



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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August 15, 2013

Victoria and Michael Egan
51 Gillette Court
Portland, CT 06480

Dear Mr. and Mrs. Egan:

RE: WP-13-124, Mill Creek Subdivision
(Reconsideration) (F-08-079)

The Director of the Department of Planning and Zoning reconsidered 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 for reconsideration to waive **Section 16.144(p)** – requiring the payment of fees and posting of financial obligations within 120 days from the approval date of the subdivision plan; and **Section 16.144(q)** – requiring the submission of the final subdivision plan for recordation within 180 days from the approval date of the subdivision plan.

Approval is subject to the following conditions:

1. The plat originals must be submitted to DPZ by April 1, 2014. If the above deadline date is not met, the plan will become null and void, all previous approvals will be rescinded and the project will lose its tentative housing units allocations in accordance with Section 16.144 of the Howard County Subdivision and Land Development Regulations. In accordance with the current State stormwater management regulations, final plans that utilize the previous stormwater management techniques must meet the established grandfathering date of May 4, 2013, in order to proceed with developing under the previous regulations.
2. The plan must comply with any fee changes at the time of the final plat original submission.
3. The sending plat must be submitted to the Division of Land Development on or before January 1, 2014.
4. The Developer's Agreement and Payment of fees must be completed on or before January 31, 2014.
5. Compliance with all SRC comments.
6. Compliance with the previously transmitted Development Engineering Division comments dated March 27, 2013. If the deadline is missed for the submission of the developer's agreement, the subdivision will be voided. If the plan is re-activated or the plan is re-designed to comply with the 2007 SWM regulations, a red-line to the road construction drawings will be required.
7. Advisory: Future requests for additional extensions to the various deadline dates will not be granted.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - The extraordinary hardship or practical difficulty involved with this waiver request would require the developer to submit a new Preliminary Equivalent Sketch Plan and the applicant would lose their housing allocations. If the waiver petition was not approved, the eighteen issued housing unit allocations will be forfeited and a new Preliminary Equivalent Sketch Plan would be required thus placing a hardship on the applicant.

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 residential properties. Allowing the applicant additional time to complete the developer's agreement and pay the required fees, and submit the original final plat will not be detrimental to the public since the design is not changing. The extension of time will allow the developer additional time to deal with the current economic conditions and locate their sending site.

Will Not Nullify the Intent or Purpose of the Regulations - Approval of this waiver request will not nullify the intent or purpose of the regulations since the design of the previously submitted final plan will not change.

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.

If you have any questions, please contact Brenda Lubert at (410) 313-2350 or email at BLubert@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/BL

cc: Research
DED
Real Estate Services
DDC
Koch Homes
F-08-079