



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

TECHNICAL STAFF REPORT

Planning Board Meeting of April 24, 2025

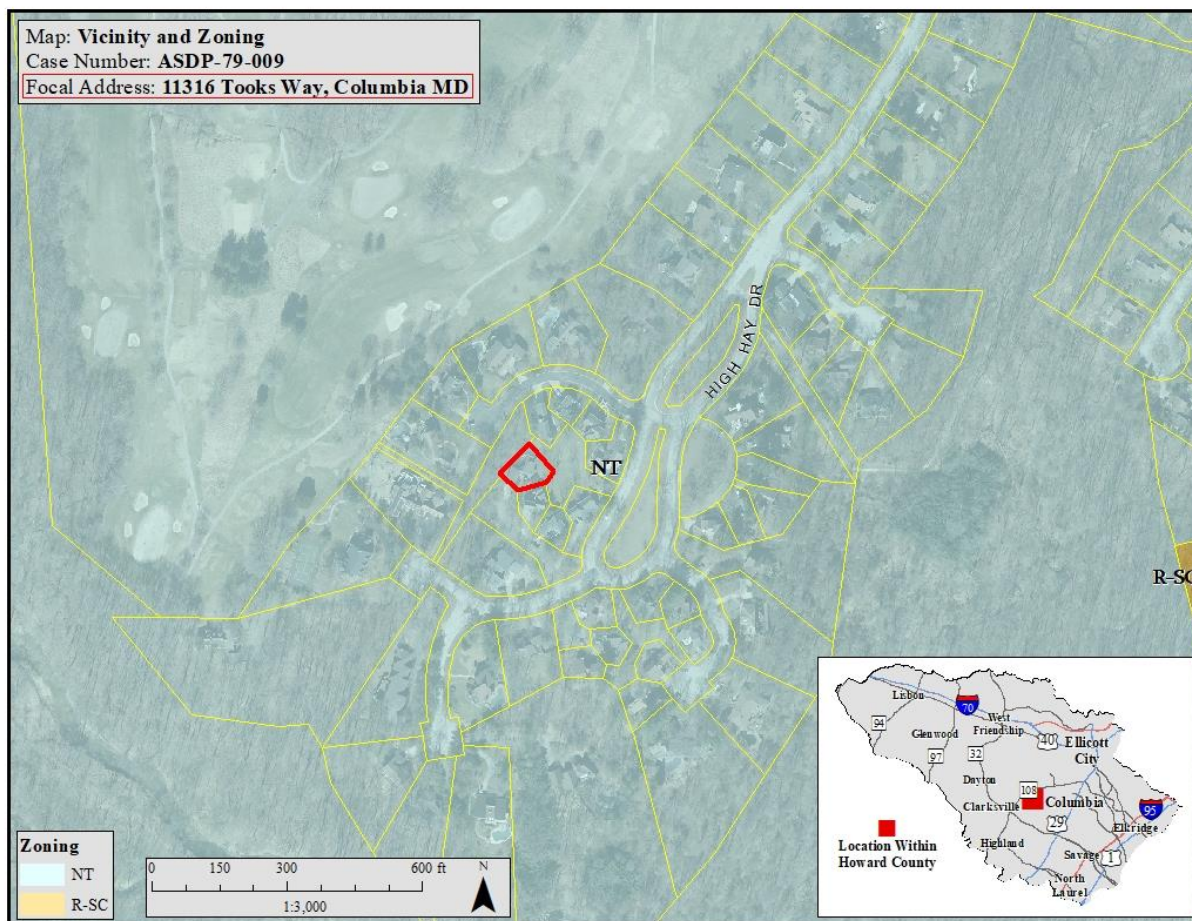
Case No./Petitioner: ASDP-79-009, Cynthia Rivarde

Project Name: Village of Harper's Choice, Section 2, Area 4, Lot 82 / 11316 Tooks Way

DPZ Planner: Jason Lenker, jlenker@howardcountymd.gov

Request: An Amendment to a Site Development Plan (ASDP-79-009). The purpose of this amendment is to construct an addition to an existing single-family dwelling in accordance with Section 125.0.G of the Zoning Regulations. The petitioner is requesting to exceed the 30% maximum lot coverage requirement to 43% in order to construct an approximately 344 square-foot building addition. The property is currently developed and is zoned New Town – Single-Family Low Density in accordance with FDP-130-A-1.

Location: The New Town zoned property is located at 11316 Tooks Way, Columbia, MD and is identified as Lot 82 of the Village of Harpers Choice Subdivision, Section 2, Area 4 located on Tax Map 29, Parcel 329.



