



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

Marsha S. McLaughlin, Director

[www.howardcountymd.gov](http://www.howardcountymd.gov)  
FAX 410-313-3467  
TDD 410-313-2323

September 3, 2010

Mark Levy  
Meadowridge Rock, LLC  
6800 Deerpath Road, Suite 100  
Elkridge, Maryland 21075

Re: Corridor 95 Business Park  
Waiver Petition WP-10-170 (Reconsideration)  
(Site Development Plan SDP-08-082)

Dear Mr. Levy:

In response to Talkin & Oh, LLP's correspondence received on August 12, 2010 the Director of the Department of Planning and Zoning reconsidered the waiver petition referenced. The correspondence included a request to waive Subsection 16.156(g)(2) of the Subdivision and Land Development Regulations. As of the date of this letter, the Planning Director approved the request to waive Subsection 16.156(g)(2) of the Howard County Code. Waiver approval grants relief from the requirement to provide additional information to the Subdivision Review Committee within 45 days of the Committee indicating that additional information is needed in order to decide whether to approve a site development plan.

Approval is subject to the following conditions:

1. Petitioner shall address the comments included in the DPZ letter of May 20, 2010 and submit plan revisions directly to the DLD **on or before January 10, 2011.**
2. Petitioner shall complete developer agreements, pay applicable DPW fees, and submit site development plan originals in accordance with our letter of September 3, 2009 **on or before February 25, 2011.**

Our decision to approve the request for reconsideration was made based on the following:

***Extraordinary Hardship or Practical Difficulty***

Extraordinary hardship to the Petitioner would result if the waiver were denied. The Petitioner is currently negotiating with the owner of the adjacent Meadowridge Cemetery for an off-site sewer easement to provide service to the Corridor 95 Business Park; once the easement is obtained sewer construction drawings may be submitted, reviewed, and approved. Denial of the waiver would put the Petitioner in a position to either 1) submit revised plans without approved water and sewer construction drawings, resulting in repeated requests for revised plans, or 2) withdraw the plan. To deny the waiver would impose a hardship on the Petitioner and would result in redundant plan reviews.

Mark Levy  
September 3, 2010  
Page 2 of 2

*Alternative Proposal*

The alternative to waiver approval is to require submission of the required information on the previously established deadline regardless of the sensitive nature of negotiating the off-site easement on the cemetery property. Due to reasons cited above, this alternative to waiver approval would be counterproductive and 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 Plan SDP-08-082 is technically complete and may not proceed until Final Plan F-10-013 and relevant easements are recorded. Extensions of the revised plan submission deadline will have no adverse effect on surrounding properties and the adjacent community.

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

Approval of this waiver will not nullify the intent or purpose of the regulations. Waiver approval will help fulfill the purpose of the Subdivision and Land Development Regulations by assisting orderly, efficient, and integrated development of land by granting the Petitioner the necessary time to obtain easements and generate plans necessary to receive related plan approvals.

Indicate this waiver petition file number, request, section of the regulations, action, and date on all related plats. This waiver will remain valid until February 25, 2011 contingent upon the deadline established by Conditions 1 being observed.

Should you have any questions please contact Dave Boellner by telephone at 410-313-2350 or by e-mail at [dboellner@howardcountymd.gov](mailto:dboellner@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Acting Chief  
DPZ, Division of Land Development

KS/DBB:dbb

CC: DPZ, Research  
DPZ, DED  
Sang Oh – Talkin & Oh, LLP  
GW Stephens