



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

March 4, 2015

Cynthia and David Lynn
10605 Clarksville Pike
Columbia, MD 21044

RE: WP-15-107 Lynn Property (Peralynna Manor)

Dear Mr. & Mrs. Lynn:

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)(i)**, which states that a site development plan is required for new or expanded residential development. This waiver request is to waive the site development plan requirement to construct a 600 square foot commercial kitchen in order to comply with state health regulations.

Approval is subject to the following conditions:

1. A mylar original of the waiver petition exhibit containing County signature blocks shall be submitted within 45-days of waiver approval (**on or before April 18, 2015**).
2. Per the Health Department, the existing building permit B14001206 must be issued by July 1, 2015 in order to allow the facility to operate without initiating enforcement action.
3. Any conditions of Board of Appeals Case No. 12-018C&V shall be applicable.
4. Approval for waiver of the site development plan shall apply only to the proposed 600 square foot kitchen addition.
5. Any future development or change in use will require approval of a site development plan.
6. Compliance with the attached comments from the Health Department, the Department of Inspections, Licenses & Permits and the Division of Land Development.
7. Reference this waiver petition file number, date, action and conditions on all future plans and building permits.

Our decision was made based on the following:

Extraordinary Hardships or Practical Difficulties:

Requiring the applicant to prepare a site development plan for the proposed minor exterior improvements would constitute an extraordinary hardship both in the time that would be required to prepare and process an SDP and the cost involved in preparing and processing the plan. The proposed site improvements involve very limited land disturbing activities and are the types of activities that would typically be handled via the redline revision process, if an SDP had been available to redline. The footprint of the proposed commercial kitchen is located in an area that is currently used as an exterior deck. The existing building is not being expanded in any way beyond that approved in the Conditional Use, and the expansion that is proposed, a commercial kitchen, is consistent with the current uses, current zoning and the approved conditional use.

Not Detrimental to the Public Interest

With this proposal, no requirements are being avoided or waived that would not have been met through the Site Development Plan process, or have not already been met through the Conditional Use process. This process has undergone extensive public scrutiny. All improvements will be reviewed through the Department of Inspections, Licenses & Permits during the building permit stage.

Will not nullify the intent or purpose of the regulations

No requirements are being avoided or waived that would not have been met through the Site Development Plan process. DPZ staff and relevant agencies have had and will have the opportunity to review this development as part of the building permit process and this waiver petition submittal. The proposed commercial kitchen is required in order for the facility to comply with state health regulations.

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 above approval conditions or as long as the building permit remains in active processing.

If you have any questions, please contact Eric Buschman at (410) 313-2350 or email at ebuschman@howardcountymd.gov.

