



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

Marsha S. McLaughlin, Director

www.howardcountymd.gov
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May 22, 2012

William Devereux
1850 SW Florence Road
Mount Airy, MD 21771

RE: WP-12-159, Kogan Trust (F-08-103)

Dear Mr. Devereux:

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 (q)**, which states 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 6 months from April 28, 2012 (**on or before October 28, 2012**).
2. The original Final Plat shall be submitted to the Department of Planning and Zoning 6 months from June 27, 2012 (**on or before December 27, 2012**). Contact Carol Stirn at (410) 313-2350 to set up a new original plat appointment within this allotted time period.
3. This waiver petition is subject to the attached DED comments.
4. The applicant is advised that a new County Fee Schedule was adopted on July 1, 2011. Any increase in processing fees previously indicated on our Technically Complete letter for F-08-103 must be paid at the time of submission of the final plat original.
5. At the time of the original plat submission, all remaining SRC comments must be addressed.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - Due to the economic climate, developers and builders have had difficulty obtaining financing and their required surety. 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 residential or commercial properties.

Will Not Nullify the Intent or Purpose of the Regulations - The granting of this waiver is consistent with other waivers allowing for additional processing time for subdivisions and development plans throughout the County. This waiver is regarding processing time only; the plat must remain in compliance with all other County regulations.

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 Jill Manion-Farrar at (410) 313-2350 or email at jfarrar@howardcountymd.gov.

Sincerely,


Kent Sheubrooks, Chief
Division of Land Development

KS/JME 

Enclosure: DED

cc: Research
DED
Landscape Coordinator
Forest Conservation Coordinator
Vogel Engineering
F-08-103