



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

May 23, 2016

Eduardo Island
3721 Green Ash Court
Beltsville, MD 20705

Thomas McGee
American Touresorts, Inc.
802 Ingleside Avenue
Catonsville, MD 21228

RE: CaZabe Restaurant – 8801 Washington Blvd.
Tax Map 48 / Grid 1 / Parcel 89)
WP-16-126 (BA-15-023V)

Dear Gentlemen:

The Director of the Department of Planning and Zoning (DPZ) 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 **Section 16.155** which requires a Site Development Plan, approved by the DPZ for new or expanded non-residential development. Waiver approval is subject to the following conditions:

1. Compliance with the attached comments from the Division of Land Development dated May 18, 2016, by incorporating those required changes onto the Waiver Petition Plan Exhibit.
2. Compliance with the attached comments from the Department of Inspections, Licenses & Permits dated May 10, 2016, by incorporating those required changes onto the Waiver Petition Plan Exhibit.
3. Compliance with the attached comments from the Department of Fire & Rescue Services dated April 27, 2016, by incorporating those required changes onto the Waiver Petition Plan Exhibit.
4. Compliance with all requirements of the Health Department requirements at the time of building Permit review.
5. The applicant shall incorporate the required changes on the Waiver Petition Plan Exhibit as conditioned above and submit the Waiver Petition Plan Exhibit drawing as an original mylar plan to this Department within 45 days from the date of the waiver petition approval letter (**on or before July 4, 2016**) to receive signature approval from DPZ prior to applying for permits. The mylar original will be retained by DPZ as a permanent file record for the property. Submission of the Waiver Petition Plan Exhibit mylar requires a print distribution fee of \$3.00 per plan sheet.
6. Within 1 year of Waiver Petition approval (**on or before May 20, 2017**) the applicant shall apply to the Department of Inspections, Licenses and Permits for **building permits** to initiate construction on the site. The Waiver Petition number (WP-16-126) should be included as a referenced on the required permit(s).
7. Please be advised that the Department of Inspections, Licenses and Permits cannot formally accept your building permit application until you have submitted 2 copies of the Waiver Petition Exhibit which include all the pertinent information and details for the proposed site improvements that are normally shown on a standard site development plan.

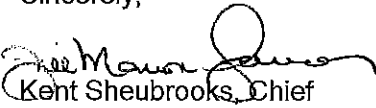
Our decision was made based on the following:

- Extraordinary hardship or practical difficulties which may result from strict compliance with the Regulations – It would be a substantial financial hardship for the applicant to be required to process a site development plan for the proposed site improvements to add a 660 square foot dining deck and five additional parking spaces. This restaurant, CaZabe, is a small business. The cost of paying for a site development plan would be cost prohibitive for this business.
- The intent of the Regulations will be served to a greater extent through the implementation of the alternative proposal – The applicant's request is that the requirement of a site development plan for this minor modification be waived. This site's use as a restaurant has existed for decades. The deck's location was approved in the non-residential variance request of the restaurant in BA-15-023V. The deck is relatively small in proportion to the overall structure and area and is a minor addition involving less than 5,000 square feet of site disturbance; there is no disturbance to any environmental features or required buffer; the proposal does not significantly alter the existing site access, parking, site, drainage or other site features; and does not qualify as redevelopment that requires storm water management. This is the only proposed change for the property from its current condition and use. Through the waiver petition review process, the proposed improvements to this site have been determined to be "minor improvements" by the Division of Comprehensive and Community Planning, and are exempt from complying with the Route 1 Manual requirements. The proposed LOD is less than 5,000 square feet of site disturbance and does not require storm water management. The existing access point to the property has been there for decades and has proven to be adequate for the site. Any additional information required on a site development plan would not be necessary for the intent of the Regulations to be served. This site has been in use for decades and the addition of the deck does not impact the use of the property in any meaningful way. Then intent of the Regulations will be served by allowing the applicant to substitute the Waiver Petition Exhibit for the detail required on a Site Development Plan.
- Approval of the Waiver will not be detrimental to the public interest and will not nullify the intent or purpose of the Regulations – Approval of the waiver request will not alter the essential character of the area and will not substantially impair the appropriate use or development of the surrounding properties. The deck will enhance the restaurant's business; provide convenience and enjoyment for its patrons; and, will enhance the character of the surrounding community. Approval of this waiver request will not nullify or diminish the intent or purpose of the Regulations which is to ensure that all development proposals follow uniform procedures and standards for processing to obtain the necessary County review and approvals.

Indicate this waiver petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This requested waiver will remain valid for the time period specified in the conditions of approval.

If you have any questions, please contact Ms. Pat Britt-Fendlay at (410) 313-2350 or email at pfendlay@howardcountymd.gov.

Sincerely,


 Kent Sheubrooks, Chief
 Division of Land Development

KS/JMF/MPB 

Enclosures: DLD; DILP; DF&R; Health

cc: Research

Jayesch Pancholi – Development Engineering Division

J. J. Hartner – Division of Public Service & Zoning Administration

Annette Merson – Division of Public Service & Zoning Administration

Jim Hobson – Department of Inspections, Licenses & Permits

Daniel Merson – Department of Fire & Rescue Services

Jeff Williams – Bureau of Environmental Health

Thomas M. Meachum – Carney, Kelehan Bresler, Bennett & Scherr, LLP

CAZABE RESTAURANT OUTDOOR SEATING DECK

8801 WASHINGTON BLV. JESSUP, MARYLAND

OWNER

CAZABE RESTAURANT
8801 WASHINGTON BLV.
JESSUP, MARYLAND
TEL: 240-375-5243

PROPERTY OWNER:

AMERICAN TOURESORTS, INC
TOM MCGEE
802 INGLESIDE AVENUE CATONVILLE
CATONVILLE, MD 21228-1112
TEL: 443-823-1444

LAWYER:

TOM MEACHUM
10715 CHARTER DRIVE
COLUMBIA, MD 21044
TEL: 410-740-4600

QUINTWORRELL, P.E.

4 TORRANCE COURT
KENSINGTON, MARYLAND-USA 20805
QEWORRELL@VERIZON.NET
TEL: 202-746-9675

DESIGN DATA

IBC 2012
INTERNATIONAL BUILDING CODE
ALL RELATED COUNTY CODE

EXISTING USE GROUP: ASSEMBLY A-2

1 STORY CONCRETE/WOOD
PROPOSED DECK: WOOD
LOT AREA: 38,919 SQFT OR 0.893 ACRES
NEW DECK (OUTDOOR SEATING)
AREA: 33'x20' = 660 SF
LOAD OCCUPANCY: IBC TABLE 1004.12
ASSEMBLY WITHOUT FIXED SEAT,
UNCONCENTRATED (TABLE AND CHAIR)
660/15 = 44

