

County Council Of Howard County, Maryland

2014 Legislative Session

Legislative Day No. 7

Resolution No. 73 -2014

Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION pursuant to Sections 16.301 and 16.200(a) of the Howard County Code, granting a variance for government uses from the structure and use setback for a proposed retaining wall at Troy Park.

Introduced and read first time _____, 2014.

By order _____
Sheila M. Tolliver, Administrator

Read for a second time at a public hearing on _____, 2014.

By order _____
Sheila M. Tolliver, Administrator

This Resolution was read the third time and was Adopted___, Adopted with amendments___, Failed___, Withdrawn___, by the County Council on _____, 2014.

Certified By _____
Sheila M. Tolliver, Administrator

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS**, Section 16.200(a) and Section 16.301 of the Howard County Code
2 provides that variances for governmental uses from the strict application of the Zoning
3 Regulations are granted by the County Council by Resolution following a public hearing;
4 and;

5
6 **WHEREAS**, the County has proposed to construct athletic field S-3 and a fence,
7 with attached netting around the field (collectively, the “athletic field” as shown in the
8 attached “Sketch A”), as part of Troy Park; and

9
10 **WHEREAS**, the site is zoned M-1 (Manufacturing: Light), a category that
11 imposes a 50-foot structure and use setback (building restriction line) from a public street
12 right of way; and

13
14 **WHEREAS**, the MD Route 100 Ramp to Interstate 95 is adjacent to the
15 location of the proposed athletic field; and

16
17 **WHEREAS**, on or about January 6, 2014, the County Council passed Council
18 Resolution No. 168-2013 that approved a variance from the structure and use setback
19 from a public street right of way for the construction of the athletic field approximately
20 28 feet into the setback area; and

21
22 **WHEREAS**, as part of the construction of the athletic field, a retaining wall
23 needs to be constructed as shown in the attached “Sketch B”; and

24
25 **WHEREAS**, accordingly, the County proposes to encroach approximately 41 feet
26 into the 50-foot building restriction line for the retaining wall; and

27
28 **WHEREAS**, the County requests a variance from the strict application of the 50-
29 foot building restriction line in order to construct the retaining wall approximately 41 feet
30 into the setback area; and

31

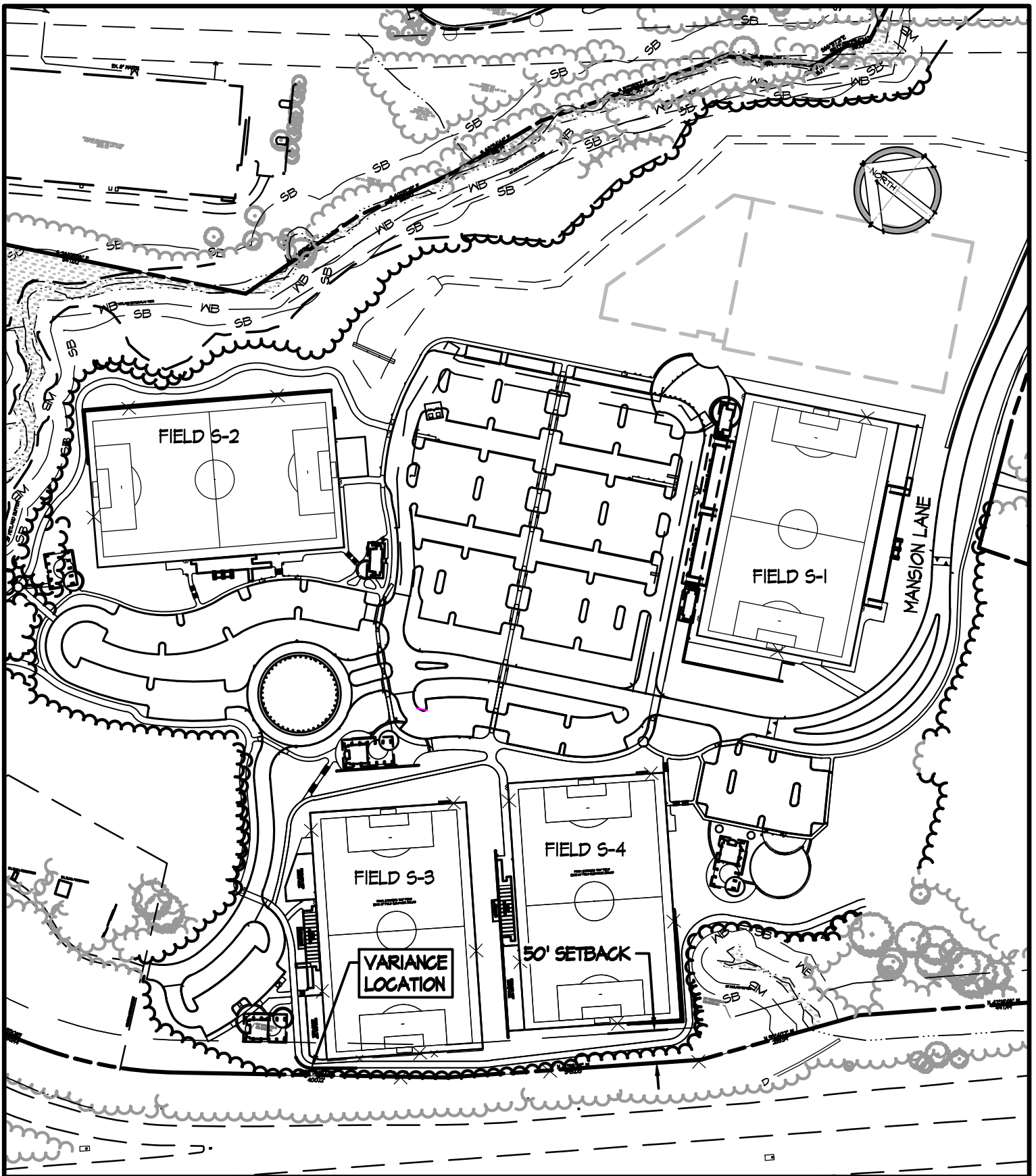
1 **WHEREAS**, the County Council finds that the proposed variance from the
2 setback (building restriction line) requirements of the M-1 district for this governmental
3 purpose is within the spirit and intent of the Zoning Regulations and is in the public
4 interest.