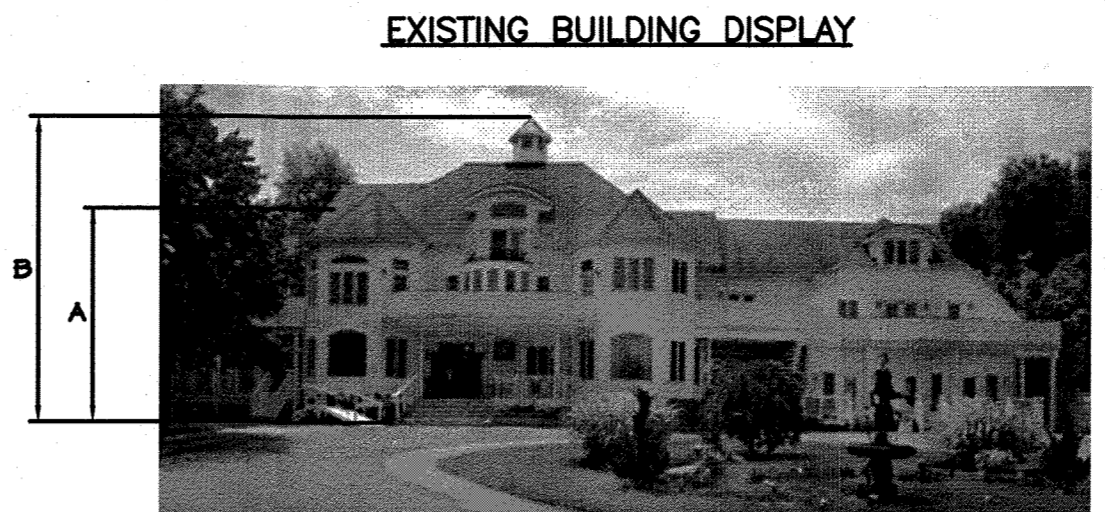
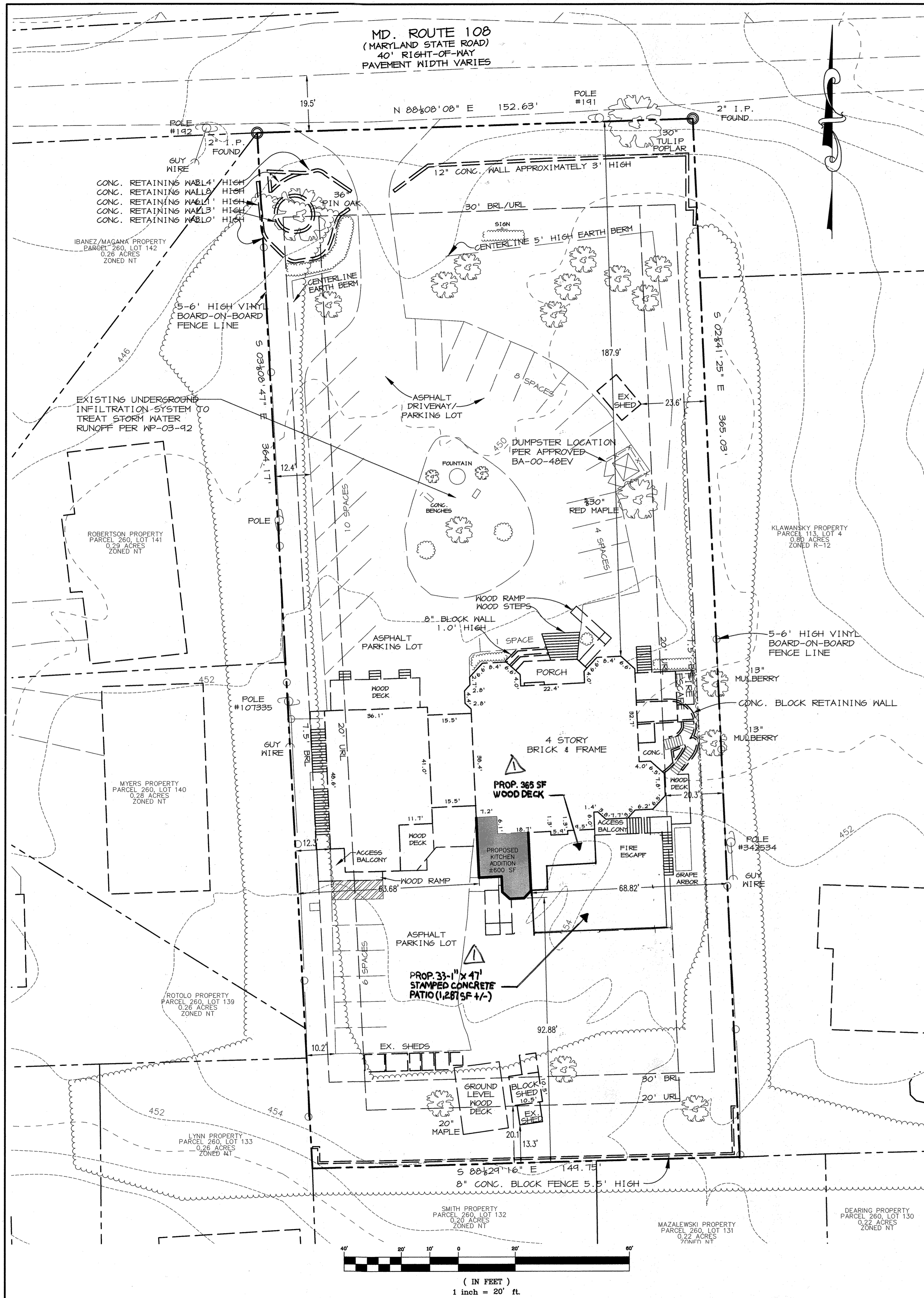
Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/eb

