



**Howard County Department Of Planning And Zoning**  
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Valdis Lazdins, Director

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June 28, 2016

Maple Lawn Finance LLC  
c/o Greenebaum Enterprises, Inc.  
Attn: Mark Bennett, V.P.  
1829 Reisterstown Road, Suite 300  
Baltimore MD 21208-7106

**RE: WP-16-151 Maple Lawn Farms, Westside District, Area 1**  
Parcel B-11 (Bank of America, SDP-08-058)

Dear Mr. Bennett:

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 two sections of the Subdivision and Land Development Regulations:

**Section 16.156(o)(1)(i)** of the 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.

**Section 16.156(o)(2)** of the Amended Fifth Edition - If the developer does not apply for building permits as required by Paragraph (1) of this Subsection, the site development plan shall expire and a new site development plan submission will be required.

**Approval** is subject to the following three (3) conditions:

- 1) Within one year from the date of this waiver approval (on or before **June 28, 2017**) the developer/owner shall apply to the Department of Inspections, Licenses and Permits for building permits to initiate construction on the site, as authorized by the approved redlined site development plan (SDP-08-058).
- 2) All comments provided for the redline revision to SDP-08-058 (to revise the bank building's footprint and parking) must be satisfied and completed as part of that revision.
- 3) Indicate this waiver petition file number (WP-16-151) section of the regulations, request, action, conditions of approval, and approval date in a detailed general note on sheet 1 of SDP-08-058 as part of the red-line revision to revise the bank building's footprint and parking.

### **Justification for Recommendation of Approval**

#### Hardship:

The purpose of this waiver is to grant additional time (one year) for Bank of America to apply for permits to initiate construction in Westside Marketplace shopping center that was authorized by the approved site development plan (SDP-08-058). The petitioner had a deadline date of January 22, 2016 to apply for permits, but due to a real estate development market that had yet to peak and the bank's reluctance to proceed when the surrounding parcels were not yet constructed, no application for permits were filed. Now that the surrounding retail parcels (Parcels B-24 thru B-26) have been constructed, there has been a reemergence for retail demand at this location. The petitioner needs the additional time to complete all business transactions, the redlining of the SDP (to site a smaller bank building footprint) and obtain permits for a building design necessary to proceed with construction.

#### 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, because the site is zoned for mixed use and has received site development plan approval. No changes are occurring to the SDP beyond what shall be approved on the redline revision (to site a smaller bank building footprint), Parcel B-11 is not changing, and the SDP 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 DILP for the initiation of building permits. The developer had met all requirements to allow them to initiate the building permitting process and is currently undergoing SDP revisions (redline) to reduce the bank building's footprint. There is no DPW developer agreements associated with this project, as confirmed with DPW's Real Estate Services on June 21, 2016.

\* Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date of approval/denial on all forthcoming plans. **This requested waiver will remain valid for the one year time period as indicated in this letter.**

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

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/dj  
enc: DED  
cc: Research  
DED  
GLW  
Bohler Engineering – Matthew Destino  
Zoning – Annette Merson  
File: SDP-08-058