



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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March 6, 2013

Security Development LLC  
P. O. Box 417  
Ellicott City, MD 21041  
Attn: Steve Breeden

RE: Cascade Overlook S. 4, Lots 1-7 & OS Lots 8 & 9  
WP-13-125 (F-12-074)

Dear Mr. Breeden:

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 **Sections 16.144(p)&(q)** which requires the developer to pay all required fees to the County and to post all monies and file appropriate surety covering the developer's financial obligations for the required public or private improvements and to submit the final subdivision plat to the Department of Planning and Zoning for signatures and recordation within specified time frames. Approval of this waiver is subject to the following:

1. The developer shall pay all required fees to the County and post all monies and file appropriate surety covering the developer's financial obligations for the required public or private improvements within **ninety(90) days** of the established deadline date of February 8, 2013, **(to on or before May 9, 2013)**.
2. The developer shall submit the final subdivision plat to the Department of Planning and Zoning for signatures and recordation within **ninety(90)-days** of the established deadline date of April 9, 2013, **(to on or before July 8, 2013)**.
3. In accordance with the attached comments from the Development Engineering Division, the applicant is required to change General Note #23 on the Final Road Construction Drawings (through the Red-Line Revision Process) and General Note #12 on the Final Record Plat to state that

*"SWM has been provided for this development in accordance with the guidelines established by the 2007 Maryland Stormwater Design Manual Volume I & II using Environmental Site Design methods."*

Our decision was made based on the following justification:

- Extraordinary Hardship or Practical Difficulty – On January 31, 2013, the developer received the Developer's Agreement Package from the Real Estate Services Division, DPW, allowing insufficient time (approximately one(1) week) to execute the documents, establish bonding and to return the documents by deadline date of February 8, 2013. Extraordinary hardship or practical difficulty would result if the applicant would be required to submit a new final plan for this project. This project has gone through the entire final subdivision plan review cycle, received a

"technically complete" designation, and has an established file history, the alternative for requiring a new final subdivision plan is not recommended by this Division.

- Not Detrimental to the Public Interest – The waiver request will not be detrimental to the public interest since final subdivision plans have already been processed and approved for this project. Approval of this Waiver Petition will simply delay the development/construction process for a short period. The public interest will be served as the property development will continue as planned, and as approved through the regulatory process. No public safety issues will be created by granting this extension.
- Will not Nullify the Intent or Purpose of the Regulations – Final subdivision plans have already been processed and approved for this project and the original mylar Road Construction Plans have been signed. The approval of this requested ninety(90) day extension will not nullify the intent or purpose of the Regulations. All technical design issues have been addressed through the review and approval of this subdivision. All milestone dates have been met to this point. The only remaining issue relates to additional time being needed in order for the Developer to properly execute the Developer's Agreement and to submit the original mylar Final Plat.

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 periods specified in the conditions of approval.

If you have any questions, please contact Ms. Pat Britt-Fendlay at 410-313-3371 or via e-mail at [pfendlay@howardcountymd.gov](mailto:pfendlay@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/JMF/MPB 

Attachment: DED Comments

cc: Research  
Nicole Yan – Development Engineering Division  
Real Estate Services Division, DPW  
DPZ File #'s: F-12-075 & F-12-075  
Alice Miller - Benchmark Engineering, Inc.