



# 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

January 11, 2016

David Paplauckas  
6532 Montgomery Road  
Elkridge, MD 21075

RE: WP-16-077 Samuel's Grant, F-13-042

Dear Mr. Paplauckas:

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(p) and Section 16.144(q)**. Section 16.144(p) established dates to submit payment of fees, and to post financial obligations. Section 16.144(q) requires submission of the Final Plat within 180 days of approval. The applicants are requesting a 90 day extension to complete all necessary paperwork and developer's agreement forms and for submission of the final plat originals, since they have recently sold the property to Dorsey Family Homes.

Approval is subject to the following conditions:

1. The developer must complete any applicable Developer's Agreements and pay any remaining DPW fees in association with F-13-042 within **90 days of the waiver approval letter, on or before April 10, 2016.**
2. The developer must submit final plat originals in association with F-13-042 for signature and Recordation within **90 days of the previous deadline date of February 17, 2016 on or before May 17, 2016.**
3. Contact Carol Stirn at (410) 313-2350 to set up a submittal appointment for the Final Plat mylars within this allotted time period. **The applicant is responsible for any processing fee charges that may have occurred since the last submittal associated with F-13-042. Developer Agreements and Declaration of Covenants are processed through Real Estate Services (410-313-2330).**

Our decision was made based on the following:

**1. Extraordinary hardships or practical difficulties:**

The applicants were instructed by their tax advisor not to record the final plat in their name since this would create financial liability. This would create an extreme hardship to the applicant. The applicants were previously in negotiations with K. Hovnanian Homes however those negotiations broke down and the applicant has to pursue other buyers to purchase the property.

**2. Detrimental to the Public Interest:**

Per the consultant's justification, "the public interest will be served to a greater extent as the property will be allowed to develop, albeit the development would be delayed. The development of the property will help continue to energize the economy and help surrounding property values.

3. **Nullifies the Intent or Purpose of the Regulations:**

Per the applicant's justification, waiver approval would not nullify the Intent or Purpose of the Regulations because "the obligation of the developer's agreements and the submission of the plat are not to be waived completely, just delayed. The necessary allocations required for this development have already been approved and accounted for."

This requested waiver will remain valid for the time period specified in the conditions of approval or as long as this subdivision plan remains in active processing.

If you have any questions, please contact Rashidi Jackson at (410) 313-2350 or email at [rjackson@howardcountymd.gov](mailto:rjackson@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/TKM/RJ

cc: Research  
DED  
Real Estate Services  
William Erskine  
F-13-042