TAX MAP: 48
PARCEL: 89
ELECTION DISTRICT: 6TH DISTRICT
HOWARD COUNTY, MARYLAND

ARCHITECTURAL

C5 COVER SHEET
A-01 FLOOR PLANS AND ELEVATIONS ADDITIONS
A-02 ELEVATIONS, SECTIONS AND WALL DETAILS

NOTE:2

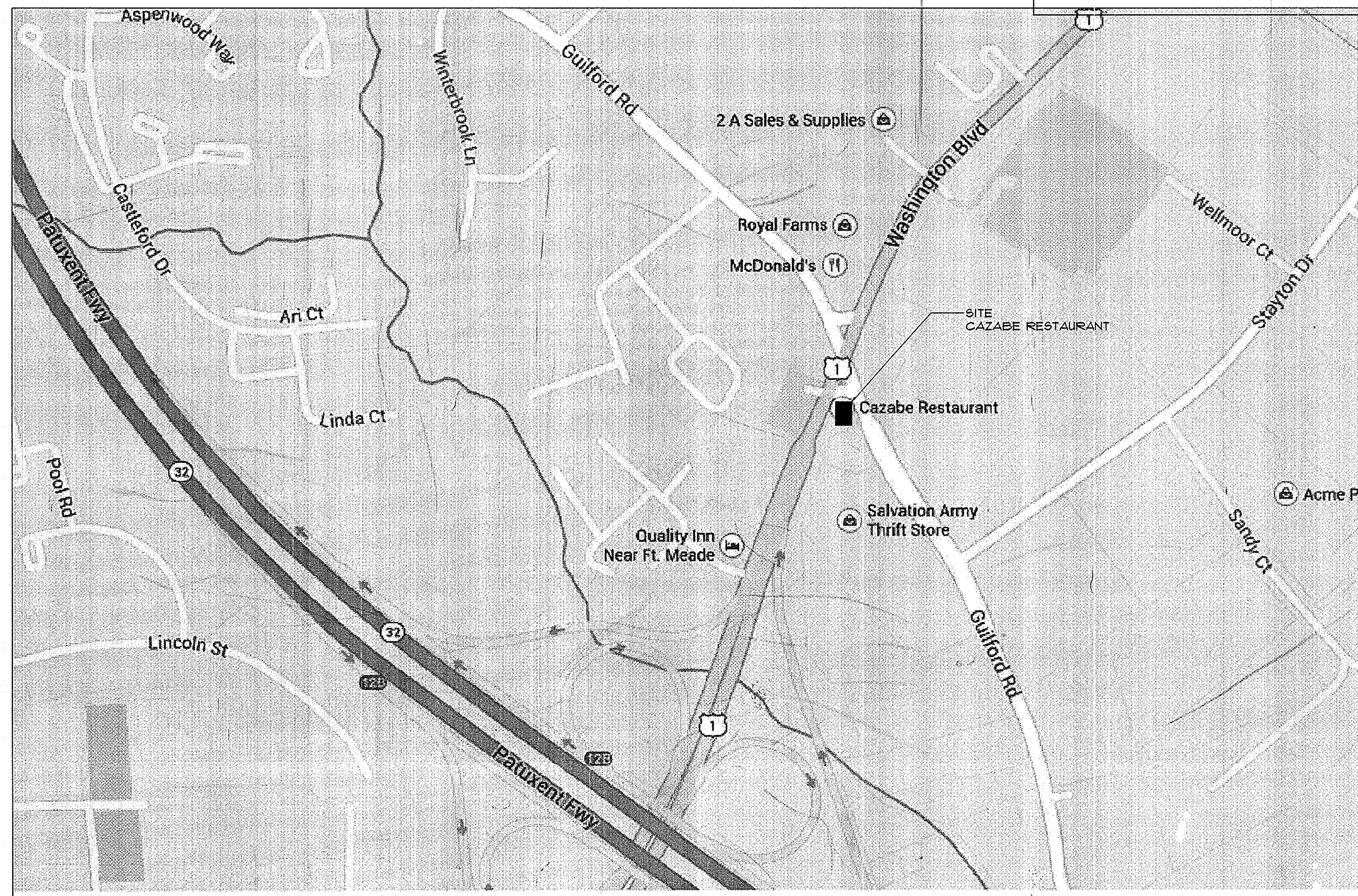
- 1- ZONING: CE-CLI-CR
- 2- ALL WOOD TO BE PRESSURED TREATED WOOD
- 3- EXISTING FLOOR TO CEILING HEIGHT: 9'-6"
- 4- EXISTING BUILDING HEIGHT: 15' 4"
- 5- NEW DECK:

DECK FLOOR HEIGHT: 15'
GUARD RAIL HEIGHT: 15' +3.6 =

GENERAL NOTE

1- REF: BA-15-023V
ON THE 9 DAY OF NOVEMBER 2015, THE HOWARD COUNTY BOARD OF APPEALS EXAMINER ORDER THAT THE PETITION OF ISLAND GROUP LLC, CABAZE RESTAURANT (PETITIONER) FOR VARIANCE TO REDUCE THE STRUCTURE AND USE SETBACK FROM A PUBLIC STREET RIGHT-OF-WAY (ROW) FROM 30 FEET TO 8 FEET FOR DECK ATTACHED TO THE SOUTH SIDE OF THE EXISTING STRUCTURE IN A CE-CLI-CR (CORRIDOR EMPLOYMENT/CONTINUING LIGHT INDUSTRIAL/COMMERCIAL/DEVELOPMENT) ZONING DISTRICT, IS GRANTED.

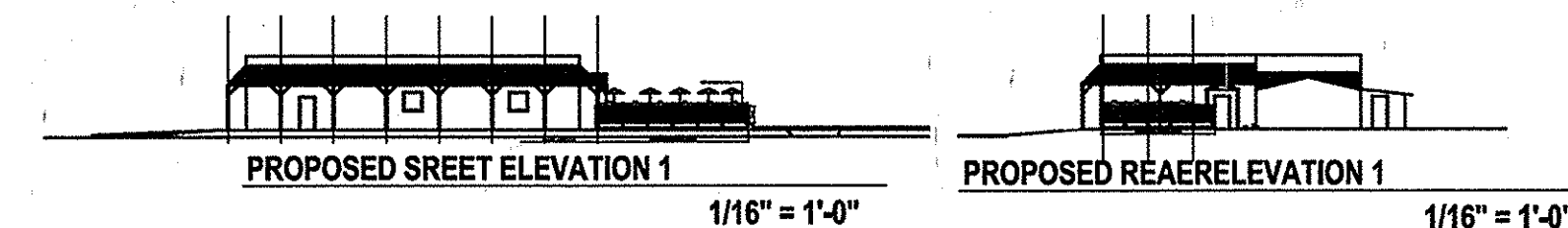
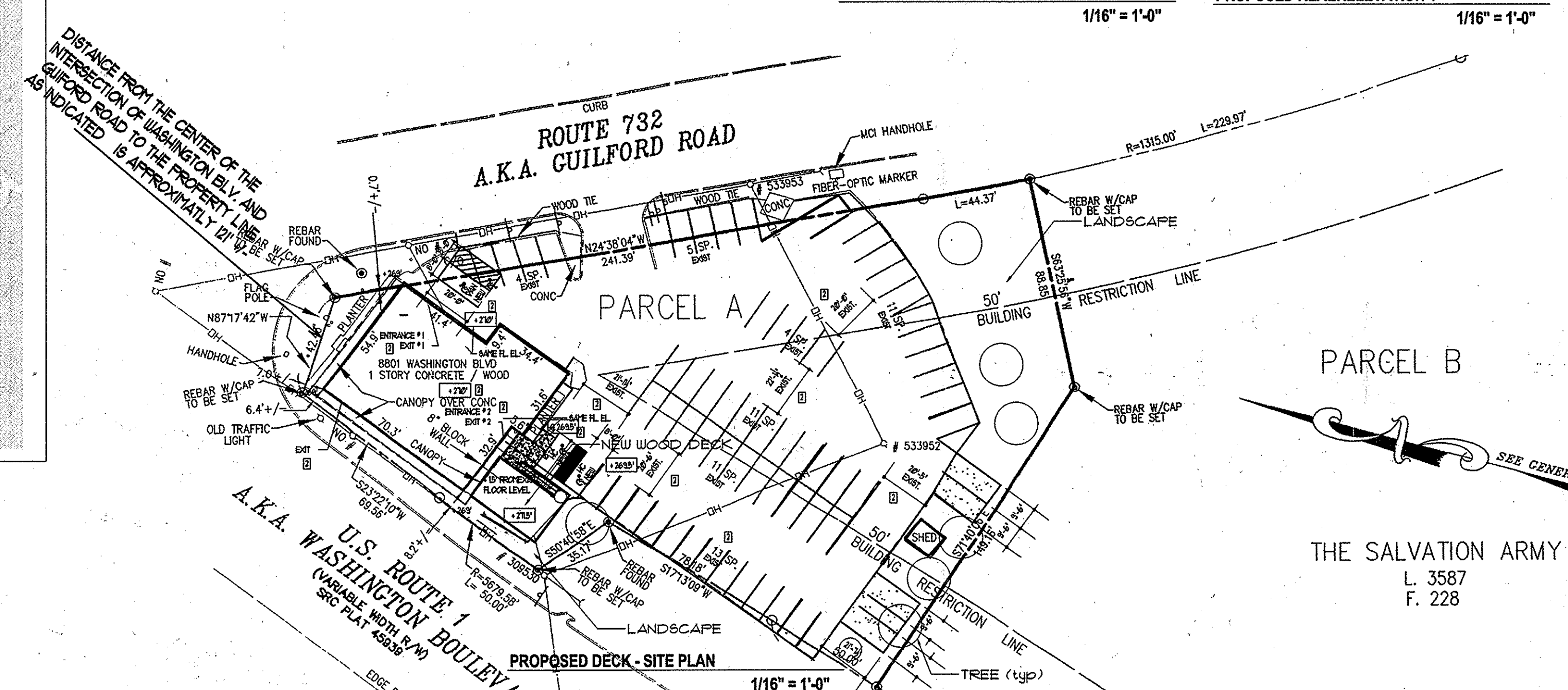
2- AS OF THE DATE OF MAY 23, 2016, THE PLANNING DIRECTOR APPROVED A REQUEST TO WAIVE SECTION 16.55 WHICH REQUIRE A SITE DEVELOPMENT PLAN, APPROVED BY THE DPZ FOR NEW EXPANDED NON-RESIDENTIAL DEVELOPMENT.



