



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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FAX 410-313-3467  
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January 28, 2011

Troy Hill Square, LLC  
10132 Baltimore National Pike, Suite A  
Ellicott City, MD 21042

RE: WP-11-110, Troy Hill Corporate Center  
Parcel 'A-30'

Dear Sir or Madam:

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 **Sections 16.156(o)(1)(i) and 16.156(o)(2)** of the Howard County Subdivision and Land Development Regulations, which states that the Developer must apply for building permits to initiate construction within one year of signature approval of the site development plan or the site development plan shall expire and a new site development plan submission will be required. The applicant is requesting that SDP-08-029 be reactivated to active processing and that an extension of time to apply for the building permit be extended by an additional twelve months from the waiver approval date.

**Approval is subject to the following conditions:**

Based upon an evaluation of this waiver application in accordance with Section 16.104 of the Subdivision and Land Development Regulations, the Division of Land Development recommends Approval for waiver of Sections 16.156(o)(1)(i) and 16.156(o)(2) to reactivate and extend the approval for SDP-08-029 in accordance with the following:

1. The Petitioner/Developer shall apply for the building permit to initiate construction on the site within one year of signature approval of this waiver petition (**on or before January 28, 2012**).
2. Redline the site development plan by adding a note stating that this waiver petition will be valid for one additional year until **January 28, 2012**. Include the waiver petition number and explanation of waivers granted in the note.
3. Subject to the attached comments from the Development Engineering Division. The applicant will be required to submit a redline revision to the approved plans prior to submission of the building permit per DED's comments. Please contact DED at (410) 313-2350 regarding the attached conditions.

**Our decision was made based on the following:**

***Extraordinary Hardship or Practical Difficulty***

The current well-documented economically challenged retail and commercial market and restrictive lending practices has made it a practical difficulty to acquire enough lessees within the allowed time period to make construction of the project financially feasible.

***Alternative Proposal***

In accordance with the Howard County Subdivision and Land Development Regulations, if the applicant does not meet the deadline dates established under Section 16.156(o) of the Subdivision Regulations the site development plan approval shall be voided and the application shall be considered withdrawn. The alternative to require a new SDP is not recommended at this time because SDP-08-029 has an established file history and received approval from the SRC agencies.

***Not Detrimental to the Public Interest***

The proposed waiver petition will not be detrimental to the public interest because the roads and infrastructure for the entire subdivision have been constructed under F-96-136 and various other site development plans. The site has remained vacant since the original subdivision.

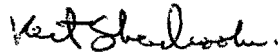
***Will not Nullify the Intent or Purpose of the Regulations***

The proposed waiver petition will not nullify the intent or purpose of the Regulations since the Site Development Plan, which complied with all State and County regulations upon review, had received signature approval. Also, as a condition of approval the applicant must comply with the Development Engineering Division's comments in regards to the current MDE guidelines and traffic study.

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 one year from the date of this letter (on or before January 28, 2012).

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

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

*m*  
KS/TKM/jb  
cc: Research  
DED  
Sill, Adcock & Associates