cc: Research
DED
Real Estate Services
Health Dept.- Michael Davis
Division of Zoning Administration



A = 32' BUILDING HEIGHT FOR THE PURPOSE OF ZONING REGULATIONS CALCULATIONS
 B = 46' BUILDING HEIGHT FROM GROUND TO HIGHEST POINT

GENERAL NOTES:

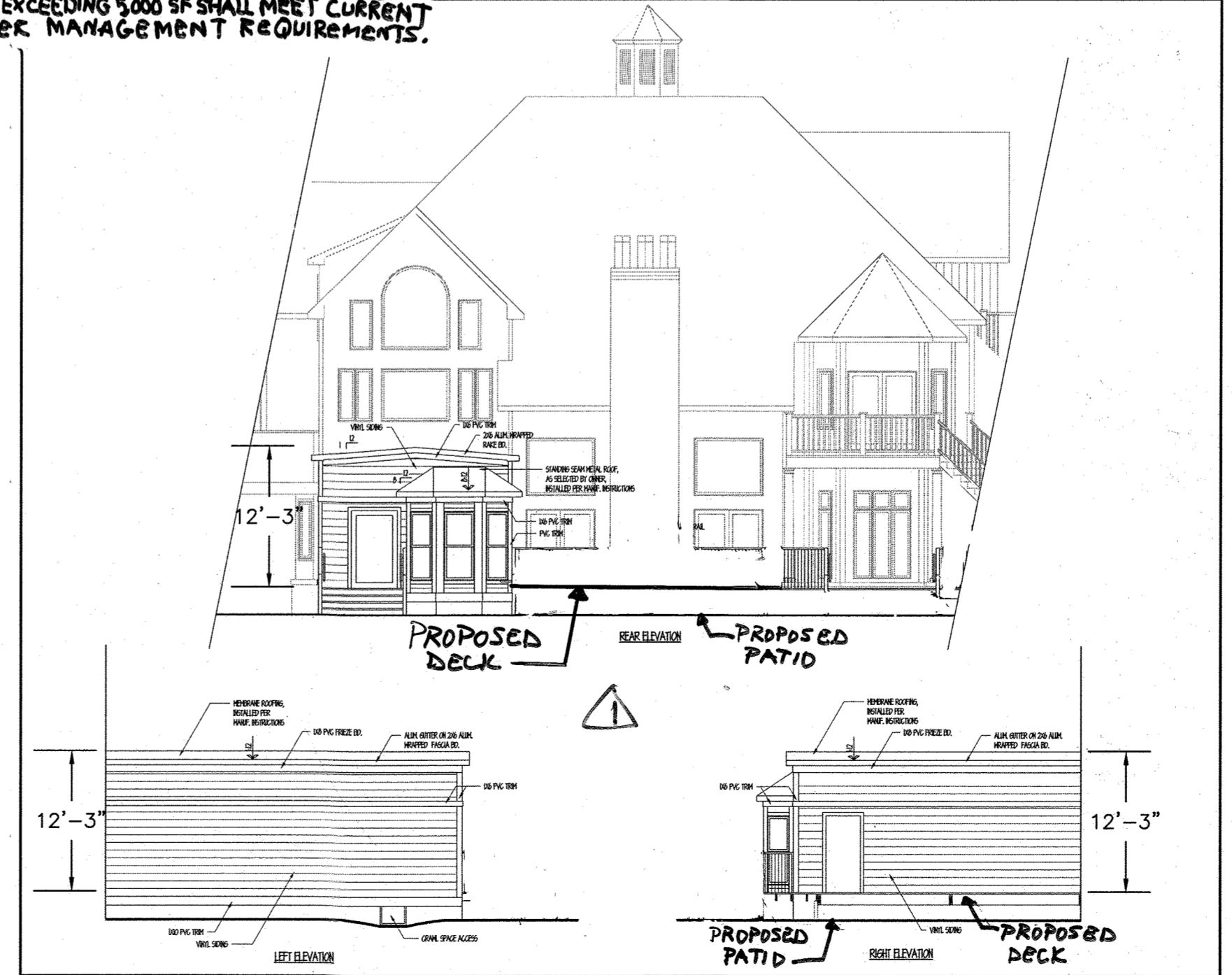
1. THE SITE IS CURRENTLY SERVED BY PUBLIC WATER AND SEWER.
2. THE SITE IS LOCATED ON THE SOUTH SIDE OF MD 108, APPROXIMATELY 500' EAST OF THE INTERSECTION OF MD 108 AND ELIOT'S OAK ROAD.
3. THE LANDSCAPING SHOWN IS EXISTING.
4. OTHER THAN THE PROPOSED KITCHEN ADDITION, NO NEW STRUCTURES ARE PROPOSED AT THIS TIME.
5. TOPOGRAPHY INFORMATION PROVIDED BY AVAILABLE HOWARD COUNTY RECORDS. BOUNDARY INFORMATION PROVIDED BY PHR+A, OCTOBER 2000. PHR+A HAS UPDATED THIS PLAN TO REFLECT CURRENT CONDITIONS PER FIELD OBSERVATIONS IN AUGUST 2012. AN ADDITIONAL SURVEY WAS PERFORMED IN MARCH, 2014.
6. ADDITIONAL COUNTY FILE NUMBERS PERTAINING TO THIS PROPERTY ARE: BA-12-018C&V
7. THERE ARE NO STREAMS, WETLANDS, OR FOREST RESOURCES LOCATED ON THIS PROPERTY.
8. DUE TO THE SMALL SIZE OF THE PROPOSED DISTURBANCE, THIS PROJECT DOES NOT NEED TO ADDRESS THE REQUIREMENTS OF SECTION 16.1200 OF THE HOWARD COUNTY CODE FOR FOREST CONSERVATION WITH THIS WAIVER REQUEST. THE 2372 SQUARE FEET OF DISTURBANCE WILL BE INCLUDED IN THE FOREST CONSERVATION CALCULATION WHEN FUTURE DEVELOPMENT OCCURS ON THE PARCEL.
9. BA-12-018C&V WAS APPROVED FOR THIS PROPERTY ON OCTOBER 23, 2014. SUBJECT TO THE FOLLOWING CONDITIONS:
 1. THE CONDITIONAL USE SHALL APPLY ONLY TO THE PROPOSED GUEST HOUSE AND VARIANCE AS DESCRIBED IN THE PETITION AND AS DEPICTED ON THE AMENDED CONDITIONAL USE PLAN DATED MARCH 27, 2014, AND NOT TO ANY OTHER ACTIVITIES, USES, OR STRUCTURES ON THE PROPERTY.
