



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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October 10, 2012

Autumn River Corporation  
4100 College Avenue  
Ellicott City, MD 21043

Dear Sir or Madam:

RE: WP-13-039, Autumn River, Phase II (F-09-021)

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)** – requiring the submission of the final subdivision plan for recordation within 180 days from the approval date of the subdivision plan. The Petitioner is requesting a 6-month extension to the September 19, 2012 deadline date for the submission of the plat for recordation.

Approval is subject to the following conditions:

1. The plat original for F-09-021, Phase II, Part 1 must be submitted on or before March 19, 2013.
2. The final plan for Phase II, Part II must be submitted on or before March 19, 2013.
3. Phase III (F-10-067) cannot be recorded until the final plan for Phase II, Part II has been recorded.
4. Compliance with all Subdivision Review Committee comments.
5. Provide a brief description of waiver petition, WP-13-039, as a general note to include requests, sections of the regulations, action and date on F-09-021 and all future plan submissions.

Our decision was made based on the following:

**Extraordinary Hardship or Practical Difficulty** - The extraordinary hardship or practical difficulty involved with this waiver request would require the developer to submit a preliminary equivalent sketch plan. The granting of the requested 6 month extension will allow the developer the opportunity to amend their developer's agreement to reflect the current ownership. After the SRC granted approval to the plan, the ownership of the parcels changed; thus requiring amendments to the already executed developer's agreement.

**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 adjacent properties. Allowing the applicant additional time to amend the executed developer's agreement and submit the original final plat will not be detrimental to the public since the ultimate design of the plat does not change.

**Will Not Nullify the Intent or Purpose of the Regulations** - Approval of this waiver request will not nullify the intent or purpose of the regulations since the design of the final plan for Phase II, Sections I and II will not change.

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 Brenda Luber at (410) 313-2350 or email at [BLuber@howardcountymd.gov](mailto:BLuber@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/BL

cc: Research  
DED  
Real Estate Services  
Vogel Engineering  
F-09-021