



Howard County Department Of Planning And Zoning
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Marsha S. McLaughlin, Director

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July 25, 2012

Ahsan Khan
Meadowridge properties, Inc.
1710 Willow Springs Drive
Sykesville, Maryland 21784

RE: WP-13-006/Fox Hunt Estates
(SDP-07-007)

Dear Mr. Khan:

The Director of the Department of Planning and Zoning considered your request for waiver(s) from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request for waivers to Sections 16.156(k), (l) and (m) requiring the execution of the Developers Agreement, payment of fees, posting of financial obligations and submission of the site development plan originals within 180 days of approval for SDP-07-007/Fox Hunt Estates, subject to the following condition(s):

1. A final plat must be recorded to show fee simple lots and will replace the final plat, F-07-143, which has been voided. The new plat must be recorded prior to submission of the site development plan originals.
2. A **180 day extension** of time is approved from the August 4, 2012, deadline date by which to execute the Developers Agreement, make payment of fees, post financial obligations and submit the site development plan originals for SDP-07-007. The new deadline date is on or before **January 31, 2013**.
3. The applicant is advised that a new Fee Schedule has been adopted on July 1, 2012. Increase of any processing fees previously indicated in the approval letter for SDP-07-007 must be paid at the time of submission of applicable plan originals.

JUSTIFICATION FOR APPROVAL:

1. Extraordinary hardships or practical difficulties will result from strict compliance with the Regulations. This site plan has been years in the processing stage and has been placed on hold numerous times awaiting housing unit allocations. A technically complete letter for SDP-07-007 was issued on March 3, 2008, but the project was placed on hold at that time, and again in 2009, 2010 and 2011. A new Housing Unit Allocation Chart was adopted in February, 2012, at which time this site plan received allocations and passed the APFO schools test. Approval was granted for the plan to resume processing and deadline dates were established for execution of the developers agreement, payment of fees, posting of financial obligations and submission of the site development plan originals. The initial intent of the site plan was to create condo units, however, the developer has now decided to develop the

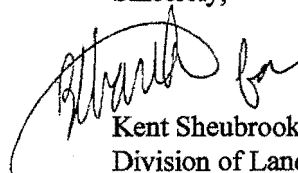
site into townhouse lots. This will require the processing of a final plan which has not yet been submitted. Accordingly, the developer is unable to meet the established deadline dates and has requested an extension of time. To deny an extension of the deadline dates at this time would cause this plan to become void and result in the loss of housing unit allocations which the owner has waited years to obtain. The better solution is to grant the extension of time and allow this project to move forward.

2. 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 site plan has been reviewed by all agencies and has received a technically complete letter, received housing unit allocations and passed the APFO schools test. In addition, the owner has processed a waiver petition (WP-12-169) to allow fee simple lots on private roads and to waive submission of a preliminary equivalent sketch plan. A final plat shall be required to be recorded and the owner shall be required to comply with all processing steps as outlined in site plan approval letter of February 6, 2012.

3. Approval of the waiver requests will not be detrimental to the interests of the public. The owner is not circumventing the intent of the Subdivision or Zoning Regulations but only requires extension to the due dates to proceed with development of the site. The extensions will allow the developer to process new cost estimates so that bonds can be obtained in accordance with the revised site plan layout. The revised site plan layout to create fee simple lots will have no impact on the safety of the public nor be detrimental to the interests of the neighborhood. Any further extensions shall require the filing of a new waiver petition application.

Indicate this waiver petition file number, request, section of the regulations, action taken, date and conditions of approval on all related future plats, site development plans and and/or building permits. This requested waiver will remain valid for the time period as indicated in the Conditions of Approval. Should you have any questions regarding this matter, please contact Brenda Barth at (410) 313-2350 or email: bbarth@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

:btb

cc: Research/DED/RES
Land Design and Development
Robert H. Vogel Engineering, Inc.
SDP-07-007