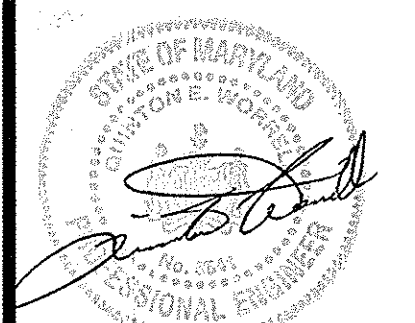
VICINITY MAP

APPROVER: DEPARTMENT OF PLANNING AND ZONING	Date: 6-28-16
Chief, Development Engineering Division	Date: 6-30-16
Director	Date: 6-30-16

ADDRESS CHART		PERMIT INFORMATION CHART	
LOT/PARCEL #	STREET ADDRESS	PERMIT #	DATE
89	8801 Washington Blvd.	242477-Haslop	6-28-16
		3342	6-30-16



QUINTWORRELL, P.E.
4 TORRANCE COURT
KENSINGTON,
MARYLAND-USA 20805
QEWORRELL@VERIZON.NET
TEL: 202-746-9675



PROJECT NUMBER
1506

PROJECT NAME
OUTDOOR SEATING DECK

LOCATION
8801 WASHINGTON BLV
JESSUP, MARYLAND

DRAWN BY
DRNK

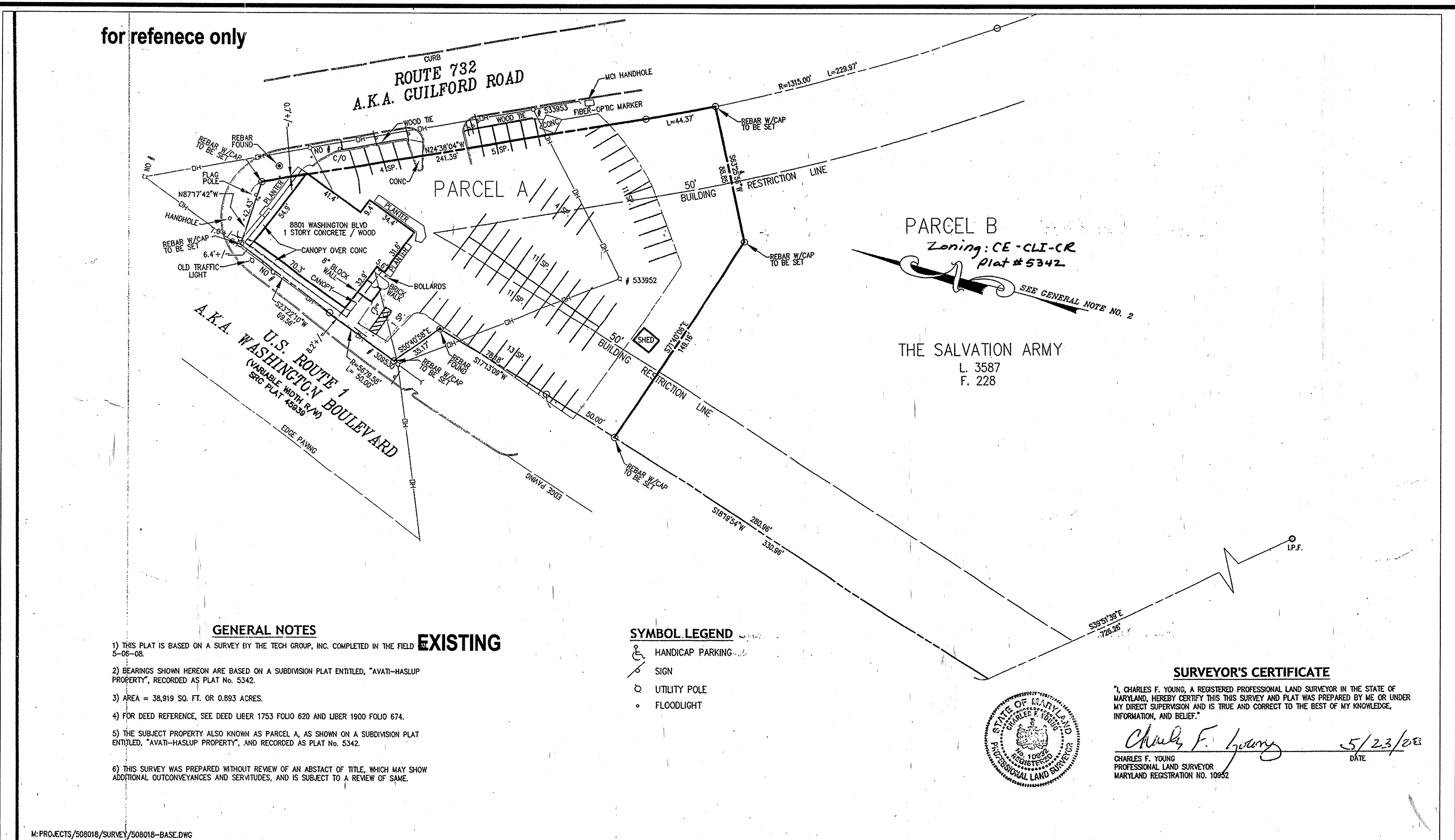
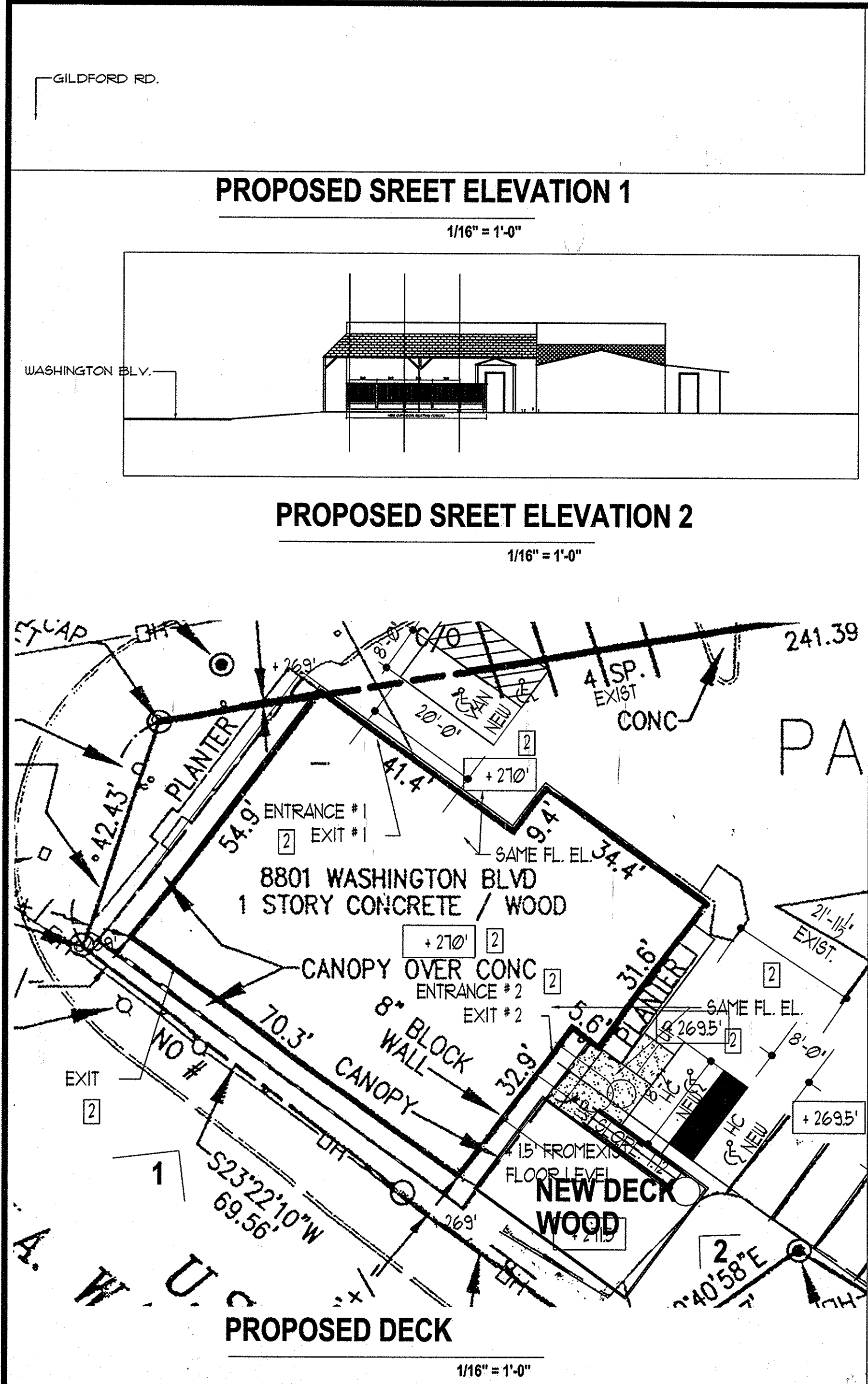
DATE ISSUED
05-01-2015
07-03-2015
06-03-2016

