



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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November 2, 2012

Merritt Properties, LLC
attn: Dan Pallace
2066 Lord Baltimore Drive
Baltimore, MD 21244

RE: WP-13-052 Rivers Corporate Park, Sect. 1, Area 1, Parcel C

Dear Mr. Pallace:

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 the following section of the Subdivision and Land Development Regulations:

Section 16.156(o)(1)(i) of the Subdivision and Land Development Regulations (Amended Fifth Edition) – Within 1 year of signature approval of the site development plan original, the developer shall apply to the Department of Inspections, Licenses and Permits for building permits to initiate construction on the site. The petitioner is seeking a one-year extension to apply for building permits for the purpose of constructing a 20,850 square foot building addition.

Approval is subject to the following two (2) conditions:

- 1) **Within 1 year** from the date of this approval (on or before **November 2, 2013**), the developer/owner shall apply to the Department of Inspections, Licenses and Permits for building permits for all construction authorized by the approved site development plan.
- 2) Compliance with comments from the Development Engineering Division.

The decision of this waiver petition is based on the following justification:

Hardship:

The purpose of this waiver is to extend the approval deadline to file for a building permit for a SDP that received signature approval by DPZ. The Petitioner had a deadline date of October 31, 2012, per a letter issued by DPZ on November 4, 2011 regarding an approval of a revision to the SDP. The owner/developer delayed construction on the site due to the economic challenges created by the on-going national recession. The Petitioner is now confident that this project can now proceed into construction, since significant time and resources has been invested into the site development plan.

Not detrimental to public interest:

By granting this waiver, it will not have any detrimental impacts to the public interests, will not alter the essential character of the area and will not impair the use or development of the surrounding properties. The site is zoned for employment and industrial land use and has received site development plan approval. No changes are occurring to the SDP and it shall remain compliant with all County and State laws.

Not nullify the intent or purpose of the regulations:

Based upon all of the above justifications, approval of this waiver request will not nullify the intent of the Regulations which requires the developer, within 1 year of receiving signature approval of the site development plan original, to apply to the Department of Inspections, Licenses and Permits for building permits. The Petitioner had met all requirements to allow them to initiate the building permitting process and went through the appropriate process to make plan revisions to the approved SDP, which was approved on October 31, 2011.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all future DPZ plans and building permits. **This requested waiver will remain valid for one year from the date of this letter or as long as the application for permits remain in active processing.**

If you have any questions, please contact Derrick Jones at (410) 313-2350.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/dj
attch: DED
cc: Research
DED
Division of Zoning – Annette Merson
DILP
DPW – Real Estate Service (Phylis Watson)
BLDG, Inc.- Kritty Udhin