



TECHNICAL STAFF REPORT

Final Development Plan Amendment for the Village of Harpers Choice

Planning Board Hearing of July 21, 2022

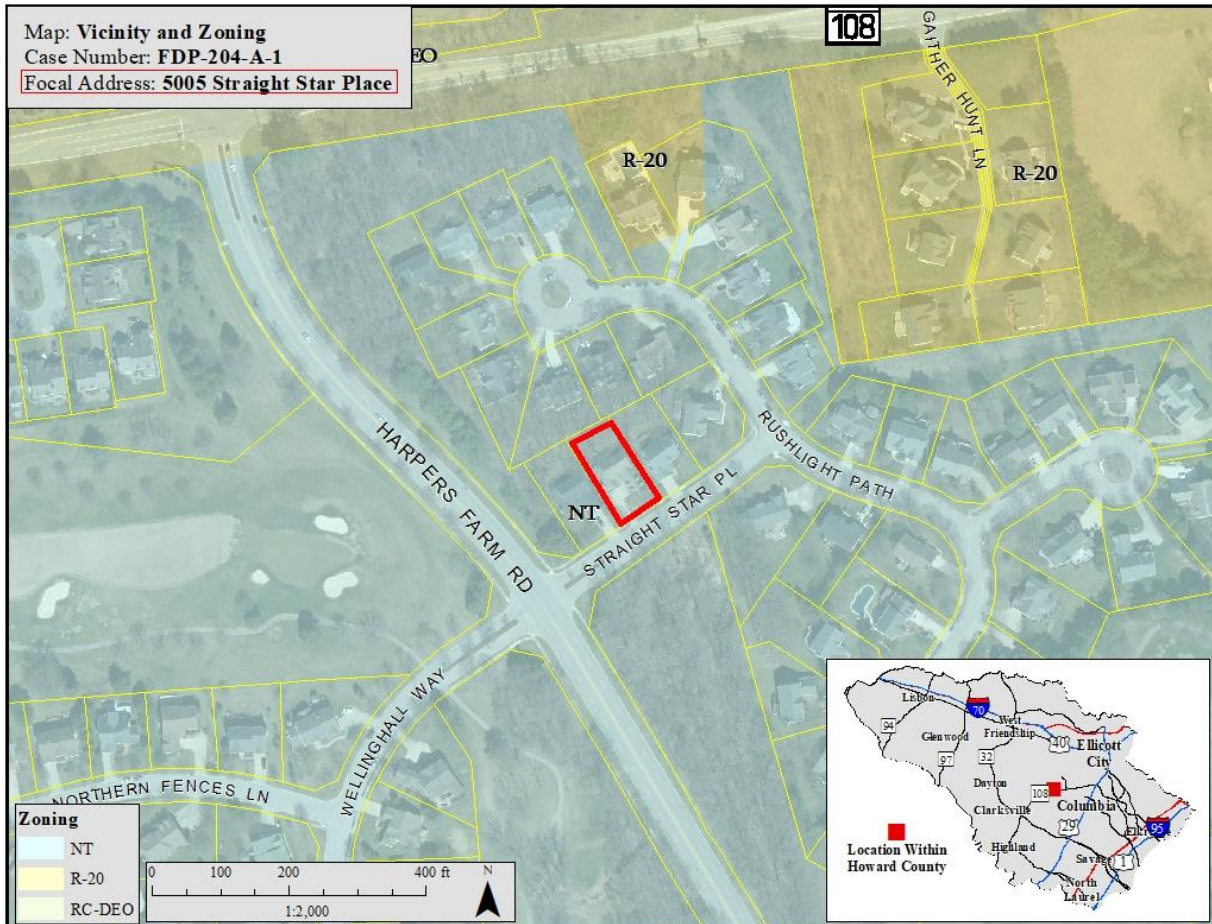
Case No./Petitioner: PB-454, Aravindan Veerasamy

Project Name: Village of Harpers Choice, Section 7, Areas 3, 4 & 5

DPZ Planner: Julia Sauer, Planning Supervisor
jsauer@howardcountymd.gov

Request: A final development plan amendment (FDP-204-A-1). Request to amend the FDP to permit an accessory apartment use at 5005 Straight Star Place pursuant to Section 125.0.F.2 of the Howard County Zoning Regulations.

