



Howard County Department Of Planning And Zoning

3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Marsha S. McLaughlin, Director

www.howardcountymd.gov

FAX 410-313-3467

TDD 410-313-2323

September 14, 2011

Hopkins Hospitality Investors, LLC
attn: Jay Patel
7226 Lee Deforest Drive, Suite 200
Columbia, MD 21046

RE: **WP-12-018 Homewood Suites** (Hotel and Restaurant)
(SDP-09-055)

Dear Mr. Patel:

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 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. **The developer missed the May 5, 2011 deadline to apply for permits to initiate construction on 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 1 year from the date of this approval (by **September 14, 2012**), the developer/owner shall apply to the Department of Inspections, Licenses and Permits to initiate construction on the site.
- 2) Indicate this waiver petition file number (WP-12-018) section of the regulations, request, action and conditions of approval, and approval date in a detailed general note on sheet 1 of SDP-09-055 should an approved red-line revision change be made to the plan originals.
- 3) Subject to compliance with the attached DED comments dated August 11, 2011.

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

The purpose of this waiver is to grant a 1 year extension to apply for all necessary permits to initiate construction that was authorized by the approved site development plan (SDP-09-055). The petitioner had a deadline date of May 5, 2011 to apply for building permits, but due to a weakened economy and the hardship of selling and leasing commercial space, the developer has encountered a delay in completing this project. Only one proposed building remains to be constructed. The petitioner needs the additional time to complete all business transactions 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 office and research and development, and limited commercial uses and has received site development plan approval. No changes are occurring to the SDP beyond what is approved on the SDP. 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 Department of Inspections, Licenses and Permits for building permits. The petitioner should be able to execute the obligations associated with this plan once the real estate market improves.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all future permits applied for. **This requested waiver will remain valid for the time period specified in the above conditions.**

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

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/dj

cc: Research

DED

DILP – Permits

Zoning – Annette Merson

Vogel Engineering

File: SDP-09-55