



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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April 8, 2010

Merritt Properties, LLC  
Attn: Dan Pallace  
2066 Lord Baltimore Drive  
Baltimore, MD 21244

RE: WP-10-129, Rivers Corporate Park, (SDP-07-070),  
Waiver Petition, request to consider waiver of  
Sections 16.156(o)(1)(i)

Dear Sir or Madam:

The Director of the Department of Planning and Zoning considered your request for a waiver to the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request for consideration of the waiver to Section 16.156(o)(1)(i) for a 1 year extension of time beyond the state's tolling period of June 30, 2010 per HB-921 to apply to the Department of Inspections, Licenses and Permits for building permits to initiate construction on the site.

Approval is subject to the following conditions:

- 1. The developer shall apply to the Department of Inspections, Licenses and Permits for building permits to initiate construction on the site within 1 year from the state's tolling period of June 30, 2010 per HB-921 (or until June 30, 2011).**
- 2. Red-line the site development plan by adding a note stating that this waiver petition will be valid for one additional year from the state's tolling period of June 30, 2010 to apply for the initial building permit. Include waiver petition number and explanation of waivers granted in the note.**

**Justification:**

**Extraordinary Hardship or Practical Difficulty** – House Bill 921 outlines the extraordinary hardship or practical difficulty would result if the applicant is required to submit a new site development plan and pay all the associated fees. Also, please see the justification letter dated March 25, 2010. Due to the current economic market, the applicant is experiencing difficulty moving forward with this project.

**Alternative Proposal** - House Bill 921 outlines the reasons for not requiring alternative proposals before granting the requested extension of the site development plan approval status established under SDP-07-070. Also, please see the justification letter dated March 25, 2010. If this waiver is not granted, the applicant will be required to resubmit a new site development plan for this project and pay all associated processing fees. Because the project already went through the entire site development plan review cycle and has an established file history, the alternative for requiring a new site development plan is not recommended by this Division.

**Not Detrimental to the Public Interest** – House Bill 921 outlines why approval of this waiver will not be detrimental to the public interest. Also, please see the justification letter dated March 25, 2010. Allowing the applicant additional time to submit for a building permit does not create a detriment to the public, but allows an already approved project time to proceed once the market improves.

**Will not Nullify the Intent or Purpose of the Regulations** - House Bill 921 outlines why approval of this requested extension would not nullify the intent or purpose of the regulations. Also, please see the justification letter dated March 25, 2010.

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 above or as long as the site development plan remains in active processing.

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

Sincerely,



Kent Sheubrooks, Acting Chief  
Division of Land Development

  
KS/TKM/JH

cc: DED  
Research  
Baltimore Land Design Group, Inc.  
J.J. Hartner, DLD  
File # WP-10-129  
File # SDP-07-070