

County Council Of Howard County, Maryland

2011 Legislative Session

Legislative Day No. 4

Resolution No. 42 -2011

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

A RESOLUTION pursuant to Section 16.301 of the Howard County Code, granting variances from the structure and use setback for a recreation facility to be located at the redeveloped Hilltop property located at Mt. Ida Drive, Ellicott City, Maryland.

Introduced and read first time _____, 2011.

By order _____
Stephen LeGendre, Administrator

Read for a second time at a public hearing on _____, 2011.

By order _____
Stephen LeGendre, Administrator

This Resolution was read the third time and was Adopted___, Adopted with amendments___, Failed___, Withdrawn___, by the County Council on _____, 2011

Certified By _____
Stephen LeGendre, Administrator

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

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

5 **WHEREAS**, the Howard County Housing Commission, a public housing authority
6 created under the laws of the State of Maryland and the County, (the “Commission”) seeks to
7 redevelop the Hilltop apartment complex, the Ellicott Terrace apartment complex, and the Roger
8 Carter Recreation Center into a 278-unit, mixed-income, multi-generational, sustainable and
9 universally designed community with a public recreation facility, located on a separate lot
10 adjacent to the residential lot, that will include an indoor swimming pool, basketball court, a
11 fitness facility, multi-purpose room, and classrooms that will serve both the redeveloped
12 community and the neighborhood at large (the “Recreation Center”) to serve the public
13 (collectively, the “Redevelopment”); and
14

15 **WHEREAS**, in Council Resolution No. 24-2011, the Council authorized the County
16 Executive to convey the land necessary for the Redevelopment to the Commission; and
17

18 **WHEREAS**, pursuant to a lease, the County’s Department of Recreation and Parks will
19 maintain and operate the Recreation Center for the public and the site upon which the Recreation
20 Center will be constructed is zoned POR and R-A-15; and
21

22 **WHEREAS**, in the R-A-15 zoning district, Section 112D.4.c(2)(c) of the Howard
23 County Zoning Regulations (“Zoning Regulations”) requires a 50-foot structure and use setback
24 from an adjoining R-SC district; and
25

26 **WHEREAS**, in the POR zoning district, Section 115D.3.a. of the Zoning Regulations
27 requires a 75-foot structure and use setback from residential districts or uses, including the R-20
28 zoning district; and
29

30 **WHEREAS**, the County and the Commission have requested variances from the strict
31 application of the structure and use setback requirements for the construction of the Recreation

1 Center and its required parking, driveway, retaining wall, and fence, as shown in the attached
2 Exhibit; and

3
4 **WHEREAS**, in the R-A-15 zoning district , the County and the Commission propose to
5 reduce the required 50-foot setback from the adjoining R-SC district in order to allow the
6 following setbacks:

- 7 (1) 10-feet for a parking deck;
- 8 (2) 10-feet for a retaining wall;
- 9 (3) 19-feet for parking;
- 10 (4) 31-feet for a driveway; and
- 11 (5) 1-foot for a 6 to 8 foot high fence; and

12
13 **WHEREAS**, in the POR zoning district, the County and the Commission propose to
14 reduce the required 75-foot setback from the adjoining residential (R-20) district in order to
15 allow the following setbacks:

- 16 (1) 62-feet for a parking deck;
- 17 (2) 69-feet for a retaining wall; and
- 18 (3) 50-feet for a 6 to 8 foot high fence; and

19
20 **WHEREAS**, the County Council finds that the proposed variances from the structure and
21 use setbacks of the R-A-15 and POR zoning districts for this governmental purpose is in the
22 public interest.