5

6 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard
7 County, Maryland this _____ day of _____, 2014 that, for the construction of a
8 retaining wall at Troy Park, as shown in the attached Sketch B, it grants a variance from
9 the required 50-foot structure and use setback to be 9 feet in the M-1 Zoning District.

10

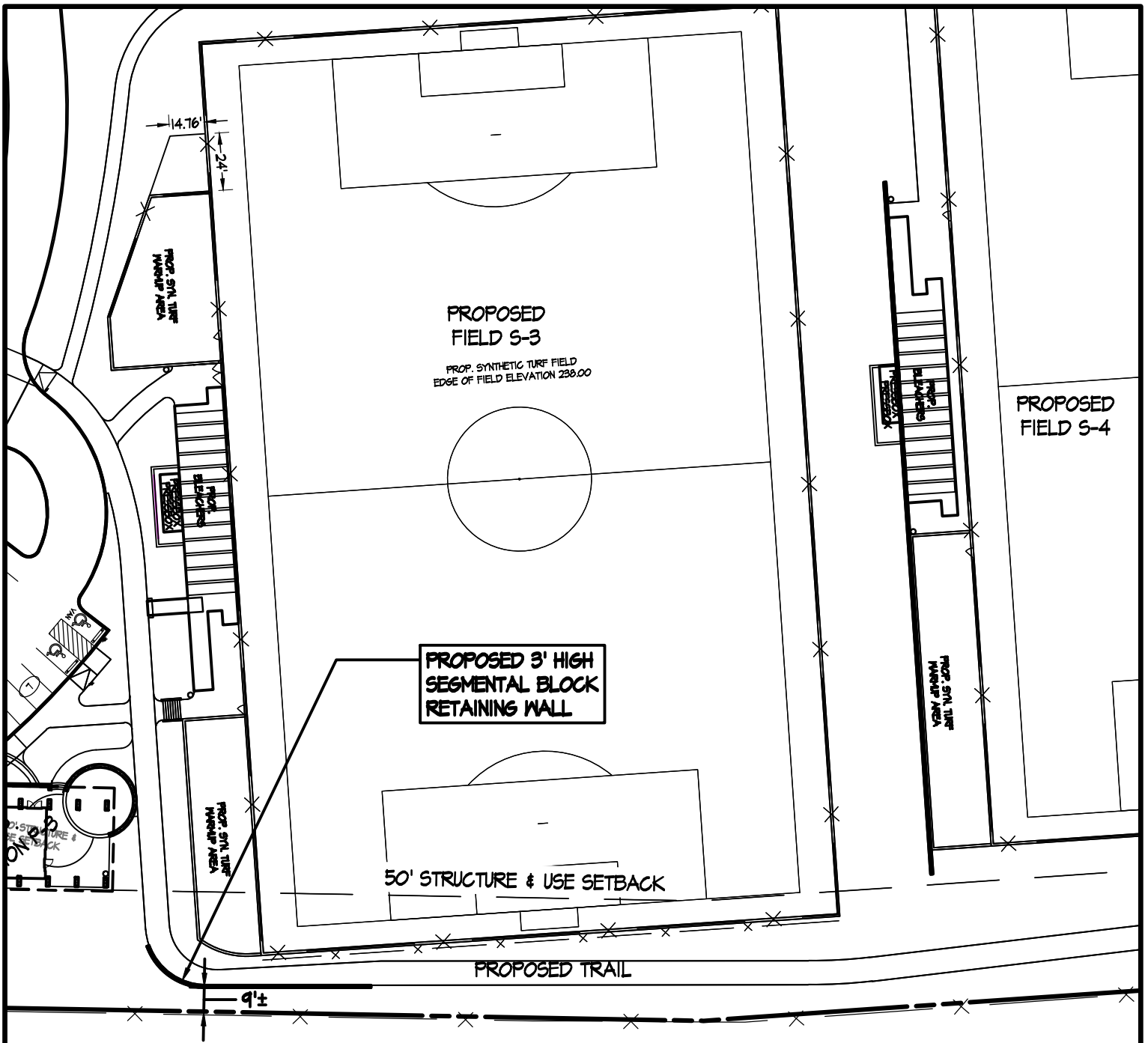
11



SKETCH | **TROY PARK**
A | **VARIANCE PETITION**

SCALE: 1"=200'

JUNE 2, 2014



MD ROUTE 100 (WESTBOUND)
ARTERIAL ROAD

Variance request to reduce 50' setback to 9' to install 3' high segmental block retaining wall.

