



Howard County Department Of Planning And Zoning

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Marsha S. McLaughlin, Director

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September 26, 2013

Mr. J. Chris Pippen
453 S. Polk Drive
Sarasota FL 34236

RE: **WP-14-025 Long Gate Overlook**
(F-13-028, SDP-12-058)

Dear Mr. Pippen:

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 the following section of the Subdivision and Land Development Regulations:

Section 16.144(m) of the Amended Fifth Edition – The Department of Planning and Zoning shall provide the developer with a written report of the findings of the review committee, including the comments of the review committee and its recommendations. If the Department of Planning and Zoning or the review committee indicates that additional information is needed in order to decide whether to approve the final plan, the developer shall provide the information within 45 days of receiving such indication.

Section 16.156(g)(2) of the Amended Fifth Edition – If the Department of Planning and Zoning or the review committee indicates that additional information is needed in order to decide whether to approve the plan, the developer shall provide the information within 45 days of receiving such indication.

*** The petitioner is seeking a one year extension to submit additional information and revised plans to this Department based on the uncertainty for implementation of the new Comprehensive Zoning Plan. The due date to submit the additional information and revised plans (for both the final plat and the site development plan) was September 6, 2013.**

Approval is subject to the following two (2) conditions:

- 1) The applicant must submit the required additional information requested (in the form of revised plans) for the final plan and the site development plan within **1 year** from the date of this waiver approval (**on or before September 24, 2014**).
- 2) On the final plat and the site development plan, provide a brief description of waiver petition, WP-14-025, as a general note that includes the waiver requests, sections of the regulations, action and date of waiver approval.

The decision of this waiver petition is based on the following justification:Extraordinary Hardship:

Please see the justification provided on the waiver petition application. The purpose of this waiver is to grant the applicant additional time to resubmit the revised final plat and SDP so that it will comply with the property's new zoning designation of R-A-15 under the Comprehensive Zoning Plan. This time extension will allow the property developer (applicant) the time necessary to redesign the project in conformance with those provisions of the R-A-15 zoning district before resubmitting revised plans to DPZ.

Alternative:

The applicant will place this project on hold while the subject four parcels are subdivided into a land development design that complies with the R-A-15 zoning district. No plan approval has been granted to either the plat or the SDP. Once the design for the development has been engineered by the developer's land design consultant, based on the new R-A-15 zoning designation, the processing of the plat and SDP shall resume.

Not detrimental to 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 and institutional use properties. The applicant is requesting additional time to resubmit additional information that is required by this Department before a decision can be issued on the development proposal. The subject properties are proposed as R-A-15 zoning under the Comprehensive Zoning Plan for "attached" dwelling units and site development requirements will be fulfilled with a plat and SDP. The proposed use (townhomes) is appropriate for the land.

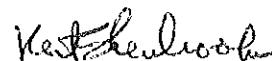
Not nullify the intent or purpose of the regulations:

Approval of this waiver request will not nullify the intent or purpose of the regulations since the overall and current purpose of the project is to reconfigure four separate tax parcels into a subdivision of fee-simple lots for the purpose of developing single-family attached residential dwellings. The applicant is requesting additional time to resubmit additional information that is required by this Department before a decision can be issued on the development proposal. The proposed improvements are detailed on a SDP (waiver petition plan exhibit), which clearly demonstrates how all site improvements are planned. The proposed private roads will meet County standards and the fee-simple lots and open space will be recorded on a plat.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all future DPZ plans that are related to these project. **This requested waiver will remain valid for the time period specified in the approval conditions.**

If you have any questions, please contact Derrick Jones at (410) 313-2350.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development