



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

Marsha S. McLaughlin, Director

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April 10, 2012

Atapco Howard Square II  
10 E. Baltimore St., Suite 1600  
Baltimore, MD. 21202

RE: WP-12-142 (Howard Square: Phases 3 & 4, Parcel 'C')  
(associated with SDP-12-018)

Dear Interested Parties:

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(g)(2)** which establishes timelines (45 days) for the submission of revised site development plans.

**Approval is subject to the following condition:**

1. The developer must submit revised plans in association with SDP-12-018 **within 60 days** of waiver approval (**on or before June 9, 2012**). The consultant is reminded to provide 2 paper copies of the revised plans to DLD and DED.

The Planning Director's decision was made based on the following:

**Extraordinary hardships or practical difficulties:**

Denial of the waiver petition would result in undue hardship because it would require the submission of a new Site Development Plan resulting in additional/duplicate reviews by applicable SRC agencies. The project has already been subject to two reviews and has an established file history. Per the applicant's justification, "in early February, 2012, the architect for the project indicated to the developer that he could no longer work on the project. This required the Developer to contract with a new architectural firm and the contract was not finalized until the end of February. The Developer believes that maintaining current deadlines would result in financial hardship as a result of submitting incomplete plans. The financial hardship would come in the form of additional review fees. In addition, review of an incomplete/inaccurate revision would be an inefficient use of County review time".

**Detrimental to the Public Interest:**

The extension of deadline dates for the submission of revised plans will not be detrimental to the Public Interest. No significant changes to the subdivision or zoning regulations have occurred since the last submittal. The extension of time "will allow for the incorporation of DAP recommendations" and will also allow for "a detailed reflection of the new architect's design changes", hopefully resulting in a more effective review.

**Nullifies the Intent or Purpose of the Regulations:**

All SRC review agencies will be provided the opportunity to review the revised plans and therefore the Intent and Purpose of the Regulations will be upheld through the required review process. The applicant is not asking for an exception to Code requirements, merely an extension of time to adequately address design issues.

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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 the time period specified in the condition of approval or as long as this site development plan remains in active processing.

If you have any questions, please contact Tanya Krista-Maenhardt, AICP at (410) 313-2350 or email at [tmaenhardt@howardcountymd.gov](mailto:tmaenhardt@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

attachment

KS/TKM/waivers 2012/Howard Square WP-12-142 approval 4-10-12

cc: Research  
DED  
DCCP  
Benchmark Engineering  
SDP-12-018 file