



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
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Marsha S. McLaughlin, Director

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March 2, 2011

Thomas D. Hess  
Sheppard Pratt Health Systems, Inc.  
6501 North Charles Street  
Baltimore, Maryland 21204-6819

Re: Corridor 95 Business Park  
Waiver Petition WP-11-131  
(Final Plan F-10-013, Site Development Plan SDP-08-082)

Dear Mr. Hess:

The Director of the Department of Planning and Zoning considered your request for a waiver of the Howard County Subdivision and Land Development Regulations. As of the date of this letter, the Planning Director approved your request to waive Subsections 16.144(m), 16.144(r)(3), 16.156(g)(2), 16.156(k), 16.156(l), and 16.156(m) of the County Code. A waiver of Subsections 16.156(i) and (j) was requested but is unnecessary since: 1) the Department of Planning and Zoning on September 3, 2009 indicated to the previous property owner that SDP-08-082 was approved ("technically complete") and, 2) Planning Board approval is not required.

Approval is subject to the following conditions:

1. Petitioner shall submit the information and fees specified in our letter of May 13, 2010 (Re: F-10-013) to the Department of Planning and Zoning **on or before September 1, 2011**. Failure to comply with this condition shall result in Final Plan F-10-013 being denied in accordance with Subsection 16.144(r)(3) of the Code.
2. Petitioner shall address the comments included in the DPZ letter of May 20, 2010 (Re: SDP-08-082) and submit plan revisions directly to the DLD **on or before September 1, 2011**.
3. Petitioner shall execute developer agreements, pay applicable DPW fees, and submit site development plan originals in accordance with our letter of September 3, 2009 (Re: SDP-08-082) **on or before December 1, 2011**.
4. Petitioner is advised that the July 27, 2009 approval of "originals only" processing to record off-site sewer easements is no longer valid. If the petitioner wishes to utilize the "originals only" process to record the easements a new request and supporting documentation must be submitted.

Our decision to approve the waiver was made based on the following justification:

*Extraordinary Hardship or Practical Difficulty*

Extraordinary hardship and practical difficulty to the Petitioner would result if the waiver was denied and strict compliance with the regulations enforced. Significant delays have been encountered in the process of finalizing the relevant plans as a result of protracted negotiations with the owner of the adjacent

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Meadowridge Cemetery for an off-site sewer easement, amendment of the use restrictions on the property, and the complexity of the transfer of the property from the previous owner to the Petitioner. Denial of a waiver of the relevant regulations would ultimately result in denial of F-10-013 and expiration of SDP-08-082 approval; new final plan and site development plan submissions would be required to continue processing the plans. Since SDP-08-082 is approved and approval of F-10-013 is pending only approved water and sewer construction drawings (which were contingent on obtaining the off-site sewer easement), denial of the waiver would result in a redundancy of plan submissions, unnecessary expenditure of resources, and project delay, resulting in the imposition of extraordinary hardship and practical difficulty on the Petitioner.

*Not Detrimental to the Public Interest*

Waiver approval will not be detrimental to the public interest. Site Development Plan SDP-08-082 has been approved and Final Plan F-10-013 has been processed and may be approved subject to submission of approved water and sewer construction drawings. The plans comply with all current regulations except those to which this waiver applies. Waiver approval will result in no adverse impact on surrounding properties or 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. On the contrary, waiver approval will help fulfill the purpose of the Subdivision and Land Development Regulations by assisting orderly, efficient, and integrated development of land and will allow the Petitioner to expend its resources towards developing the property in lieu of making new application for previously-approved plans and plans in the late stages of the review process.

Indicate the waiver petition file number on all related plats and site development plans. This waiver will remain valid as long as submission deadlines established by the conditions of approval are met.

Should you have any questions please contact Dave Boellner by telephone at 410-313-3956 or by e-mail at [dboellner@howardcountymd.gov](mailto:dboellner@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
DPZ, Division of Land Development

KS/DBB:dbb

CC: DPZ, Research  
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