



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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December 5, 2013

Dominick Tardogno
6040 Old Washington Road
Elkridge, Maryland 21075

RE: WP-14-047, Tardogno Property

Dear Mr. Tardogno:

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 Sections 16.144(p), 16.144(q), and 16.144(r)(5) of the Subdivision and Land Development Regulations, which establishes the deadline dates for the developer to pay all fees, post monies, sign developer's agreements and major facilities agreements and submit the final subdivision plat for recordation. If these deadline dates are not met the final plans shall be voided. The applicant is requesting that the plan be reactivated and the deadline dates be extended.

Approval is subject to the following conditions:

1. The deadline date to pay all fees, post all monies, sign developer's agreements and major facilities agreements, and file appropriate surety is hereby extended for an additional six months from the October 9, 2013 due date (**to on or before April 9, 2014**).
2. The deadline date to submit the Final Plat to the Department of Planning and Zoning is hereby extended for an additional six months from the January 30, 2014 due date (**to on or before July 29, 2014**).
3. The final plat shall be in compliance with all review comments generated with the review of the final plan, F-06-017.
4. Subject to redesigning stormwater management in accordance with the current MDE and Howard County Regulations (please see the Development Engineering comments dated December 2, 2013). This will require submission of a Red-Line Revision to the approved supplemental plan for F-06-017 to show the SWM redesign. The Red-Line Revision shall be submitted **on or before February 15, 2014** in order to allow adequate time for the review and approval of the major design changes that will possibly impact the Developer's Agreement and/or Declaration of Covenant process through the Department of Public Works.

Review Comment – The waiver petition file number, requested section, approval date and conditions of approval shall be indicated on the final subdivision plat as a general note.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

The applicant was unable to verify information with the Internal Revenue Service on his personal and corporate tax return due to the Federal Government shutdown in October, therefore his loan and letters of credit were not approved.

Not Detrimental to the Public Interest

Approval of this waiver will not have a detrimental effect on the public interests, alter the essential character of the neighborhood or impair the development of the surrounding properties as the property is being designed in accordance with the County Code and is required to be brought in compliance with the current Regulations.

Will not Nullify the Intent or Purpose of the Regulations

The granting of the requested waiver would not compromise the intent of the Regulations. This waiver does not request relaxation of any development requirements. The waiver request is to allow additional time to complete the processing deadlines. As a condition of approval the developer will be required to comply with the Development Engineering Division comments and redesign stormwater management in accordance with the current MDE and Howard County Regulations.

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 Julia Boone at (410) 313-2350 or email at jboone@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/jb

cc: Research
DED
Real Estate Services
Christopher Rachuba
F-06-017