 2. THE PETITIONER SHALL COMPLY WITH ALL AGENCY COMMENTS.
 3. THE PETITIONER SHALL SUBMIT A PARKING NEEDS ANALYSIS PURSUANT TO HCZR 133.0.D.4.h TO DPZ FOR THEIR APPROVAL.
 4. INDOOR SOCIAL ASSEMBLIES WITH FIFTEEN (15) OR MORE PERSONS (LARGE EVENTS) IN ATTENDANCE ARE LIMITED TO NO MORE THAN TWO (2) EVENTS PER CALENDAR WEEK.
 5. EVENTS WITH AMPLIFIED MUSIC ARE PROHIBITED, INCLUDING BUT NOT LIMITED TO, AMPLIFIED LIVE MUSIC, AMPLIFIED INSTRUMENTAL AND VOCAL MUSIC, AND LIVE DISC JOCKEYS.
 6. PETITIONER SHALL MAINTAIN FOLIAGE ALONG THE EASTERN FRONT PROPERTY LINE ALONG MD 108 TO ENSURE IT DOES NOT RESTRICT SIGHT DISTANCE.
 7. TRASH CONTRACTORS SHALL MAKE COLLECTIONS BETWEEN 9:00 AM AND 5:00 PM ONLY. ALL OTHER DELIVERIES SHALL TAKE PLACE BETWEEN 9:00 AM AND 8:00 PM.
 8. THERE SHALL BE NO OUTDOOR FOOD SERVICE TO GUESTS.
 9. A RESIDENT AGENT MAY TAKE OVER OPERATION OF THE GUEST HOUSE SHOULD THE PROPERTY OWNERS RESIDE ELSEWHERE. THE OWNERS SHALL PROVIDE NOTIFICATION OF THEIR CHANGE IN RESIDENCE AND THEIR CONTACT INFORMATION TO DPZ FOR PLACEMENT IN THE CASE FILE. THEY SHALL ALSO PROVIDE DPZ WITH THE NAME OF THE RESIDENT AGENT.
 10. THERE SHALL BE NO CHANGES TO THE COMMERCIAL KITCHEN AREA USE, OTHER THAN TO MEET STATE AND LOCAL HEALTH REQUIREMENTS. TRAFFIC THROUGH THE KITCHEN IS LIMITED TO THE OWNERS, CATERERS, AND ON-DUTY PERSONNEL CONDUCTING PERTINENT JOB-RELATED FUNCTIONS. GUESTS ARE NOT PERMITTED IN THE KITCHEN.
 11. IN THE EVENT THAT THE OWNERS RESIDE ELSEWHERE, THEY SHALL DISCONTINUE THE ACCESSORY APARTMENT USE.
 12. THE LOD OF 1,800 SF IS EXEMPT FROM PROVIDING STORMWATER MANAGEMENT. ANY FUTURE DISTURBANCE CUMULATIVELY EXCEEDING 3,000 SF SHALL MEET CURRENT STORMWATER MANAGEMENT REQUIREMENTS.

