



Howard County Department Of Planning And Zoning

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

Marsha S. McLaughlin, Director

www.howardcountymd.gov

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May 22, 2012

Mr. Louis Mangione
Executive Center Parcel D Limited Partnership
1205 York Road - Penthouse
Lutherville, MD 21093

RE: WP-12-158, Executive Center, Ellicott City Walmart, Parcel D, (SDP-06-094, Ellicott City Walmart, Parcel D, two proposed office buildings)

Dear Mr. Mangione:

The Director of the Department of Planning and Zoning considered your request for waivers from the following Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request to waive Subdivision Sections:

- A. 16.156(o)(1)(i), and granted a one year extension from the current one year deadline date of 05/16/12 *until* 05/16/13 to apply for a building permit to initiate construction on the site, and;
- B. 16.156(o)(1)(ii), and granted a one year extension from the current two year deadline date of 05/16/13 *until* 05/16/14 to apply for the building permits for all of the development shown on the approved SDP plan.

The approval of this waiver petition is subject to compliance with the following conditions of approval:

- 1. The Petitioner shall apply for a building permit to initiate construction on the site by the extended one year deadline date of 05/16/13, or SDP-06-094 shall become void in accordance with Subdivision Section 16.156(o)(2), and;
- 2. The Petitioner shall apply for the building permits for all construction authorized by the approved site development plan, SDP-06-094, by the extended two year deadline date of 05/16/14, or SDP-06-094 shall become void in accordance with Subdivision Section 16.156(o)(2).
- 3. Subject to the attached DED comments.

Justification for the approval recommendation for this waiver petition:

1. Undue hardships and practical difficulties would result from strict compliance with the Regulations:
 - A. Due to the current economic downturn, the current poor commercial market, difficulty obtaining financing, and;
 - B. Having to start construction prematurely based on the Regulation when this site is dependent on the construction of the missing connector section of public road, North Ridge Road, for adequate vehicular access, marketability and obtaining financing for the project.
2. This waiver petition request, if approved, will not nullify the intent and purpose of the Regulations, as it does not waive the above cited Regulations, but merely allows additional time to comply with them when the economy and the commercial market improves, financing becomes available and missing connector section of public road, North Ridge Road is constructed.

The approval of this waiver petition will remain valid in accordance with compliance with the above cited deadline dates of 05/16/13 and 05/16/14.

If you have any questions, please contact J.J. Hartner at (410) 313-2350 or email at jehartner@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/TKM/JH

cc: File
Research
DED
SDP-06-094
RES/DPW
DILP
DPSZA
Landscape Coordinator
Forest Conservation Coordinator
Annette Merson, Zoning