



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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April 5, 2013

A Shams Pirzadeh  
805 Stags Head Road  
Towson, MD 21286

RE: WP-13-123, Shams Subdivision (F-10-081)

Dear Mr. Pirzadeh:

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(p):** Payment of fees; posting of financial obligations to be submitted within 120 days of final plan approval
- **Section 16.144(q):** Final Subdivision Plat; Submit final plat within 180 days of final plan approval
- **Section 16.144(r)(5):** Failure to pay fees, sign developer's agreements, provide surety within 180 days of final plan approval shall void previous approvals
- **Section 16.144(r)(6):** Failure to submit final plat within 180 days of final plan approval shall void previous approvals.

Approval is subject to the following conditions:

1. The Developer's Agreement for the Final Construction Plan must be submitted and all associated financial obligations satisfied within 120 days from the May 4, 2013 deadline (**on or before September 1, 2013**).
2. The Final Plat originals must be submitted for signature and recordation within 180 days from the May 4, 2013 deadline (**on or before October 31, 2013**).
3. The applicant is responsible for any fee increases implemented since the issuance of the August 10, 2010 Technically Complete letter.
4. Since there will be an SDP associated with this development project, all items constructed with the forthcoming SDP for on-lot improvements will have to be designed to meet the current 2007 SWM regulations per DED comments (attached).
5. **NO ADDITIONAL TIME EXTENSIONS ASSOCIATED WITH THE MAY 4, 2013 DEADLINE ARE PERMITTED FOR THIS PROJECT.**
6. ALL CONSTRUCTION FOR THIS PROJECT MUST BE COMPLETED PRIOR TO MAY 4, 2017.

Our decision was made based on the following:

**Extraordinary Hardship or Practical Difficulty**

The developer has Final Road Plans that received signature approval on November 29, 2010. Due to missing the milestone date for Developer's Agreement, the developer is required to resubmit the Preliminary Equivalent Sketch Plan per Section 16.144(r)(1)(ii). The Developer had difficulty receiving the necessary bonds due to the ongoing restrictive banking climate.

**Not Detrimental to the Public Interest**

This waiver petition is to the subdivision process and does not alter the approved subdivision. A reactivation of the plan via waiver is more efficient for both the applicant and the County. The applicant is grandfathered to the 2000 stormwater management regulations with the signature approval of the Road Construction Plans on November 29, 2010.

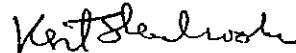
**Does Not Nullify the Intent or Purpose of the Regulations**

The applicant is grandfathered to the 2000 stormwater management regulations. Therefore, the overall intent of the regulations will not be nullified by approval of this waiver. Similar waivers have been approved by the County in recent years.

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.

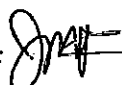
If you have any questions, please contact Jill Manion-Farrar at (410) 313-2350 or email at [jfarrar@howardcountymd.gov](mailto:jfarrar@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/JMF

cc:  Research  
DED  
Real Estate Services  
Fisher, Collins and Carter  
F-10-081