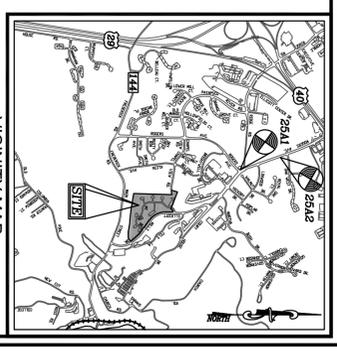
23
24 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
25 Maryland, this ___ day of _____, 2011 that, for the construction of the Recreation
26 Center and its parking, driveway and retaining wall, it grants variances from:

- 27 (1) The required 50-foot structure and use setback from an adjoining R-SC district in
28 the R-A-15 zoning district to (a) 10-feet for a parking structure, (b) 10-feet for a
29 retaining wall, (c) 19-feet for parking, (d) 31-feet for a driveway, and (e) one-foot
30 for a 6 to 8 foot high fence; and

31

1 (2) The required 75-foot structure and use setback from residential districts or uses in
2 the POR zoning district to (a) 62-feet for a parking structure, (b) 69-feet for a
3 retaining wall, and (c) 50-feet for a 6 to 8 foot high fence.
4
5

BENCHMARKS
 HOWARD COUNTY BENCHMARK 2541
 N 586,527.246 E 1,367,947.098
 HOWARD COUNTY BENCHMARK 2542
 N 587,502.729 E 1,366,956.377
 ELEV.: 396.343'
 ELEV.: 348.145'



LEGEND

	EXISTING CONTOUR
	PROPOSED CONTOUR
	EXISTING CURB AND GUTTER
	PROPOSED CURB AND GUTTER
	EXISTING UTILITY POLE
	EXISTING LIGHT POLE
	EXISTING MAILBOX
	EXISTING SIGN
	EXISTING SANITARY MANHOLE
	EXISTING SANITARY LINE
	EXISTING WATER LINE
	EXISTING STORM DRAIN LINE
	EXISTING FIRE HYDRANT
	EXISTING FENCE
	PROPERTY LINE
	RIGHT-OF-WAY LINE
	PROPOSED SIDEWALK
	PROPOSED STORM DRAIN MANHOLE
	PROPOSED FENCE

VARIANCES REQUESTED

- SECTION 112.04(C)(2) REDUCE THE REQUIRED SETBACK TO THE R-20 DISTRICT FROM 10' TO 5' FOR THE PROPOSED PARKING DECK FROM 50' TO 10' FOR SETBACKS FROM 50' TO 10' FOR PARKING, 50' TO 31' FOR A DRIVEWAY, AND 50' TO 4' FOR A 6'-8" FENCE.
- SECTION 115.03.3 REDUCE THE REQUIRED SETBACK TO THE R-20 DISTRICT FOR STRUCTURES AND USE FROM 75' TO 60' FOR A PARKING DECK, FROM 75' TO 60' FOR A RETAINING WALL, AND 75' TO 50' FOR A 6'-8" FENCE.

ATTORNEY
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 3RD FLOOR
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 (410) 571-6610

DEVELOPER
 STARBUCK ASSOCIATES, INC.
 1000 W. BALTIMORE STREET
 ANNAPOLIS, MD 21401
 C/O STEPHEN J. MOORE
 (410) 571-6610

EXHIBIT TO ACCOMPANY VARIANCE REQUEST FOR RECREATION CENTER AT HILLTOP

ELLCOTT CITY REDEVELOPMENT
 L.477/E.718, L.456/F.448, L.448/F.46

TAX MAP: 25 PARCELS 12, 291
 BLOCK: 07 ZONING: R-4H, R-4-15, POR
 AND ELECTION DISTRICT
 HOWARD COUNTY, MARYLAND

ROBERT H. VOGEL ENGINEERING, INC.
 ENGINEERS • SURVEYORS • PLANNERS
 8407 MAIN STREET
 ELLICOTT CITY, MD 21043
 TEL: 410.461.7666
 FAX: 410.461.8961

DESIGN BY: JJD
 DRAWN BY: JMS
 CHECKED BY: RHV
 DATE: MARCH 2011
 SCALE: 1"=40'
 W.O. NO.: 10-24

PROFESSIONAL CERTIFICATE
 I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A QUALIFIED PROFESSIONAL ENGINEER OR SURVEYOR.
 EXPIRATION DATE: 12-14-2012

