



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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January 12, 2012

Muth Family LLC  
13131 Triadelphia Mill Rd.  
Clarksville, MD. 21029

RE: WP-12-103 (Muth Properties)  
Related to F-09-109

Dear Interested Parties:

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(p) and Section 16.144(q)** which establish deadline dates to submit payment of fees, to post financial obligations and to submit final subdivision plat originals.

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

1. The developer must pay any remaining DPW fees in association with F-09-109 within 1 year of December 27, 2011 (**on or before December 27, 2012**).
2. The developer must submit final plat originals in association with F-09-109 for signature and recordation within 1 year of December 27, 2011 (**on or before December 27, 2012**).
3. Any and all conditions/comments issued from the Development Engineering Division must be addressed.

**ADVISORY COMMENT:** The applicant shall be advised that the requested waiver to Section 16.144(o) for submission of the Supplemental Plan originals by October 28, 2011 is not necessary for the following reason:

A re-designed subdivision proposal was submitted to the Department of Planning and Zoning on October 20, 2011 and again on November 23, 2011 for reconsideration and was approved on December 7, 2011-automatically extending the plan submission deadline date; on January 3, 2012 the Supplemental Plan originals received signature approval.

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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. See also the justification provided by the consultant submitted on December 20, 2011.

Detrimental to the Public Interest:

The extension of deadline dates for the paying of fees and submitting plan originals will not be detrimental to the Public Interest. The subdivision has already been approved. It is now being re-designed to decrease the number of buildable lots from 5 to 3. See also the justification provided by the consultant submitted on December 20, 2011.

Nullifies the Intent or Purpose of the Regulations:

The County has approved the subdivision and therefore the Intent and Purpose of the Regulations have been upheld through the required review process. The owner is requesting additional time to post financial sureties and record the Plat due to the depressed real estate market and the re-design of the project.

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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 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/Muth Property approval WP-12-103 1-12-12

cc: Research  
DED  
F-09-109 file  
LDE