Location: The project is located at 5005 Straight Star Place, Columbia, Village of Harpers Choice, Section 7, Area 4, Lot 2 on Tax Map 29, Grid 16, Parcel 362, Lot 2 in the Fifth Election District of Howard County. The property is zoned New Town, Single Family Low Density.



Vicinal Properties:

North, East and West: Single-family detached units.

South: Straight Star Place public road

Site History:

The lot is 10,295 square feet and was recorded in the Land Records Office of Howard County as Plat No. 9319. The single-family detached house was constructed in 1995 pursuant to a site development plan (SDP-90-133) approved by the Department of Planning and Zoning.

Description and Purpose of the Proposed Final Development Plan Amendment:

The owner of the single-family detached house at 5005 Straight Star Place would like to amend the Final Development Plan to permit an accessory apartment use.

Section 125.0.A.7.c of the Howard County Zoning Regulations state that “Except as otherwise provided in the Final Development Plan, the following restrictions shall be applicable to the NT District: The accessory use provisions of Section 110.0 shall be applicable to all residential uses in the NT district.”

Section 110.0.C.2 of the Howard County Zoning Regulations permit accessory apartments, subject to Section 128.0.A, provided that:

- (a) The area of the lot is at least 12,000 square feet;
- (b) Except for an exterior entrance and necessary parking area, there shall be no external evidence of the accessory apartment; and,
- (c) The accessory apartment shall have no more than two bedrooms.

The subject property is less than 12,000 square feet and does not meet the criteria in the Zoning Regulations to permit the accessory apartment use by right.

Section 125.0.F.2 of the Howard County Zoning Regulations allow a property owner to request an additional use on individual lots in residential land use areas, which is not allowed by the Final Development Plan. No amendment shall be proposed which would either alter the land use designation established by the Comprehensive Sketch Plan or allow an increase in residential density^a.

To allow the accessory apartment use for the subject property, the petitioner proposes the following amendment to FDP-204-A:

- Revise criterion 7A-1 on FDP sheet #2 to include:

Regarding 5005 Straight Star Place, also known as Lot 2 Parcel 362, Village of Harpers Choice Section 7 Area 4, record plat 9319, accessory apartments are allowed subject to the supplement regulations of the Howard County Zoning Regulations provided that:

A – Except for an exterior entrance and necessary parking area, there shall be no external evidence of the accessory apartment

B – The accessory apartment shall have not more than two bedrooms.

^a “Density” as defined in the Zoning Regulations – *The number of principal dwelling units per unit of land area. Accessory dwelling units such as farm tenant houses, caretaker dwellings and accessory apartments are not included when calculating density.*

Planning Board Criteria:

Pursuant to Section 125.0.F.2.c of the Howard County Zoning Regulations, the Planning Board shall approve, approve with modifications or deny the proposed amendments to the Final Development Plan, stating the reasons for its action. The Planning Board shall approve the request only if it finds that:

- (1) The use is consistent with the land use designation of the property as established on the recorded Final Development Plan and compatible with existing or proposed development in the vicinity.

The land use designation of the subject property is single-family low density, which permits an accessory apartment by right for lots 12,000 SF or greater. The FDP includes 140 single-family low density lots, and 102 lots are 12,000 SF or greater.

- (2) The use will not adversely affect vicinal properties.

The applicant stated that there are no proposed external modifications to subject property and that there will be no change in appearance of subject property from vicinal properties. The property currently has more than 3 parking spaces available to accommodate the principal dwelling and accessory apartment.

DocuSigned by:
Amy Gowan
5B4D5DD9470C4D4...

Amy Gowan, Director
Department of Planning and Zoning