



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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FAX 410-313-3467  
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July 12, 2013

Amerigas Propane  
460 N. Gulph Rd.  
King of Prussia, PA.  
ATTN: Ervin Richardson

RE: WP-13-179 (Walgreens),  
(associated with SDP-13-028)

Dear Mr. Richardson:

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 (k), Section 16.156(l) and Section 16.156(m)** which establish deadlines for submission of developer's agreements, fees, posting of financial obligations, and the submission of plan originals in relation to site development plans.

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

1. The developer must submit **Developer's Agreements**, post financial sureties, and if applicable, submit payment to DPW, RES of the balance of the Department of Public Works, Engineering Review Fee in association with SDP-13-028 **within 6 months** of the date of August 10, 2013 (**on or before February 10, 2014**).
2. The developer must submit **site development plan originals** for signature in association with SDP-13-028 **within 6 months** of the date of August 10, 2013 (**on or before February 10, 2014**).
3. Contact Carol Stirn at 410-313-4351 to set up an original plan submittal appointment within the allotted time period. The applicant is responsible for any processing fee changes that may have occurred since the "technically complete" letter was issued for SDP-13-028.

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

**Extraordinary hardships or practical difficulties:**

Per the applicant's justification, "the redevelopment associated with SDP-13-028 is a two-phase project requiring a new Amerigas propane distribution facility to be constructed first at 8101 Dorsey Run Road in Jessup (SDP-13-018). Once the new Amerigas facility is completed, Amerigas will vacate their current premises at 10097 Baltimore National Pike and work can be commenced on the new Walgreens [store]. Construction of the new Amerigas was originally scheduled to commence in late February, but last minute difficulties with the financing of the project construction loan delayed the commencement of construction by at least three months. Absent the financing delays, completion of the new Amerigas

facility could have been completed and construction of the Walgreens commenced prior to the current August 10, 2013, preceding the deadline for the SDP. Site work for the relocated Amerigas began in early June and the new facility should be completed no later than mid-November, allowing the construction of the new Walgreens to commence by December 1<sup>st</sup>. The unique nature of the project necessitates a two-phased development process, which in turn delays the commencement of the Walgreens construction beyond the current processing deadline set forth in the Regulations.”

Denial of the waiver petition would therefore result in undue hardship because it would require the submission of a new site development plan. No site changes would occur with a new submission. The project has already been subject to a complete site plan review and has an established file history.

**Detrimental to the Public Interest:**

The extension of deadline dates for the paying of fees, signing developer’s agreements, providing sureties and submitting a site development plan will not be detrimental to the Public Interest. The site development plan has already been approved and the delay will not alter the essential character of the surrounding neighborhood or substantially impair the appropriate use of the surrounding properties.

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

Granting of this waiver would not nullify the intent or purpose of the regulations. This project has received a “technically complete” from the County. All agreements, sureties and fees must be addressed prior to commencement of any project work.

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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 conditions of approval.

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

KS/ikm/waivers 2013/Walgreens WP-13-179 approval 7-12-13

cc: Research  
DED  
Thomas B. McKee  
SDP-13-028 file