SCALE
AS NOTED

SHEET TITLE
COVER SHEET

SHEET NUMBER

CS



GENERAL NOTES

- THIS PLAT IS BASED ON A SURVEY BY THE TECH GROUP, INC. COMPLETED IN THE FIELD 5-06-08.
- BEARINGS SHOWN HEREON ARE BASED ON A SUBDIVISION PLAT ENTITLED, "AVATI-HASLUP PROPERTY", RECORDED AS PLAT NO. 5342.
- AREA = 38,919 SQ. FT. OR 0.893 ACRES.
- FOR DEED REFERENCE, SEE DEED LIEB 1753 FOLIO 620 AND LIEB 1900 FOLIO 674.
- THE SUBJECT PROPERTY ALSO KNOWN AS PARCEL A, AS SHOWN ON A SUBDIVISION PLAT ENTITLED, "AVATI-HASLUP PROPERTY", AND RECORDED AS PLAT NO. 5342.
- THIS SURVEY WAS PREPARED WITHOUT REVIEW OF AN ABSTRACT OF TITLE, WHICH MAY SHOW ADDITIONAL OUTCONVEYANCES AND SERVITUDES, AND IS SUBJECT TO A REVIEW OF SAME.

SYMBOL LEGEND

- HANDICAP PARKING
- SIGN
- UTILITY POLE
- FLOODLIGHT



SURVEYOR'S CERTIFICATE

"I, CHARLES F. YOUNG, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF MARYLAND, HEREBY CERTIFY THIS SURVEY AND PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF."

Charles F. Young 5/23/08
 PROFESSIONAL LAND SURVEYOR DATE
 MARYLAND REGISTRATION NO. 10952

M:\PROJECTS\508018\SURVEY\508018-BASE.DWG

REVISIONS		
DATE	BY	DESCRIPTIONS

THE TECH GROUP, INC.
 ENGINEERS • PLANNERS • SURVEYORS
 GEOTECHNICAL • ENVIRONMENTAL
 MATERIALS CONSULTANTS • FACILITIES

1111 Benfield Blvd.
 Suite 100
 Millersville, Maryland 21108
 Ph. (410) 987-3450
 Fax (410) 987-3457

PREPARED FOR
AMERICAN TOURESORTS, INC
 802 INGLESIDE AVENUE
 CATONSVILLE, MD 21228-1722

BOUNDARY SURVEY
 LANDS NOW OR FORMERLY OF
AMERICAN TOURESORTS, INC
 TAX MAP 48 PARCEL 89
 6TH DISTRICT, HOWARD COUNTY, MARYLAND

SCALE: 1"=40' DATE: 9-27-07 TTG PROJECT No. 508018 SHEET 1 OF

PARKING TABULATION

EXISTING RESTAURANT: 4301 SF
 PROPOSED DECK: 33x30 = 660 SF
 EXISTING PARKING REQUIRED AND PROVIDED: 61 SPACES
 NEW AND PROPOSED - REQUIRED AND PROVIDED:
 4301 x 14 / 1000 + 660 x 7 / 1000 = 60.2 + 4.62 = 64.82 = 65.