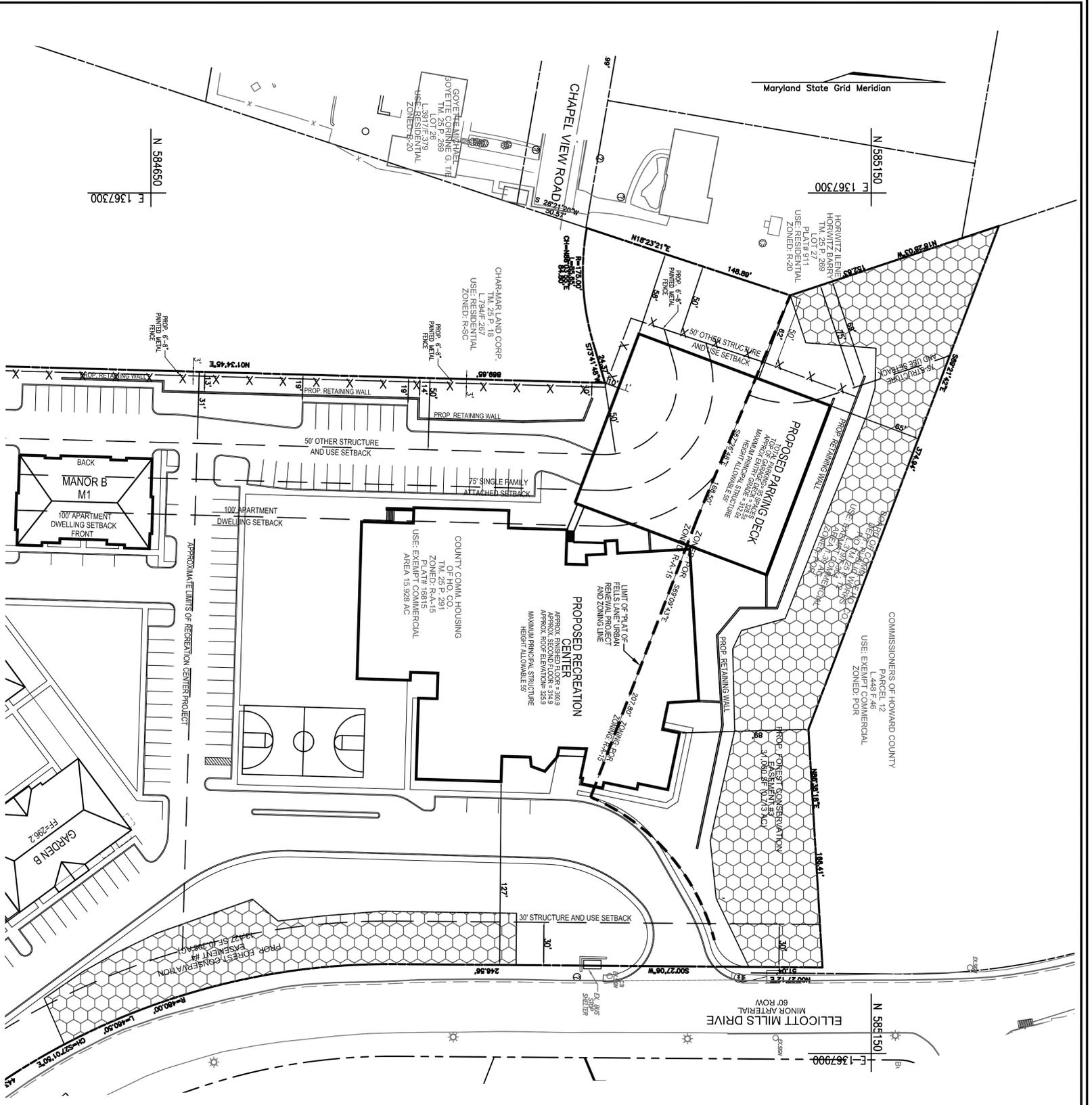


EXHIBIT
 SCALE: 1"=40'