



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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January 13, 2014

Mr. Ron Spahn, Esquire
Law Offices of Spahn and Broida
5401 Twin Knolls Road, Suite 7
Columbia, MD 21045

Dear Mr. Spahn:

RE: WP-14-065, Autumn River, Phase IV (F-13-019)

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(q)** – requiring the submission of the final subdivision plan for recordation within 180 days from the approval date of the subdivision plan. The Petitioner is requesting a 2-month extension to the December 10, 2013 deadline date for the submission of the plat for recordation. In addition, the developer requested a waiver to **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. However, this is not needed because the developer initiated the developer's agreement process with Real Estate Services on June 7, 2013 and the process is still on-going for completion.

Approval is subject to the following conditions:

1. The plat original for F-13-019, Phase IV must be submitted on or before April 8, 2014.
2. Autumn River, Phase III (F-10-067) must be recorded before F-13-019, Phase IV.
3. The developer's agreement process must be completed prior to the submission of the final plat originals.
4. Compliance with all Subdivision Review Committee comments.
5. Provide a brief description of waiver petition, WP-14-065, as a general note to include requests, sections of the regulations, action and date on F-13-019 and all future plan submissions.

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 preliminary equivalent sketch plan. The granting of the requested 4 month extension will keep the project in the proper sequence required for recordation of the various phases of the subdivision. Phase III is expected to be submitted on or before October 31, 2013. Phase IV of the project cannot be recorded before Phase III. This minor extension of time will allow adequate time for the recording of the various phases. The developer has initiated the developer's agreement process with Real Estate Services on June 7, 2013.

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 adjacent properties. Allowing the applicant additional time to record the various phase in the required sequence will not be detrimental to the public since the design of the plat does not change.

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 final plan for the various phases 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 Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/BL

cc: Research
DED
Real Estate Services
Vogel Engineering
F-13-019