



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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June 9, 2015

Michael McCall
Inner Arbor Trust
10630 Little Patuxent Parkway, Suite 315
Columbia, MD 21044

RE: WP-15-152, Merriweather Park at
Symphony Woods (SDP-14-073)

Dear Mr. McCall:

The Director of the Department of Planning and Zoning considered your request for a waiver from the Howard County Subdivision and Land Development Regulations. On June 8, 2015, the Planning Director **approved** your request to waive **Section 16.156(l)**, which states that within 180 days of site development plan approval, the developer shall submit the completed developer's agreement documents and pay all fees to the County and post all monies and/or file appropriate surety covering the developer's financial obligations for the required improvements; and **Section 16.156(m)**, which states that within 180 days of site development plan approval, the developer shall submit the original mylar plans.

Approval is subject to the following conditions:

1. The applicant must submit the completed developer agreement documents, pay any associated final obligations, and submit the Site Development Plan original mylars within **60 days** of the current deadline (**on or before August 1, 2015**).
2. Add a note to the SDP that indicates that this waiver was submitted (identified by file number), states the purpose of the waiver, the date of decision and a list of all conditions of approval.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty: Based on the unique ownership and easement arrangement between Columbia Association and the Inner Arbor Trust, as well as the Reciprocal Easement Agreement between the Inner Arbor Trust, Columbia Association, Merriweather Post Business Trust, and The Howard Research and Development Corporation, the complete execution of a Developer's Agreement has become more complicated. The applicant is requesting additional time to ensure that the Developer's Agreement language and the Reciprocal Easement Agreement language are consistent.

Implementation of an Alternative Proposal: Granting a waiver for a short extension of time takes in consideration the unique circumstances and the investment of time and money already contributed to the project by all parties, including the County.


Not Detrimental to the Public Interest: There aren't any changes to the plan approved by the Planning Board. The waiver is only to allow additional time for the completion of paperwork already commenced.

Will Not Nullify the Intent or Purpose of the Regulations: There are no school allocations with the project. The only purpose of the deadline in this circumstance to ensure a project will continue and will not lapse in any regulations which are applicable to the site between approval and construction (if not grandfathered). The applicant has demonstrated that the Developer's Agreements are close to completion and no significant delays are anticipated at this time.


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 or as long as this site development plan remains in active processing.

If you have any questions, please contact Jill Manion-Farrar at (410) 313-2350 or email at jfarrar@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/JMF 

cc: Research
DED
Real Estate Services
Mary Kay Sigaty
Mary Clay
Calvin Ball
Kim Pruiam
GLW
Brian Spencer
SDP-14-073
Patricia Laidig – Town Center Community Association
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