TOTAL PARKING REQUIRED AND PROVIDED: 65 SPACES

NOTE: 1- ZONING: CE-CLI-CR

- ALL WOOD TO BE PRESSURED TREATED WOOD
- EXISTING FLOOR TO CEILING HEIGHT: 8'-6"
- EXISTING BUILDING HEIGHT: 15'-0" +/-
- NEW DECK:
- DECK FLOOR HEIGHT: 15'
- GUARD RAIL HEIGHT: 15' +3.6"

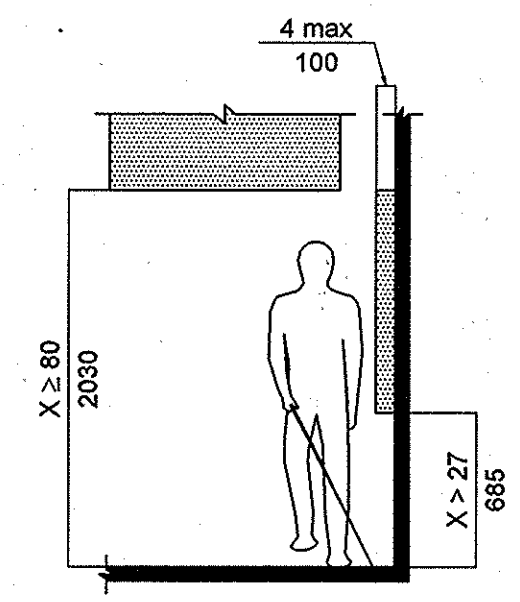
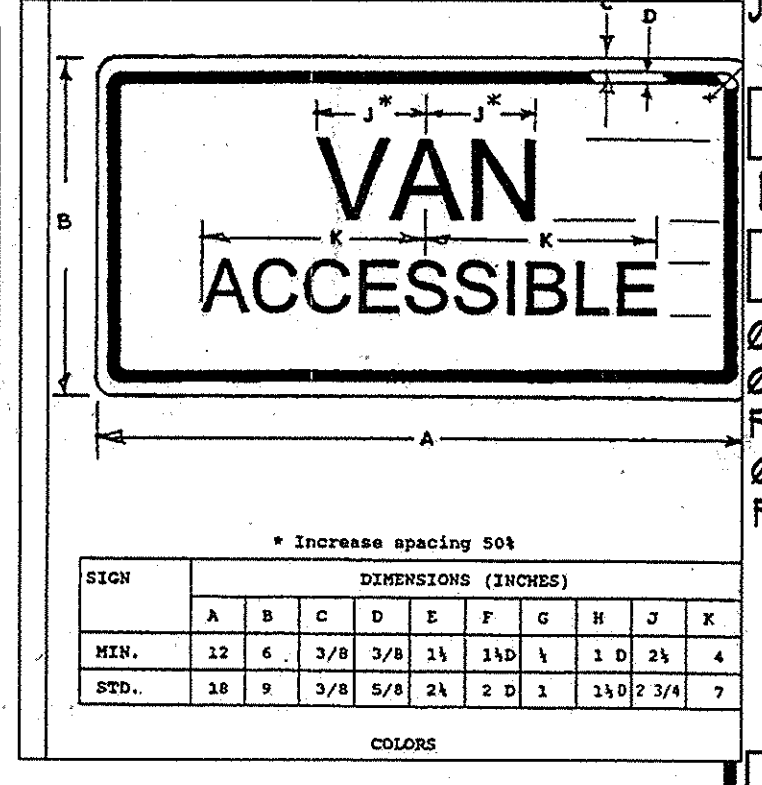
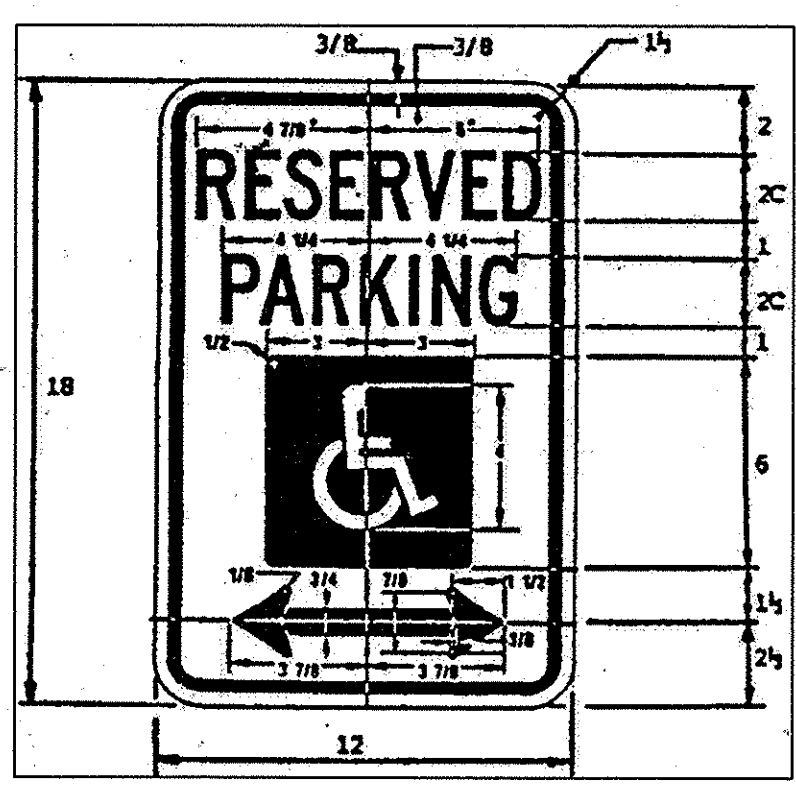


Figure 307.2
 Limits of Protruding Objects

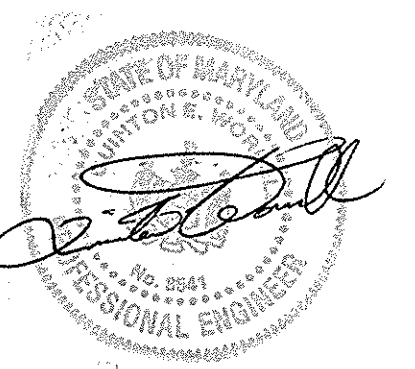
APPROVED: DEPARTMENT OF PLANNING AND ZONING

