



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 29, 2016

Mark Gaulin
Gaulin Properties LLC.
7340 Montevideo Road
Jessup MD. 20794

RE: WP-16-079, 7430 & 7354 Montevideo Road (Gaulin Property)
SDP-16-065, F-15-101

Dear Mr. Gaulin:

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)**, **Section 16.144(q)**, **Section 16.156(l)**, and **Section 16.156(m)** for a **90 day extension** allowing the petitioner to submit the final subdivision plans and the site development plans, and pay any required fees after the respective submission deadline dates specified in the Final Plan and SDP technically complete letters dated September 10, 2015.

Approval is subject to the following conditions:

1. During the interim period while working to finalize securing the title to the "Road Parcel" (16.50 foot strip of land located on the west side of 7354 Montevideo Road belonging to the State of Maryland) from the State of Maryland, this Department recommends that you pursue obtaining a temporary access and offsite grading easement or agreement from the State of Maryland to allow the project to continue processing while waiting for a permanent title to the parcel.
2. DPZ requires submission of the Final Plat and SDP Plan originals within 90 days from the submission date specified in the Final Plan and SDP technically complete letters dated September 10, 2015. The new deadline due date will be 90 days from March 8, 2016 (on or before **June 6, 2016**).
3. The Department of Planning and Zoning recommends when submitting any further extension requests due to complications with The State of Maryland in acquiring the permanent title of the needed "Road Parcel" as a governmental delay request per Section 16.144(r)(1) of the Howard County Subdivision and Land Development Regulations.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - The applicant would incur practical difficulties and unnecessary hardship if the waiver request were not approved. The submission of a new Site Development Plan would be an expensive and time consuming venture considering the limited nature of the proposed grading and design. The strip of land to the north is integral to the property design and layout and must be legally acquired prior to Final Plat submission.

Implementation of an Alternative Proposal – The proposed site development plan and plat could be redesigned to show a new site layout, updated grading, and redesigned stormwater management facilities. However this process will take an extended amount of time and resources including a new review from the Department of Planning and Zoning staff. The petitioner was requesting an extension of the deadline in order to complete the process for acquiring ownership of the adjacent strip of land allowing the plans to be processed with the current reviewed and approved property layout.

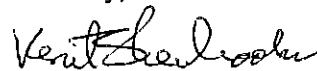
Not Detrimental to the Public Interest - Approval of the waiver request would allow the project to move forward as designed with the requested on-site layout, grading, and stormwater management improvements. The waiver is necessary in order to avoid having the currently approved plans expire due to the complications in legally obtaining the adjacent strip of land.

Will Not Nullify the Intent or Purpose of the Regulations - Approval of the waiver request would allow the interim proposed grading to occur as planned. Conformance with the regulations, sediment and erosion control measures, and any necessary permitting will be met on site. The extension is being requested due to unforeseen delays in acquiring the adjacent strip of land. No regulations would be nullified in granting the waiver.

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 Nick Haines at (410) 313-4333 or email at nhaines@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/NH

cc: Research
DED
Real Estate Services
FSH Associates