ASDP-79-009 11316 Tooks Way

Vicinal Properties:

The surrounding properties are zoned New Town – Single Family Low Density and are part of the Village of Harpers Choice Subdivision, Section 2, Area 4 development. The subject property is mostly surrounded by open space lots.

They include:

North – An open space lot borders the site to the north. The adjoining property is identified as Lot 43 on Tax Map 29, Parcel 329 in Columbia, MD 21044. This property is owned by the Columbia Association and is undeveloped.

South – A private residence borders the site to the south. The adjoining property is identified as Lot 83 on Tax Map 29, Parcel 329. The property address is 11312 Tooks Way, Columbia, MD 21044. The adjoining property contains a single-family detached dwelling with an attached garage.

East – An open space lot borders the site to the east. The adjoining property is identified as Lot 86 on Tax Map 29, Parcel 329 in Columbia, MD 21044. This property is owned by Tooks Association, Inc. and is undeveloped.

West – An open space lot borders the site to the west. The adjoining property is identified as Lot 81 on Tax Map 29, Parcel 329 in Columbia, MD 21044. This property is owned by Tooks Association, Inc. and contains the use-in-common driveway that provides access to 11304, 11308, 11312, and 11316 Tooks Way.

Legal Notice: The property was legally posted and verified by DPZ pursuant to legal requirements.

Site History:

1. **Plat Book 28, Folio 59:** Final Development Plan and Criteria for the subject property was recorded on May 30, 1974, among the Land Records of Howard County, MD. The subject property is part of Final Development Plan Phase 130 for the Village of Harpers Choice, Section 2, Area 4 development.
2. **Plat Book 28, Folio 102:** Amended Final Development Plan and Criteria for the subject property was recorded on November 4, 1974, among the Land Records of Howard County, MD. The subject property is part of Final Development Plan Phase 130 for the Village of Harpers Choice, Section 2, Area 4 development.
3. **Plat #3936:** Resubdivision plat for the Village of Harpers Choice, Section 2, Area 4 subdivision that created the individual lots including the subject property, Lot 82. This plat was recorded among the Land Records of Howard County, MD on December 9, 1977.
4. **SDP-79-009:** Site Development Plan for the Village of Harpers Choice, Section 2, Area 4 development. The SDP was signed by the Department of Planning and Zoning on October 23, 1978.
5. **FDP-130-A-1:** Amended Final Development Plan for the Village of Harpers Choice, Section 2, Area 4 development. This FDP was recorded as Plat #3054-A-225 on July 2, 1979, among the Land Records of Howard County, MD.

Existing Site Conditions:

Lot 82 contains 6,530 square feet of land area and is improved with a 2,106 square foot, two-story, single-family detached dwelling unit (constructed in 1981) with attached garage and an attached rear deck. The property is accessed via a use-in-common driveway that extends off of Tooks Way. The site is mostly flat lawn and there are no forest, wetlands, streams, or 100-year floodplain on site.

ASDP-79-009 11316 Tooks Way

Proposed Site Improvements:

The petitioner proposes to construct a 344 square foot addition to the eastern side of the existing dwelling. This will exceed the 30% allowable on-site lot coverage to 43%. The petitioner is requesting relief from the Planning Board for approval of the amendment to the Site Development Plan per the Final Development Plan Criteria.

Regulatory Compliance:

The project must comply with Section 125.0.G.4 of the Howard County Zoning Regulations, the land use criteria in FDP-130-A-1, the Amended Fifth Edition of the Howard County Subdivision and Land Development Regulations, the Howard County Design Manual, the Forest Conservation Manual, and the Landscape Manual.

Planning Board Development Criteria:

The Planning Board should evaluate the proposed ASDP for compliance with FDP-130-A-1.

1. **Permitted Uses:** The Final Development Plan, FDP-130-A-1, states that all lots within single-family low density land use areas shall be used only for single-family detached low density residential uses. The proposed addition is considered a single-family low density use which is a permitted use in accordance with the FDP.
2. **Lot Coverage:** Section 12A of the Final Development Plan, FDP-130-A-1, criteria has a maximum lot coverage requirement that restricts total lot coverage by buildings or other major structures to no more than 30% for single-family low density detached residential land use areas. The existing lot coverage by buildings or other major structures is approximately 2,443 square feet or 37.4% of the total lot area. The proposed addition will increase lot coverage by approximately 344 square feet to 2,787 square feet of lot coverage or 42.7% of the total lot area. For this reason, this project is subject to compliance with Section 125.0.G.4 of the Howard County Zoning Regulations to adjust the development criteria listed in the Final Development Plan, FDP-130-A-1. Section 125.0.G. states that individual property owners may request the Planning Board to approve parking, setback, height, lot coverage, or other bulk requirements for such lot or parcel which differ from those required by the applicable Final Development Plan.

