



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

April 17, 2013

Hasan & Huseyin Ozcan
10207 Baltimore National Pike
Ellicott City, Maryland 21042

RE: WP-13-145, Salon Ozhea
10207 Baltimore National Pike

Dear Owners:

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 **Section 16.155(a)(1)** of the Subdivision and Land Development Regulations which states that a site development plan is required for any establishment of a use or change in use. The applicant is proposing to operate a Beauty Parlor within the existing residence in compliance with BA-12-023c.

Approval is subject to the following conditions:

1. Compliance with the Board of Appeals Case No. 12-023c Decision and Order approved on February 14, 2013. The wavier petition plan exhibit shall serve as the substitute for a site development plan for this Conditional Use site. The waiver shall apply only to the uses and structures as described in the Decision and Order and not to any other activities, uses, structures or additions.
2. Compliance with all applicable County and State Regulations and obtain all necessary permits from the Department of Inspections, Licenses and Permits prior to initiating development on-site.
3. Compliance with the Department of Inspection, Licenses and Permits comments dated March 21, 2013.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty

The applicant is proposing to operate a Beauty Parlor within an existing residential dwelling. There are no exterior site alterations or additions proposed with this change in use. Given this circumstance an extraordinary hardship would arise if the applicant was required to submit a site development plan for standard processing.

Not Detrimental to the Public Interest

The existing house and accessory structures were present on-site prior to the applicant requesting a Conditional Use for a Beauty Parlor. Per the Decision and Order the property owner will be the only employee and the approved hours of operation are Monday – Friday, 9:00AM to 7:00PM and Saturday, 9:00AM to 6:00PM. There are no proposed site disturbances or additions that would physically impact the residential property.

Will not Nullify the Intent or Purpose of the Regulations

In accordance with the Division of Land Development policy memo dated May 1, 2011 an applicant may submit a waiver petition application for consideration to waive the standard SDP process when only minor alterations or additions are proposed to any existing structures in association with the properties change in use. Additionally, any site disturbances that may involve some tree clearing, grading, paving for driveways or parking, and minor construction either being proposed by the applicant or the County agencies to bring the site in compliance with the minimum code requirements may be considered for a waiver to the standard SDP process. This site is not proposing any additional structures, tree clearing or minor construction therefore it is exempt from stormwater management, forest conservation, and landscaping, and the Beauty Parlor requires two parking spaces per the Zoning Regulations, which are already provided for on-site. Therefore, in compliance with the policy memo and the site proposal the intent of the Regulations are not being nullified. The applicant will be required to comply with the ADA handicap parking at the permit application stage in compliance with the Department of Inspections, Licenses and Permits.

Please 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 as long as the Conditional Use remains in active processing.

If you have any questions, please contact Julia Boone at (410) 313-2350 or email at jboone@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/jb

cc: Research
DED
Zoning
DILP
BC Architectural Designs