



## Howard County Department Of Planning And Zoning

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Marsha S. McLaughlin, Director

[www.howardcountymd.gov](http://www.howardcountymd.gov)

FAX 410-313-3467

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December 14, 2010

Mr. Nick Pirone  
Rogers 40, LLC  
11255 Dovedale Court, Suite B  
Marriottsville, MD 21104

RE: WP-11-092, Ellicott City Exchange Condominium, TM Parcel 923, proposed commercial "Bldg. C"  
(SDP-09-032)

Dear Mr. Pirone:

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

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

1. 16.156(k), (l) and (m), and granted a one year extension from the previously extended plan processing deadline date of 12/27/10 until 12/27/11 to execute the SDP-09-032 Developer's Agreement(s), pay all required fees, post all required sureties and submit the SDP-09-032 plan originals for signature approval.

The approval of this waiver petition is subject to compliance with the following condition(s) of approval:

1. The Petitioner/Developer shall execute the SDP-09-032 Developer's Agreement(s), pay all required fees, post all required sureties and submit the SDP-09-032 plan originals for signature approval by the extended plan processing deadline date of 12/27/11, or the plan, SDP-09-032, shall become null and void and be removed from processing.

Justification for the approval recommendation for this waiver petition:

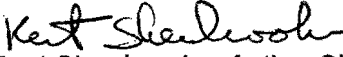
1. The enclosed justification submitted on 12/02/10 with this waiver petition request.
2. The Petitioner/developer has invested a great deal of time and money to reach this near, final level in the land development process, but has concluded it is not a sound business decision to proceed to completion at this time in this faltering economy and poor market. As a result, the Petitioner/developer would experience undue hardships and practical difficulties if strict compliance with the Regulations was required.
3. This waiver petition, if approved as cited above, will not nullify the intent and purpose of the Regulations, because SDP-09-032 has been completely processed, complied with all applicable requirements and was issued a "technically complete" letter, and this project is waiting for the current poor economic conditions to improve so financing and sureties can be obtained, and the proposed buildings can be leased/rented, which will result in new businesses and a significant number of new jobs of great importance to Howard County.

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Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and approval date for this waiver petition in a detailed note on sheet 1 of site development plan, SDP-09-032. This waiver petition approval will remain valid until 12/27/11.

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

Sincerely,

  
Kent Sheubrooks, Acting Chief,  
Division of Land Development

KS/MA/WP11092.appr.ltr.

cc: File  
Research  
RES/DPW  
DED  
SDP-09-032  
GLW