



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 17, 2013

NLC, LLC; Villa Assoc., LLC; Village Towns CA, Inc.
6800 Deerpath Road, Suite 100
Elkridge, MD. 21075

RE: WP-13-064 (Village Towns)
(associated with F-11-001-Village Towns-Parcel 'A')

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

Approval is subject to the following conditions:

1. The Developer shall submit final plat originals in association with F-11-001 for signature and recordation within 180 days of waiver approval **on or before July 16, 2013**.
2. Compliance with the attached DED comments dated January 14, 2013.

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 and the project has already been subject to complete subdivision review and has an established file history.

Detrimental to the Public Interest:

Per the applicant's justification, the client "is in the process of obtaining plat approval from M&T Bank, who is the lender and trustee for Parcel 729. M&T bank recently acquired "K bank" who was the former trustee for Parcel 729. All the progress made by the applicant in obtaining K Bank approval of the plat was lost when M&T acquired K Bank. The applicant is therefore forced to start the process with a new lender who is not familiar with the site. The previous 180-day extension afforded by the previous waiver petition has proven to be insufficient in obtaining plat approval from the new trustee. This change in trustees was unforeseen by the applicant when WP-12-037 was submitted and therefore is a situation beyond the control of the applicant."

Nullifies the Intent or Purpose of the Regulations:

All SRC review agencies have approved the subdivision and therefore the Intent and Purpose of the Regulations have been upheld through the required review process. In addition, the Intent of the Regulation is to give developers adequate time to address any outstanding items outlined in their approval letter and prepare the final plat as well as prevent any unnecessary delay of the development review process. Approval of the waiver will uphold the Intent of the Regulations by accommodating the time needed to obtain trustee approval for Parcel 729, without which the plat cannot be recorded.

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.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

attachment

KS/tkm/waivers 2012/Village Towns WP-13-064 approval 1-17-13

cc: Research

DED

F-11-001 file