[Signature] 6-28-16
 Chief, Development Engineering Division

[Signature] 6-30-16
 Chief, Office of Land Development

[Signature] 6-30-16
 Director

QUINTWORRELL, P.E.
 4 TORRANCE COURT
 KENSINGTON,
 MARYLAND-USA 20805
 QEWORRELL@VERIZON.NET
 TEL: 202-746-9675



PROJECT NUMBER
 1506

PROJECT NAME
 OUTDOOR SEATING DECK

LOCATION
 8801 WASHINGTON BLY
 JESSUP, MARYLAND

DRAWN BY
 DRNK

DATE ISSUED
 05-02-2015

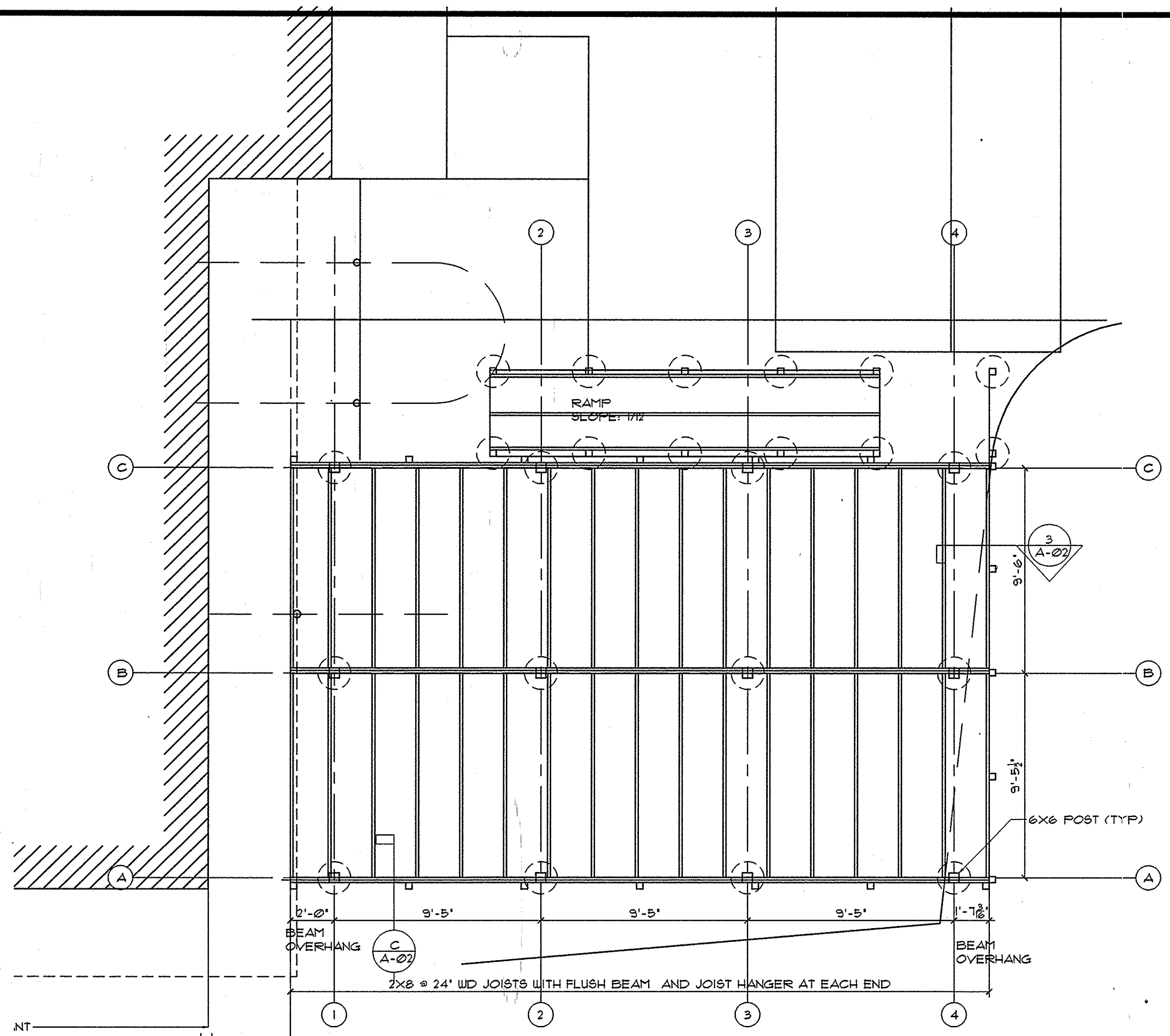
PERMIT REVISION
 07-09-2015
 06-03-2016

SCALE
 AS NOTED

SHEET TITLE
 SECTIONS

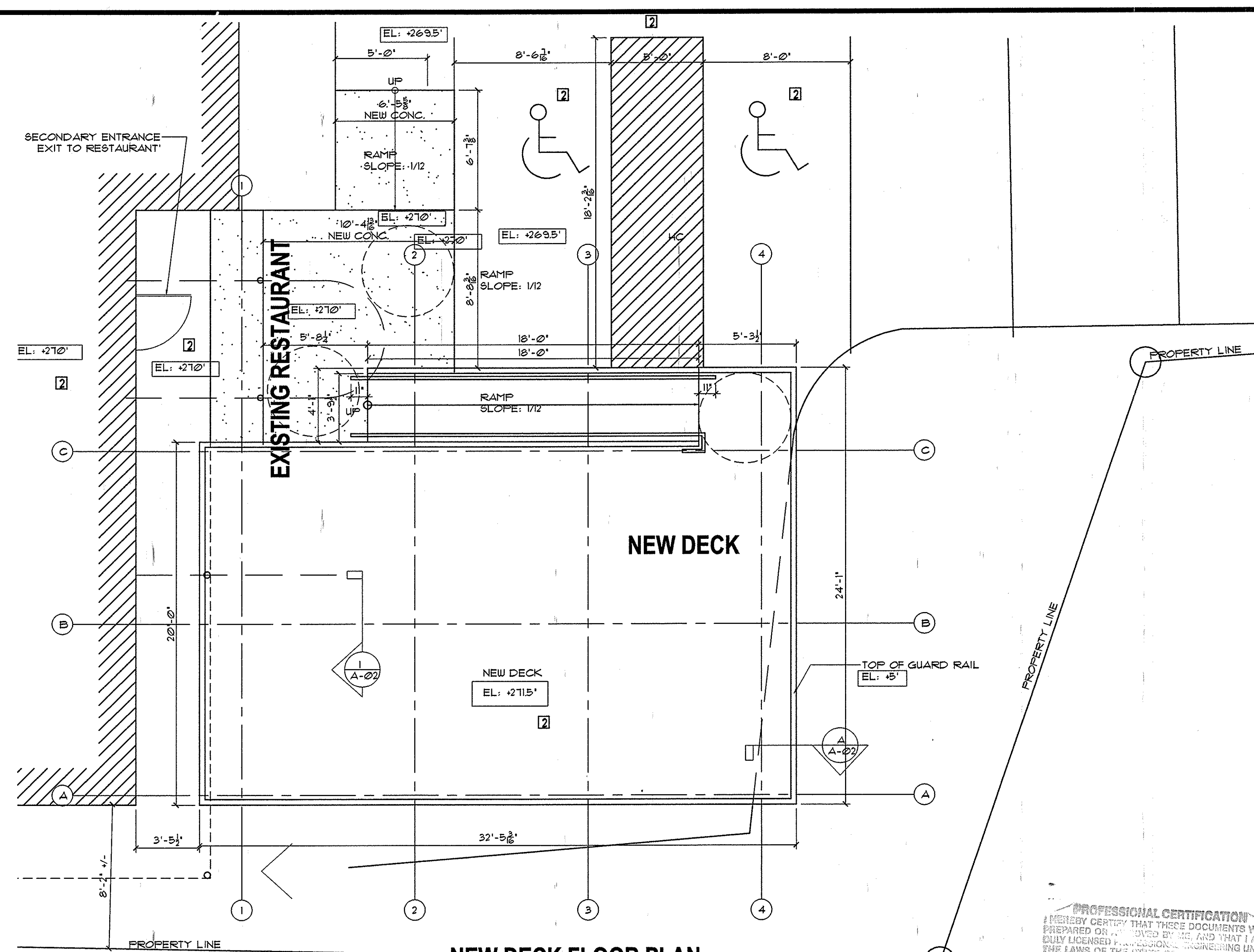
SHEET NUMBER
A-01

WP-16-126



NEW DECK FRAMING PLANPLAN

1/4" = 1'-0"



NEW DECK FLOOR PLAN

1/4" = 1'-0"

PROFESSIONAL CERTIFICATION
 I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
 PREPARED OR REVIEWED BY ME AND THAT I AM A
 FULLY LICENSED PROFESSIONAL ENGINEER UNDER
 THE LAWS OF THE STATE OF MARYLAND LICENSE
 NO. 8554 EXPIRATION DATE 5-18-18

