



Howard County Department Of Planning And Zoning

3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

www.howardcountymd.gov

FAX 410-313-3467

TDD 410-313-2323

October 2, 2014

Triangle Montgomery Associates
Triangle Old Annapolis Associates
attn: J. Chris Phippen
4291 Montgomery Road
Ellicott City MD 21043

RE: **WP-15-037 Long Gate Overlook** (SDP-12-058 and F-13-028)
A Residential Townhome Development

Dear Mr. Phippen:

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 sections of the Subdivision and Land Development Regulations:

Section 16.144(m) of the Amended Fifth Edition – If the Department of Planning and Zoning or the review committee indicates that additional information (revised plans) is needed in order to decide whether to approve the final plan, the developer shall provide the information (revised plans) 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 (revised plans) within 45 days of receiving such indication.

Approval is subject to the following three (3) 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 **October 2, 2015**).
- 2) On the final plat and the site development plan, provide a brief description of waiver petition, WP-15-037, as a general note that includes the waiver requests, sections of the regulations, action and date of waiver approval.
- 3) Compliance with the attached DED comments, dated Sept. 29, 2014.

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

Extraordinary Hardship:

The purpose of this waiver is to grant the applicant additional time to resubmit the revised final plat and SDP while a modified plan (that includes acreage from an adjacent church property) is under County review. This extension will provide the property developer (applicant) with adequate time for the modified plan to be reviewed and commented on so that a determination can be made if the modified plans are feasible.

Alternative:

The applicant will place this project on temporary hold while the modified plans are under plan review processing. No plan approval has been granted to either the plat or the SDP. Should the modified plans be considered feasible, the developer will request that the older version of these plans (F-13-028 and SDP-12-058) be voided and removed from processing.

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, since no waivers to the site design, access, environmental areas or infrastructure improvements are being requested.

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 for this plan design while modified plans (as explained above) are under consideration.

***This requested waiver will remain valid for 1 year from the date of this letter.** Please provide a general note regarding this waiver petition file number (WP-15-037) on both the final plan and the site development plan.

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

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/dj
attch: DED
cc: Research
DED
Vogel Engineering