SITE DATA

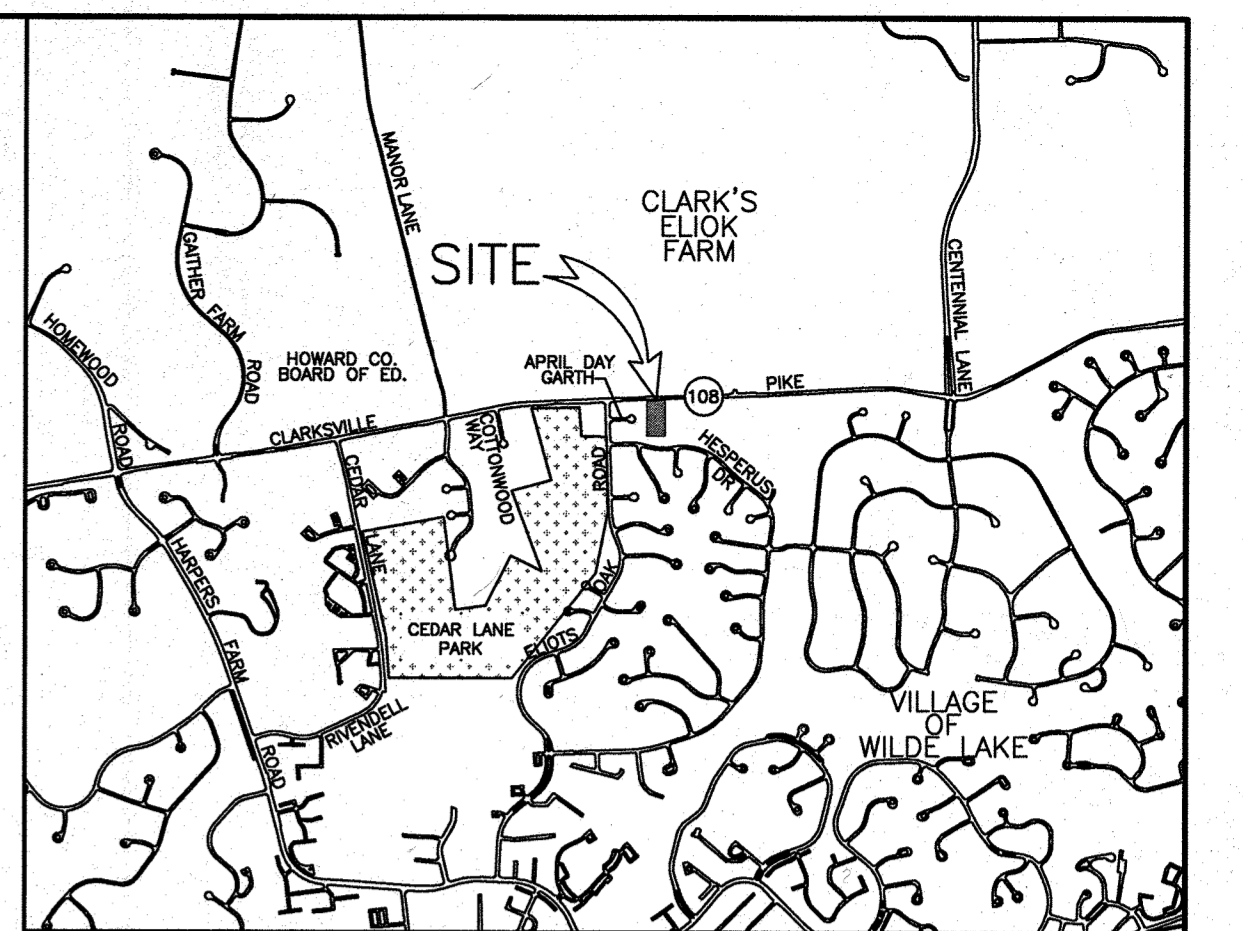
ZONING:	R-12
GROSS SITE AREA:	1.27 AC.
EXISTING USE:	PRIVATE RESIDENCE WITH 1 ACCESSORY APARTMENT & BOARDING HOUSE
PROPOSED USE:	PRIVATE RESIDENCE WITH 1 ACCESSORY APARTMENT & GUEST HOUSE
ADJACENT LAND USE:	RESIDENTIAL
NEARBY LOCAL COMMUNITY:	LONGFELLOW
PARKING TABULATION:	
GUEST ROOM PKG. REQMT.:	1 SPACE/GUEST ROOM
PROPOSED GUESTROOMS:	19 ROOMS
PARKING REQUIRED:	19 SPACES
EMPLOYEE/STAFF PKG. REQMT.:	SEE PARKING NEEDS STUDY*
EMPLOYEES/STAFF:	SEE PARKING NEEDS STUDY*
PARKING REQUIRED:	5 SPACES
EX. RESIDENCE PKG. REQMT.:	2 SPACES/DWELLING UNIT + GUEST
PARKING REQUIRED:	5 SPACES
TOTAL PARKING REQUIRED:	29 SPACES*
EXISTING PARKING:	29 SPACES
PARKING PROVIDED:	29 SPACES
