



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  
TDD 410-313-2323

July 18, 2011

MD & VA Milk Producers South  
1985 Isaac Newton Square West  
Reston, Va. 20190  
ATTN: Jorge Gonzalez

RE: WP-12-001 (MD & VA Milk Producers)  
(associated with F-09-061: MD & VA Milk Producers-South)

Dear Mr. Gonzalez:

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 **Sections 16.144(p) and Section 16.144(q)** for the submission of developer's agreements, payment of fees, posting of financial obligations and the submission of final subdivision plat mylars.

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

1. The developer must complete Developer's Agreements and pay any remaining DPW fees in association with F-09-061 within **1 year of waiver approval (on or before July 18, 2012)**.
2. The developer must submit final plat originals in association with F-09-061 for signature and recordation within **1 year of waiver approval (on or before July 18, 2012)**.

**NOTE: The SWM was approved in accordance with the 2000 Maryland SWM Design Manual Volumes I and II. If all SWM facilities associated with this project are not fully constructed by May 1, 2017, the SWM waiver for this project will expire and the site shall be redesigned using the current SWM regulations.**

**NOTE: Please submit the Developer's Agreements and fees at least 3 weeks prior to submission of the plat originals to avoid any delay in plat processing. Contact Carol Stirn at (410) 313-2350 to set up a new original plat appointment within this allotted time period. The applicant is responsible for any processing fee charges that may have occurred since the approval letter was issued for F-09-061.**

\*\*\*\*

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 subdivision plat. No site changes would occur with a new subdivision plat or submittal. The project has already been subject to complete subdivision review and has an established file history.

**Detrimental to the Public Interest:**

The extension of deadline dates for the paying of fees, signing developer's agreements and submitting plan originals will not be detrimental to the Public Interest. The subdivision has already been approved. The applicant cites "current economic conditions" as the reason for the need for the extension.

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

This project has been through an extensive review and all applicable SRC review agencies have approved the subdivision and therefore the Intent and Purpose of the Regulations have been upheld.

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 or as long as this subdivision remains in active processing.

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

attachment

KS/TKM/waivers 2011/MD & VA Milk Producers approval WP-12-001 7-18-11

cc: Research  
DED  
DeMario Design Consultants  
Nick Danos  
James Erbacher