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December 26, 2023

Howard County Board of Appeals
Attn: Kel Berg, Board Administrator
3430 Courthouse Drive
Ellicott City, Maryland 21043
kberg@howardcountymd.gov

BY EMAIL AND REGULAR MAIL

Re: *In the matter of Kincade LLC*
Case No. 797D

Dreart Ms. Berg:

Kincade LLC (“Kincade”) is in receipt of Howard Research and Development’s (“HRD”) Motion to Dismiss the Appeal in the above referenced matter (“Appeal”). After the Board of Appeals (“Board”) issued an oral Order approving FDC DC-L-2A on April 23, 2023 but before a written decision was filed, Kincade filed the instant appeal in an abundance of caution in order to preserve its rights. After the Board issued the written decision on July 23, 2023, Kincade filed an appeal of the written decision under Case Number 800D and that case is currently pending. For this reason, Kincade will not oppose HRD’s Motion to Dismiss.

For the Board’s information, later this week Kincade will interpose opposition to HRD’s Motion to Dismiss in Case Number 795D which was filed concurrently with the instant Motion. Thank you for your consideration.

Very truly yours,
Sanford Talkin
Sanford Talkin

cc: Howard County Planning Board (by email only)
Howard County Planning & Zoning (by email and regular mail)
All counsel (by email and regular mail)