EX. BUILDING FOOTPRINT:	5,110 SF± (DOES NOT INCLUDE DECKS AND OUTBUILDINGS)
TOTAL EX. FLOOR AREA:	20,000 SF±
PROP. KITCHEN ADDITION:	600 SF±
TOTAL FLOOR AREA:	20,550 SF±
EX. STRUCTURE FAR:	0.36
FAR WITH ADDITION:	0.37
MAX. PERMITTED FAR:	0.50
*SEE PARKING NEEDS STUDY PREPARED BY PENNONI DATED JANUARY 20, 2015, AND APPROVED MARCH 4, 2015.	
BUILDING SETBACKS:	
REQUIRED:	
FRONT: 30 FEET	PROVIDED: 30 FEET
SIDE: 7.5 FEET	PROVIDED: 7.5 FEET
REAR: 30 FEET	PROVIDED: 92 FEET ±
USE SETBACKS:	
REQUIRED:	
FRONT: 30 FEET	PROVIDED: 30 FEET
SIDE: 20 FEET	PROVIDED: 10.2 FEET
REAR: 20 FEET	PROVIDED: 20 FEET
ACCESSORY STRUCTURE SETBACKS:	
REQUIRED:	
FRONT: 10 FEET	PROVIDED: 10 FEET
SIDE: 7.5 FEET	PROVIDED: 7.5 FEET
REAR: 10 FEET	PROVIDED: 10 FEET

