



March 5, 2013

John Korslund and Patricia VanNoy
7319 Browns Bridge Road
Fulton, Maryland 20759

RE: WP-13-103 (VanNoy Property)
(associated with F-12-078)

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

Approval is subject to the following conditions:

1. The Developer shall submit final plat originals in association with F-12-078 for signature and recordation on or before **December 31, 2013**.

The Planning Director's decision was made based on the following:

Extraordinary hardships or practical difficulties:

Per the applicant's justification, "the practical difficulty is current banking climate and the constraints and challenges associated with obtaining bank and Mortgage Companies signature for agreements and release pertaining to the subdivision of land". In addition, the applicant "has agreed to cooperate with neighbor's request to abandon their use of specific access easements and is working with an attorney to prepare these documents. As a condition of this abandonment, it was agreed with the neighbors that the documents are to be recorded simultaneously with the recordation of the final plat. Approval of the waiver will therefore allow both time to complete the remaining financial items and to finalize the abandonment of existing access issues requested by adjoining neighbors".

Detrimental to the Public Interest:

The extension of the deadline date for submitting plan originals will not be detrimental to the Public Interest. The subdivision has already been approved. "A waiver approval would not adversely affect the essential character of the neighborhood nor would it impair the use and enjoyment of surrounding properties. The proposed subdivision has not been altered from the submittal of the existing conditions plan and therefore will not require any modifications or alterations to the previously approved Final Plan."

Nullifies the Intent or Purpose of the Regulations:

The Intent and Purpose of the Regulations have been upheld through the required review process. This waiver request is only to allow sufficient time to submit final plat mylars after receiving confirmation of execution of the developer agreements and declarations from Real Estate Services on February 14, 2013.

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,

Handwritten signature of Kent Sheubrooks in cursive script.

Kent Sheubrooks, Chief
Division of Land Development

attachment
KS/TKM/waivers 2012/VanNoy Property approval WP-13-103 3-5-13

cc: Research
DED
FCC
F-12-078 file