Lot Area and Coverage Information Chart:

Lot Area	6530 Square Feet
Existing Single-Family Dwelling	2442.5 Square Feet (37.4% Lot Coverage)
Proposed Addition	344.2 Square Feet (5.27% Lot Coverage)
Total Proposed Lot Coverage	2,786.7 Square Feet (42.68% Lot Coverage)

3. **Setbacks:** The Final Development Plan, FDP-130-A-1 outlines structure setback requirements for single-family low density land uses. Section 6 of the FDP criteria prohibits structures from being located within 50 feet of a freeway or primary road right-of-way line, and the subject property is not located adjacent to a freeway or primary road right-of-way. Section 6A of the FDP criteria states that no structure shall be located upon lots devoted to single-family low density land use except as shown on a site development plan approved by the Howard County Office of Planning and Zoning, and that no residential structures may be located within 15' of one another. The proposed addition will be approximately 19 feet from the nearest off-site residential structure on Lot 83.
4. **Building Height:** Per the FDP-130-A-1, the maximum structure height is restricted to 34 feet. The existing structure has an approximate height of 21 feet, and the proposed addition will not exceed the maximum structure height restriction.
5. **Parking:** The proposed addition does not impact existing parking or create a new parking need, so the property will continue to meet the parking requirements established in the FDP-130-A-1.

Planning Board Criteria:

Per Section 125.0.G.4.d of the Howard County Zoning Regulations, the Planning Board may grant adjustments to bulk requirements if the Planning Board finds that:

ASDP-79-009 11316 Tooks Way

1. **The adjustment will not alter the character of the neighborhood or area in which the property is located, will not impair the appropriate use or development of adjacent property, and will not be detrimental to the public welfare; and**
2. **The adjustment a) is needed due to practical difficulties or unnecessary hardships which arise in complying strictly with the Final Development Plan; and/or b) results in better design than would be allowed by strict compliance with the development criteria.**

The petitioner is requesting an adjustment to exceed the 30% maximum lot coverage requirement to 43% lot coverage to construct an approximately 344 square foot building addition on the eastern side of the existing dwelling. The petitioner states that the proposed adjustment will not alter the character of the neighborhood or the area in which the property is located, it will not impair the appropriate use or development of adjacent property, and it will not be detrimental to the public welfare. The proposed addition will not exceed the maximum height and does not appear to impede the use of neighboring properties. This request to increase the maximum lot coverage restriction is the minimum relief needed to construct a reasonably sized building addition.

The majority of the properties that are directly adjacent to the subject property are designated open space lots that are owned by a homeowner's association, such as the Columbia Association and Tooks Association, Inc. These lots are to remain undeveloped and thus will not be affected by the proposed addition at 11316 Tooks Way. The only adjacent property that is a privately owned and developed residential lot is the property directly south of the subject property located at 11312 Tooks Way. The proposed addition will be visible from the rear of this adjacent property. The Final Development Plan, FDP-130-A-1, states that no residential structures may be located within 15 feet of one another, and the proposed addition will meet this requirement. At its closest point, the proposed addition at 11316 Tooks Way will be approximately 19 feet from the adjacent residential property to the south. DPZ has not received any opposition from the public regarding this addition.

Additional Regulatory Requirements:

While not regulated by the FDP, the Subdivision and Land Development Regulations require compliance with the following additional items:

1. Storm Water Management (SWM): No additional stormwater management is required for the proposed addition since the proposed disturbance is less than 5,000 square feet.
2. Forest Conservation: This project is exempt from Forest Conservation requirements per Section 16.1202(b)(1)(i) of the Howard County Subdivision and Land Development Regulations since it is a development activity on a single lot smaller than 40,000 square feet and is not cutting, clearing, or grading any area already subject to a previously approved conservation plan.
3. Landscaping: This project is exempt from providing additional landscaping since it is an expansion to existing residential development that does not increase the number of residential units.

DocuSigned by:

Lynda Eisenberg

4220B635663942E...

Lynda Eisenberg, AICP, Director

4/7/2025

Date

Please note that this file is available for public review by appointment at the Department of Planning and Zoning's public service counter, Monday through Thursday, 8:00 a.m. to 5:00 p.m. and Friday, 8:00 a.m. to 3:00 p.m.