



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

www.howardcountymd.gov
FAX 410-313-3467
TDD 410-313-2323

April 8, 2013

Jorge Gonzalez
MD & VA Milk Producers South
1985 Isaac Newton Square West
Reston, VA. 20190

RE: • WP-13-120 (MD & VA Milk Producers)
(associated with F-09-061)
RECONSIDERATION

Dear Mr. Gonzalez:

The Director of the Department of Planning and Zoning considered your request for Reconsideration to a waiver from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your Reconsideration request to waive **Section 16.144(p) and Section 16.144(q)** for the submission of developer's agreements, payment of fees, posting of financial obligations and the submission of final subdivision plat mylars.

Approval is subject to the following conditions:

1. The developer must complete Developer's Agreements and pay any remaining DPW fees in association with F-09-061 within 6 months of April 9, 2013 (**on or before October 9, 2013**).
2. The developer must submit final plat originals in association with F-09-061 for signature and recordation within 6 months of August 7, 2013 (**on or before February 7, 2014**).
3. Contact Carol Stirn at 410-313-4351 to set up an original plan submittal appointment within the allotted time period. The applicant is responsible for any processing fee changes that may have occurred since the "technically complete" letter was issued for F-09-061.
4. PLEASE BE ADVISED, ALL CONSTRUCTION FOR THIS PROJECT MUST BE COMPLETED PRIOR TO MAY 4, 2017.

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. The project has already been subject to complete subdivision review and has an established file history. Final Construction Drawings for F-09-061 were signed on May 3, 2010.

Detrimental to the Public Interest:

The extension of deadline dates for the paying of fees, signing developer's agreements and submitting plan originals will not be detrimental to the Public Interest. The subdivision has already been approved.

In the past, the applicant's agent continues to cite "current economic conditions" as the reason for the need for the extensions.

Nullifies the Intent or Purpose of the Regulations:

This project has been through an extensive review and all applicable SRC review agencies have approved the subdivision and therefore the Intent and Purpose of the Regulations have been upheld.

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

KS/tkm/waivers 2013/MD & VA Milk Producers WP-13-120 RECONSIDERATION approval 4-8-13

cc: Research
RES
DED
DDC-Lori Cunningham
Nick Danos
James Erbacher
Douglas Isokait
F-09-061 file