



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
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Marsha S. McLaughlin, Director

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January 11, 2012

Pasquale L. Tata
15940 A.E. Mullinix Road
Woodbine, MD 21797

RE: WP-12-093, Tata Subdivision (F-11-042)

Dear Mr. Tata:

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(q)** Final Subdivision Plan and Final Plat, subject to the following conditions:

1. This Department will grant a one year extension from the previous due date of December 10, 2011 by which to submit final plat originals. The new deadline date by which to submit final plat originals for F-11-042/Tata Subdivision is on or before December 10, 2012.
2. Any further extensions beyond the established due dates will require submission of a new waiver petition application.
3. The applicant is advised that if any increase of processing fees previously indicated in the Technically Complete Letter for F-II-042 must be paid at the time of submission of applicable plan originals.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

Strict compliance with the Subdivision Regulations in this case will result in extraordinary hardship and practical difficulties for the present property owner if required to prepare and process a subdivision plat. The final plan, F-11-042, received a technically complete letter on June 13, 2011. At this time, however, the developer is now facing a problem with the extreme wet weather we have had and found it necessary to postpone development of the site until heavy machinery can get access to the property. To deny the extension requests would result in the voiding of all previously approved plans and cause considerable financial hardship to the owner. A better solution is to grant extensions to the due dates so that bonding and financing can be obtained, allowing this project to move forward.

Alternative Proposal

The intent of the Regulations will still be served to a greater extent through implementation of an alternative proposal and approval of the waiver request(s) will not nullify the intent of the Regulations. The developer is not circumventing any of the regulations, but only requests an extension of time to delay development until the weather is better and is able to have access with heavy machinery to drill his well.

Not Detrimental to the Public Interest

The requested waivers will not be detrimental to the interest of the public. This development has been reviewed by all County and State agencies and has been approved under F-11-042. No adverse comments were received from the public regarding the proposed project. Any further requests to the deadline dates will require submission of a new waiver petition application.

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 one year from the date of this letter or as long as this subdivision plan remains in active processing.

This requested waiver will remain valid for the time period specified in the conditions of approval or as long as this subdivision plan remains in active processing.

If you have any questions, please contact Jennifer Wellen at (410) 313-2350 or email at jwellen@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/TKM:JM

cc: Research
DED
VanMar Associates