QUINTWORRELL, P.E.
 4 TORRANCE COURT
 KENSINGTON,
 MARYLAND-USA 20805
 QEWORRELL@VERIZON.NET
 TEL: 202-746-9675



PROJECT NUMBER

1506

PROJECT NAME

OUTDOOR SEATING DECK

LOCATION

8801 WASHINGTON BLV
 JESSUP, MARYLAND

DRAWN BY

DRNK

DATE ISSUED

05-01-2015

06-03-2016

PERMIT REVISION

SCALE

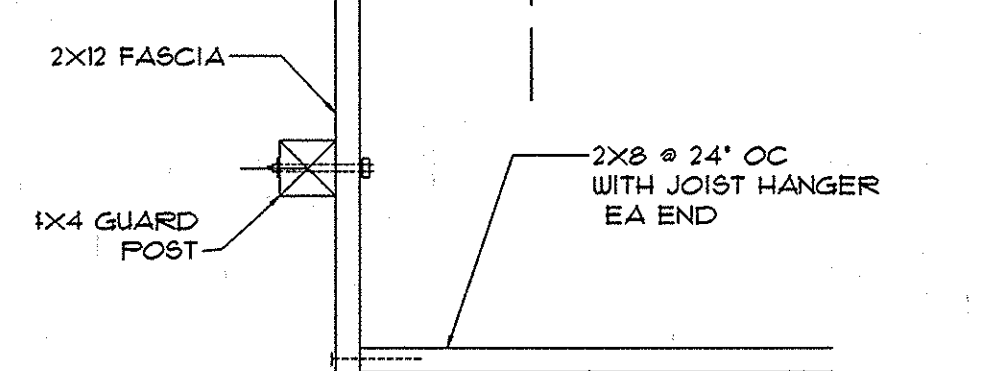
AS NOTED

SHEET TITLE

SECTIONS

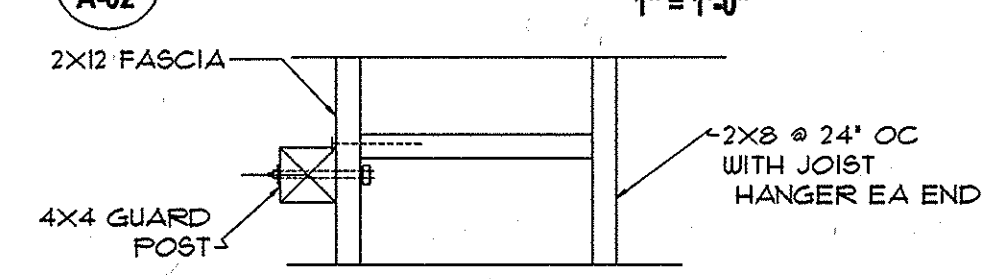
SHEET NUMBER

A-02



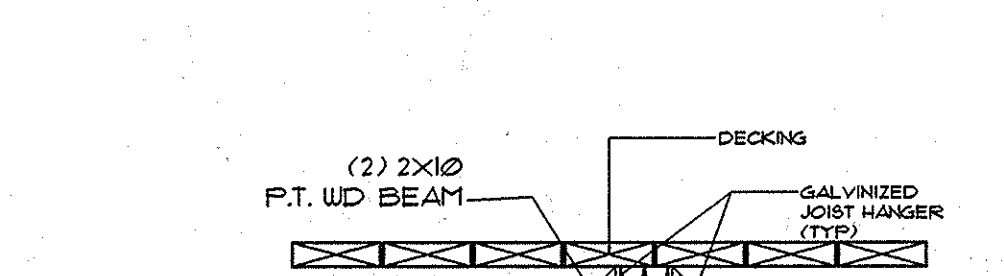
PLAN @ JOIST

1" = 1'-0"



PLAN @ JOIST

1" = 1'-0"

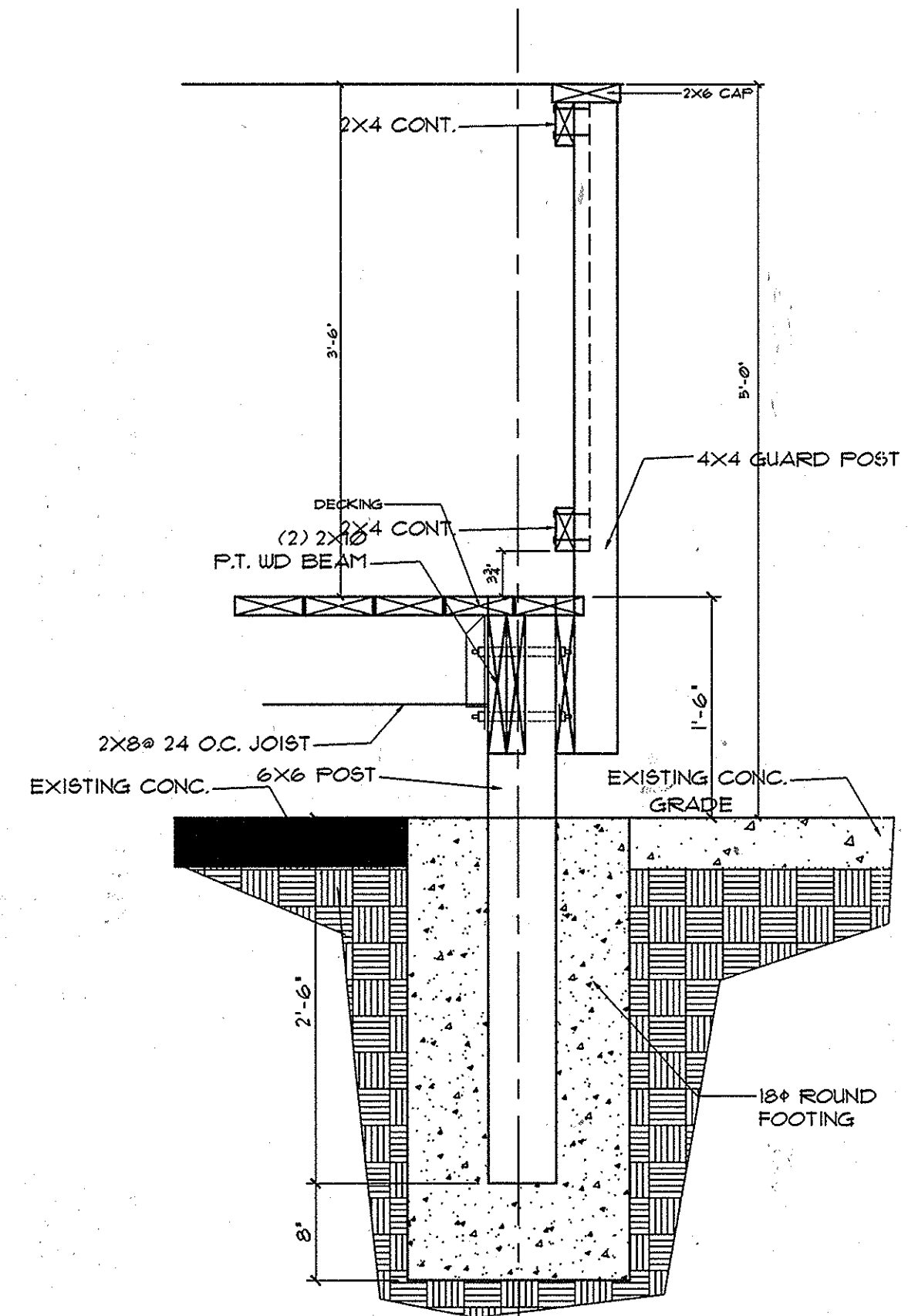


PLAN @ JOIST

1" = 1'-0"

