

# 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.

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Introduced and read first time June 2, 2014.

By order

Sheila M. Tolliver  
Sheila M. Tolliver, Administrator

Read for a second time at a public hearing on June 14, 2014.

By order

Sheila M. Tolliver  
Sheila M. Tolliver, Administrator

This Resolution was read the third time and was Adopted ☒, Adopted with amendments\_\_\_, Failed\_\_\_, Withdrawn\_\_\_, by the County Council on July 7, 2014.

Certified By

Sheila M. Tolliver  
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

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 7<sup>th</sup> day of July, 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.









