



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

June 30, 2016

Atapco Howard Square I Business Trust  
1 South Street  
Baltimore, MD. 21204  
(C/o Dave Polonsky)

RE: WP-16-141 (Howard Square Parcel 'B')  
[associated with F-15-081 (Howard Square: Parcel  
'B')]

Dear Mr. Polonsky:

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(q)** which dictates that within 180 days of final plan approval, the developer shall submit the final subdivision plat mylars to the Department of Planning and Zoning for signatures and recordation.

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

1. The developer's consultant must submit final plat mylars for F-15-081 ("Howard Square": Parcel 'B') to coincide with the 180-day deadline date for submission of the Site Development Plan mylars for SDP-16-017 ("Howard Square": Phases 8 & 9, Parcel 'B').
2. Contact Carol Stirn at (410) 313-2350 to set up a submittal appointment for submission of the final plat mylars to the Department of Planning and Zoning for signatures and recordation within the allotted time period.

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

**Extraordinary hardships or practical difficulties:**

Denial of the waiver petition could result in hardship because if the plat were to be recorded prior to the approval of the SDP, then additional revision plats could be required, which would result in otherwise avoidable fees and process. The applicant states that the "unique character of this project requires a complex coordination. The construction of the UGSWMF and related storm drains will need to be completed for the development of Parcel 'B'. The overall design and layout of the proposed buildings on this site need to be in conjunction with the aforementioned infrastructure. It is essential that the required easements be in locations that are suitable to the project and that can facilitate construction and future maintenance of the proposed SD/SWM infrastructure."

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

The Site Development Plan (SDP-16-017 ("Howard Square": Phases 8 & 9, Parcel 'B') is not yet approved. Per the applicant's justification, "adjusting the approval timeline of F-15-081 to coincide with SDP-16-017 will allow for any design deviations to the SD/SWM infrastructure which may occur during the review process. Since the waiver petition would only affect the proposed development and has no impact on the already developed portions of the project, the proposal would not be detrimental to the general public." Further, the majority of the remaining "infrastructure and supporting easements to be recorded will be private. The portion of public infrastructure is to be installed under Capital Project J-4241 whose approval and construction timeline is still undetermined at this time. An extension of time allows all parties involved to ensure that all elements are properly designed and integrated together."

The brief extension of the milestone date would not be detrimental to the Public Interest because it will not alter the character of the neighborhood or impair the use or development of surrounding properties. The plat of revision does not affect already developed portions of the property and the last phase of development is currently under review. Approval of the waiver simply delays the recordation of an approved plat of revision to coincide with the current SDP under review, on which the proposed easements will exist.

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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](mailto:tmaenhardt@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/TKM/WP-16-141/Howard Square Parcel 'B' WP-16-141 approval 6-30-16

cc: Research  
DED  
Real Estate Services  
F-15-081 file  
SDP-16-017 file  
Benchmark Engineering