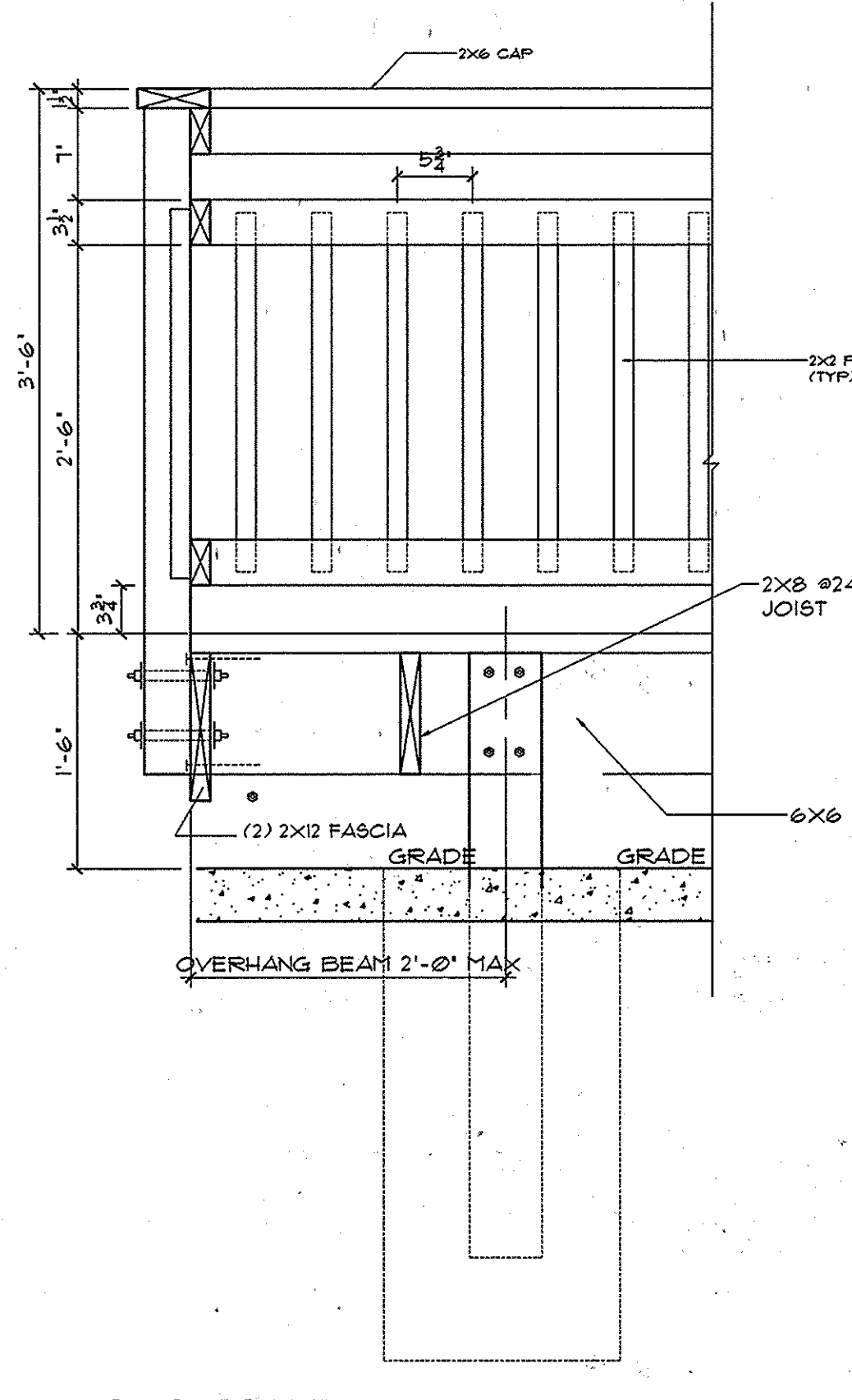
APPROVED: DEPARTMENT OF PLANNING AND ZONING
 Date: 6-28-16
 Date: 6-30-16
 Date: 6-30-16

EXISTING RESTAURANT



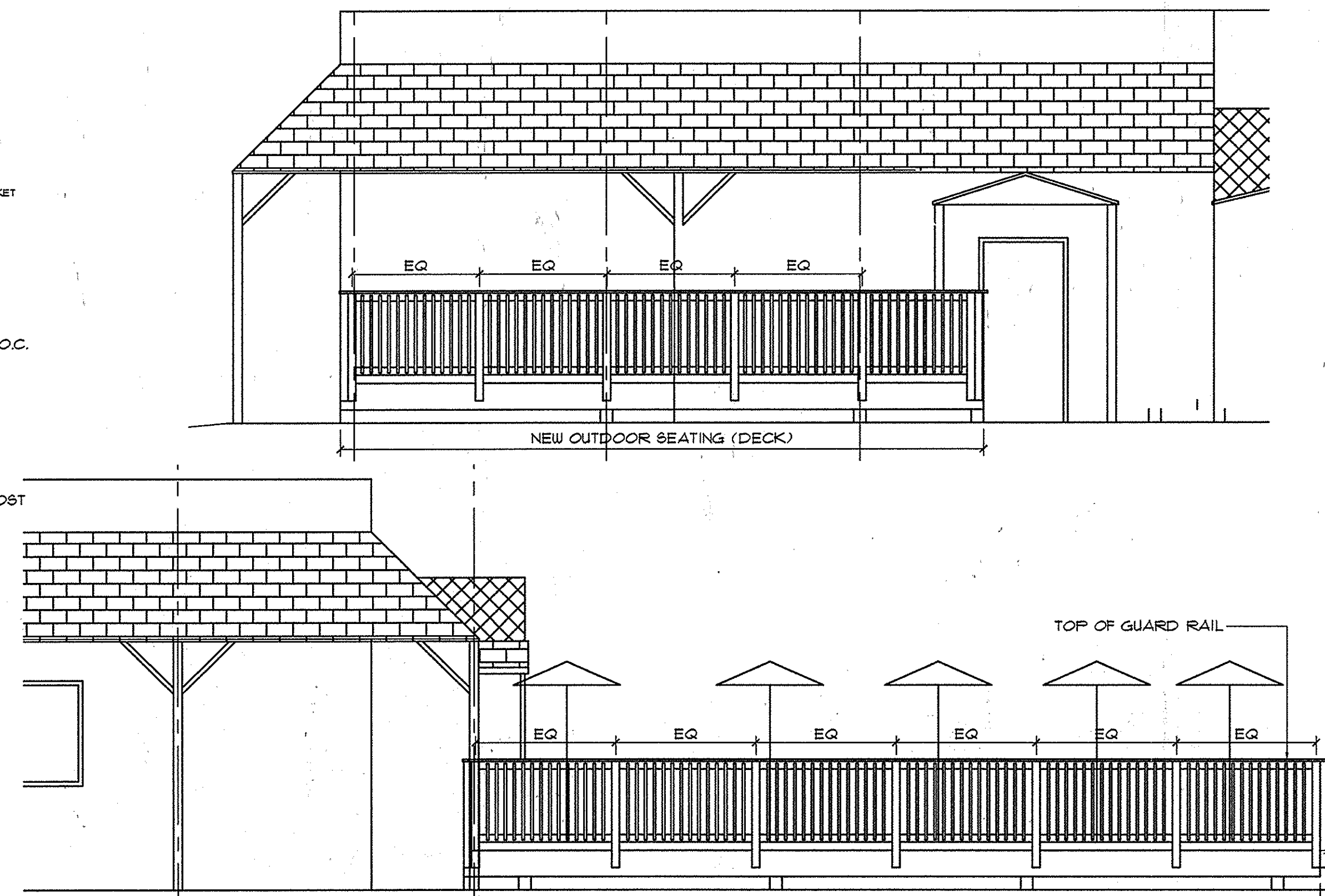
FOOTING AND BEAM DETAIL

1" = 1'-0"



SECTION A

1" = 1'-0"



EXISTING RESTAURANT NEW OUTDOOR SEATING (DECK)

WP16-126