



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

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November 22, 2011

Thomas Hess  
Sheppard Pratt Health Systems, Inc.  
6501 North Charles Street  
Baltimore, Maryland 21285

Re: Corridor 95 Business Park  
Waiver Petition WP-12-072  
(Final Plan F-10-013,  
Site Development Plan SDP-08-032)

Dear Mr. Hess:

The Director of the Department of Planning and Zoning considered your request for a waiver of Subsections 16.144(m), 16.144(r)(3), 16.144(r)(5), 16.144(r)(6), 16.156(g)(2), 16.156(k), 16.156(l) and 16.156(m) of the Howard County Subdivision and Land Development Regulations. As of the date of this letter, the Planning Director approved your request, subject to the following conditions:

1. Petitioner shall complete developer agreements, pay fees, and complete all items listed under Step 2 of our letter of July 19, 2011 (Re: F-10-013) **on or before May 16, 2012**. Failure to comply with this condition shall result in approval of Final Plan F-10-013 being voided and the application being withdrawn;
2. Petitioner shall submit final plat originals and complete all items listed under Step 3 of our letter of July 19, 2011 (Re: F-10-013) **on or before July 15, 2012**. Failure to comply with this condition shall result in approval of Final Plan F-10-013 being voided and the application being withdrawn;
3. Petitioner shall address comments included in the DPZ letter of July 19, 2011 (Re: SDP-08-082) and submit plan revisions directly to the DLD **on or before May 16, 2012**;
4. Petitioner shall execute developer agreements, pay applicable DPW fees, and submit site development plan originals in accordance with our letter of July 19, 2011 (Re: SDP-08-082) **on or before July 15, 2012**.

A waiver of Subsections 16.144(m) and 16.144(r)(3) is unnecessary since the final plan has been approved (i.e. determined "technically complete").

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

***Extraordinary hardship or practical difficulty will result from strict compliance with the regulations.***

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

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now in negotiations to purchase credits at a forest conservation bank in order to satisfy forest conservation obligations. Waiver denial and strict regulatory compliance and enforcement would result in the approval of F-10-013 being voided and expiration of the approval of SDP-08-082; new final plan and site development plan submissions would be required to continue processing the plans. Since F-10-013 and SDP-08-082 are approved, 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.

*Waiver approval will not be detrimental to the public interest.*

Waiver approval will not be detrimental to the public interest since Final Plan F-10-013 and Site Development Plan SDP-08-082 have been approved and 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.

*Waiver approval 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. Waiver approval will allow the petitioner to expend resources developing the property in an orderly, efficient, and integrated manner rather than making new applications for previously-approved plans.

This waiver will remain valid for the time periods specified in the conditions of approval.

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  
DPZ, DED  
GW Stephens