



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

■ Ellicott City, Maryland 21043

■ 410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

August 13, 2015

Development Partners, LLC
11807 Wollingford Ct.
Clarksville, MD. 21029

Susan Johns Smith
7570 Kindler Overlook Dr.
Laurel, MD. 20723

RE: WP-16-009 (Kindler Overlook III)
(Lots 1-8, O.S. Lot 9 & Non-Buildable Lot 10)

To Whom It May Concern:

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 16.146** which requires the submittal of a Preliminary Plan subsequent to submittal and approval of a Sketch Plan. A Preliminary Plan consists of engineered drawings and supplementary material that indicates how the proposed layout of the subdivision will meet the technical requirements of the County regulations.

Approval is subject to the following conditions:

1. The developer must submit a final plat application associated with "Kindler Overlook III" within 4 months of waiver approval, **on or before December 13, 2015.**
2. Contact Carol Stirn at 410-313-4351 to set up a Final plat/plan submittal appointment within the allotted time period.

The Planning Director's decision was made based on the following:

Extraordinary hardships or practical difficulties:

Although this project is considered a major subdivision and proposes 8 new residential lots, it does not propose any new public road rights-of-way. For this reason, it is similar to minor subdivisions, which are exempt from Sketch and Preliminary Plan requirements. All 8 lots would take direct access on to an existing public road (Kindler Overlook Drive). Water and sewer house connections would be established via redline to the existing public water and sewer main plan. Therefore, the applicant would incur unnecessary hardship if the waiver request were not approved, because requiring a Preliminary Plan in the absence of new public roads (associated with the 8 lot subdivision) would require a substantial and unwarranted cost and an undue amount of time for processing and review.


Detrimental to the Public Interest/Nullifies the Intent or Purpose of the Regulations:

The waiver request would not be detrimental to the public nor would it nullify intent of the regulations. A majority of the checklist items for the Preliminary Plan have already been addressed at the ECP and Sketch Plan stages. A community meeting for the project was already held on March 12, 2015. Per the applicant's justification, for this subdivision, "there is a limited amount of detail required for infrastructure as there are no proposed public roads or road improvements. The stormwater management concept is shown on ECP-15-066. The required Landscape Plan, Grading Plan and stormwater management details shall be provided with the plat submission".

The Intent and Purpose of the Regulations will be upheld through the required Final plat and Site Development Plan process.

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 Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at tmaenhardt@howardcountymd.gov.

Sincerely,

Kent Sheubrooks, Chief
Division of Land Development

attachment
KS/TKM/waivers 2015/Kindler Overlook III WP-16-009 approved 8-13-15
cc: Research
DED
Real Estate Services
Benchmark Engineering
S-15-006 file
ECP-15-066 file