FOR REVISION #1 ONLY

PURPOSE STATEMENT:	
THE PURPOSE OF THIS PLAN IS TO PROPOSE IMPROVEMENTS TO THE BUILDING WITH THE ADDITION OF A FUTURE KITCHEN.	



KITCHEN ADDITION ELEVATIONS



VICINITY MAP

SCALE: 1" = 200'
 COPYRIGHT ADC THE MAP PEOPLE, PERMITTED USE NO. 3652
 HOWARD COUNTY ADC MAP 4935 K3

LEGEND

PROPERTY LINE	ADJACENT PROPERTY/RIGHT-OF-WAY LINE
EXISTING 10' CONTOURS	EXISTING 2' CONTOURS
EXISTING EDGE OF PAVEMENT	EXISTING BUILDING
EXISTING TREE	EXISTING TREE LINE
EXISTING SHRUB MASS	EXISTING FENCE
BUILDING/USE RESTRICTION LINE	CENTER LINE OF ROAD
PROPOSED BUILDING ADDITION	

APPROVED : FOR PUBLIC WATER AND PUBLIC SEWERAGE	
<i>Brian M. Ross</i>	4/28/2015
COUNTY HEALTH OFFICER	DATE
HOWARD COUNTY HEALTH DEPARTMENT	
APPROVED : DEPARTMENT OF PLANNING AND ZONING	
<i>Paul A. ...</i>	5-1-15
CHIEF, DEVELOPMENT ENGINEERING DIVISION	DATE
<i>Jack ...</i>	5-26-15
CHIEF, DIVISION OF LAND DEVELOPMENT	DATE
<i>Janet ...</i>	5/6/15
DIRECTOR	DATE

4/21/22 REMOVE DECK AND ADD PATIO	
DATE NO.	REVISION
OWNER & DEVELOPER	
PERALYNNA PROPERTIES, INC. THE COLUMBIA INN AT PERALYNNA 10605 CLARKSVILLE PIKE COLUMBIA, MARYLAND 21044 410-715-4600	
ATTORNEY	
Thomas M. Meachum, Esq. Carney, Kelehan, Bresler, Bennett, & Scherr LLP 10715 Charter Drive, Suite 200 Columbia, MD 21044 (410) 740-4600	
PROJECT	
LYNN PROPERTY 10605 CLARKSVILLE PIKE, COLUMBIA, MD 21044	
AREA	
TAX MAP 29 BLOCK 12 PARCEL 32 ZONED R-12 5TH ELECTION DISTRICT HOWARD COUNTY, MARYLAND	
TITLE	
WAIVER PETITION PLAN	

Pennonni Associates Inc. Consulting Engineers	8818 Centre Park Drive Suite 200 Columbia, MD 21045 T 410.997.8900 F 410.997.9282
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DESIGNED BY: JSN	DRAWN BY: JSN
PROJECT NO.: C400WP01.DWG	DATE: JANUARY 29, 2015
SCALE: 1" = 20'	DRAWING NO.: 1 OF 1