



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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November 2, 2012

Frank Federico
Emily's Delight
7310 Esquire Court, Suite 14
Elkridge, MD 21075

RE: WP-13-047, Pecoraro Property, Phase I
(F-10-032)

Dear Mr. Federico:

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)**, which states that within 180 days of final plan approval, the developer shall submit the final subdivision plat to the Department of Planning and Zoning for signatures and recordation.

Approval is subject to the following conditions:

1. The Final Plat for Phase I, F-10-032, must be submitted for recordation within 90 days of the current deadline (on or before **January 3, 2013**).
2. All SRC comments for the plats must be addressed.
3. F-10-032 is subject to the attached comments from DED.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty – The applicant requests this waiver based on a recent discovery by the developer's attorneys that the subject parcel was never properly annexed into the existing community HOA (Canbury Woods HOA). For this reason, the developer created its own independent HOA, called Augustine Valley Homeowners Association. Because of the HOA change, the homebuilder (Ryland Homes) and the developer's attorney determined that an official release from the Canbury Wood HOA must be recorded to clear title for the property. The developer is currently working of executing and recording the release.

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 properties. There have been no substantive changes to the Subdivision and Land Development code during the extended deadline timeframe that would affect the status of this project.

Will Not Nullify the Intent or Purpose of the Regulations – The waiver does not request relaxation of any technical or material subdivision or development requirements.

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/JMF



cc: Research
DED
Landscape Coordinator
Forest Conservation Coordinator
F-10-032
DPW, Real Estate Services