering Review Fee in association with F-08-014 within 1 year of December 27, 2010 (**on or before December 27, 2011**).
2. The developer must submit final plat originals for signature and recordation in association with F-08-014 within 1 year of December 27, 2010 (**on or before December 27, 2011**).
3. If applicable, the developer must submit final sending plat originals for signature and recordation in association with F-08-014 within 1 year of December 27, 2010 (**on or before December 27, 2011**).
4. Contact Carol Stirn at (410) 313-2350 to set up new original plat and plan appointments within this allotted time period. **The applicant is responsible for any processing fee charges that may have occurred since the technically complete letter was issued for F-08-014.**
5. New stormwater management regulations are in effect. Any project not having a signature approved stormwater management and sediment control plan by May 4, 2013 will require revised plans designed to meet current regulations.

The Planning Director's 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 preliminary equivalent sketch plan, subdivision plat and all associated documents. The project has already been subject to a complete subdivision review and has an established file history. Dale Thompson Builders-Fulton LLC's builder/buyer has withdrawn from the LLC and the property has

recently been sold. The new owner is currently working on a new design for the property, resulting in fewer lots and no shared septic system. See also the justification provided by the applicant's consultant on December 22, 2010.

**Detrimental to the Public Interest:**

The extension of deadline dates for the paying of fees, signing developer's agreements, providing surety and submitting a final plat will not be detrimental to the Public Interest. Per the justification submitted by the consultant on December 22, 2010, "the intent to decrease the overall number of lots and to eliminate the shared septic system would likely be in the public interest".

**Nullifies the Intent or Purpose of the Regulations:**


Granting of this waiver would not nullify the intent or purpose of the regulations. The subdivision F08-041 has been granted housing allocations as of August 3, 2007. This project has already been granted County approval. See also the justification provided by the applicant's consultant on December 22, 2010.

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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 in the conditions of approval.

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

Sincerely,

  
Kent Sheubrooks, Chief  
Division of Land Development

KS/TKM/Waivers 2011/Fulton Woods Phase II approval WP-11-107

cc: Research  
DED

F-08-14