



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING
3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

www.howardcountymd.gov
FAX 410-313-3467
TDD 410-313-2323

April 28, 2010

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

RE: WP-10-144, Meadows Corporate Park,
Waiver petition request

Dear Mr. Pallace:

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 16.156(o)(1)(ii) requiring the developer to apply for building permits for all construction authorized by the approved site development plan within 2 years of approval for single family attached, apartment and nonresidential developments involving multiple buildings or staged construction. Additionally, the Planning Director **approved** your request to waive 16.156(o)(2) which stipulates that the developer must apply for building permits as required by Section 16.156(o)(1)(ii), otherwise the site development plan will expire and a new site development plan submission will be required.

Approval is subject to the following conditions:

1. The developer shall apply to the Department of Inspections, Licenses and Permits for building permits to complete all construction on the site within 2 years from the state's tolling period of June 30, 2010 per HB-921 (or until June 30, 2012).
2. Red-line the site development plan by adding a note stating that this waiver petition will be valid for two additional years until June 30, 2012. Include waiver petition number and explanation of waivers granted in the note.
3. Compliance with the attached comments from the Development Engineering Division dated April 21, 2010 is required.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty - 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 since the significant slowdown in the economy and real estate market has caused a lack of office space absorption in the Columbia market.

Alternative Proposal - The only alternative for not granting the requested extension of the site development plan approval status established under SDP-05-072 is to require the submission of new site development plan for this project. 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.

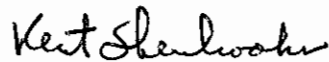
Not Detrimental to the Public Interest - The waiver request will not be detrimental to the public interest since site development plans have already been processed and approved for this project. There have already been building permits issued for 3 of the proposed 4 office buildings included in this project. The requested plan extension of the site development plan status will not have any adverse effect on the surrounding properties and the community where the property is located. Therefore, approval of this waiver petition would not be detrimental to the public interest.

Will not Nullify the Intent or Purpose of the Regulations - Site development plans have already been processed and approved for this project. Since there have been no significant policy or regulation changes since the approval of the site development plan, the approval of this requested extension would not nullify the intent or purpose of the regulations. Additionally, approval of this waiver request will satisfy the intent of the Regulations by permitting fairness and consistency in the application of plan processing procedures.


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 2 years from the state's tolling period of June 30, 2010 per HB-921 (or until June 30, 2012), 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.

Sincerely,



Kent Sheubrooks, Acting Chief
Division of Land Development


KS/TKM/JH
cc: Research
DED