



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

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Voice/Relay

Valdis Lazdins, Director

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TECHNICAL STAFF REPORT

Planning Board Hearing of January 17, 2019

Case No./Petitioner:

PB-442, John L. McCoy

Project Name:

McCoy Property – Lots 1 & 2 (A Resubdivision of Cherry Brae – Lot 1)

DPZ Planner:

Justin Schleicher, 410-313-3371, jschleicher@howardcountymd.gov

Request:

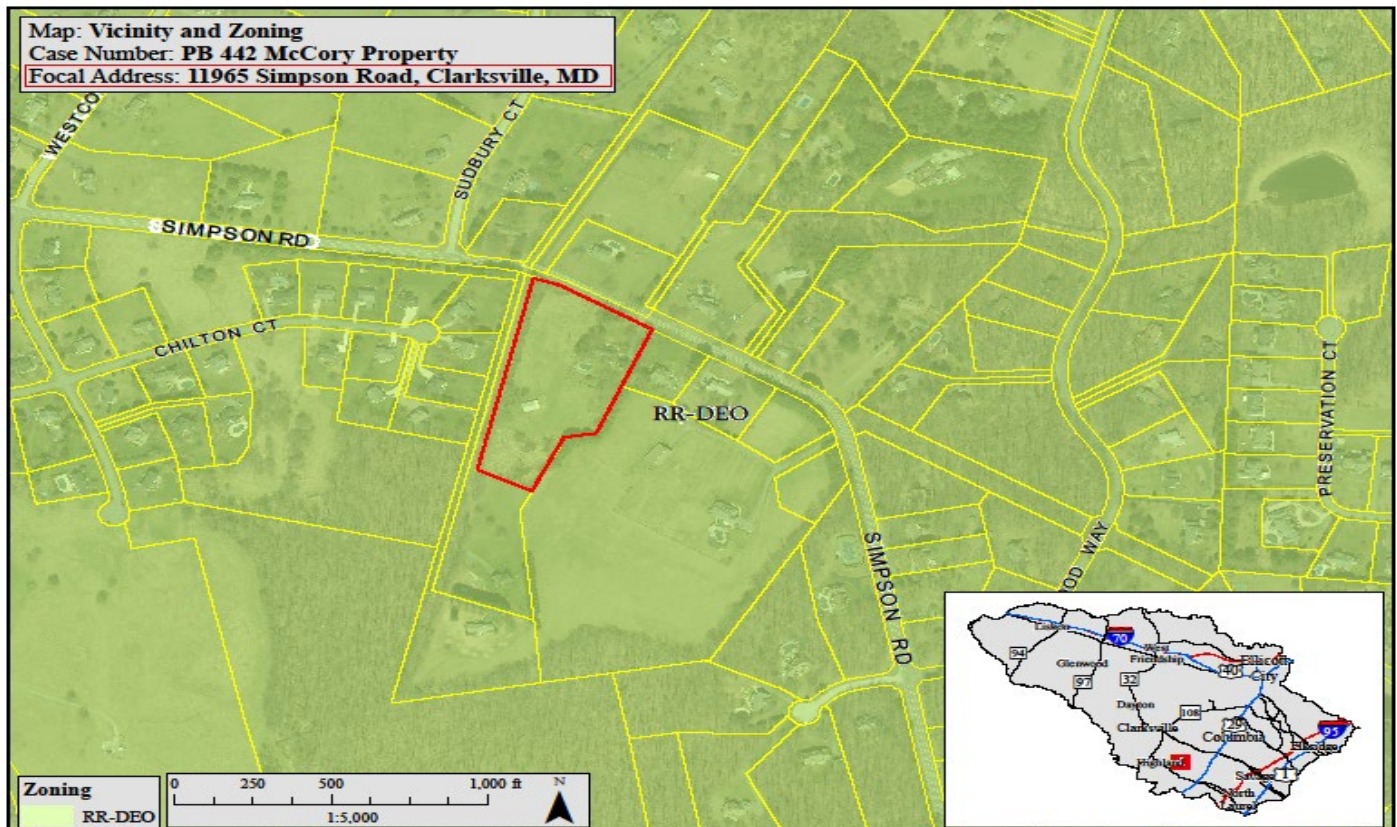
To approve Final Plan (F-18-103) for 6.0018+ acres that creates two buildable lots and associated site improvements. The property is zoned "RR-DEO" (Rural Residential – Density Exchange Option) and is in the Tier III Growth Area; therefore, it is subject to Maryland Senate Bill 236, "The Sustainable Growth and Agricultural Preservation Act of 2012". **The sole Planning Board review and approval criteria is based on "the potential environmental issues or a natural resources inventory related to the proposed residential major subdivision".**

Location:

The property (Tax Map 41, Grid 7, Parcel 198, Lot 1, in the Fifth Election District of Howard County, Maryland) is accessed via Simpson Road.

DPZ Recommendation:

Approval, subject to complying with any Planning Board Conditions.



Vicinal Properties:

Surrounding properties are zoned RR-DEO and Designated Tier III. They Include:

South, east and west – Single family houses and a buildable preservation parcel, which are part of the Cherry Brae subdivision.

North – Single family houses, which are located across Simpson Road.

Legal Notice:

The property was properly posted and verified by DPZ.

Regulatory Compliance:

The Amended Fifth Edition of the Subdivision and Land Development Regulations, the Zoning Regulations (effective October 6, 2013) and Zoning Map, the Howard County Design Manual, the Adequate Public Facilities Ordinance, the Forest Conservation Manual and the Landscape Manual all apply.

History:

F-84-165, Cherry Brae Final Plan – Recorded on August 9, 1984, for four residential lots.

ECP-18-031, McCoy Property Environmental Concept Plan – Approved May 4, 2018, for the resubdivision of Cherry Brae Lot 1 into two buildable lots.

Analysis:

Site Improvements – Both lots will obtain access from Simpson Road, a County minor collector. The existing dwelling will remain on proposed Lot 1 and continue to use the same access. The proposed dwelling will utilize a new driveway.

Setbacks – The development meets the RR zone setback requirements.

Storm Water Management – Complies with the Stormwater Management Act of 2007 by providing Environmental Site Design (ESD) to the maximum extent practicable (MEP). SWM will include rooftop and non-rooftop disconnects in accordance with the MDE Stormwater Design Manual.

Environmental Considerations – No streams, wetlands or their buffers are located within the boundary of this subdivision.

Landscaping – Landscaping is not required for this resubdivision as the property is internal to the Cherry Brae Subdivision.

Forest Conservation – This plan is conditionally exempt from the forest conservation obligation with the filing a Declaration of Intent for an intrafamily transfer.

Adequate Public Facilities – This project is exempt from APFO housing unit allocation and school testing requirements per Section 16.1107(b)(1)(vi): Resubdivisions which create the potential of only one additional dwelling unit to be conveyed to an immediate family member from a lot existing on April 10, 1992, provided that the following conditions are met: the property owner must have owned the property for a minimum of three years before requesting subdivision; the family member must be a parent, child, or sibling (the term immediate family member does not include step-parents, step-children, or step-siblings), the property owner shall not seek further subdivision of the property or another family member exemption for a period of three years; and finally, the granting of this family member exemption shall prohibit the property owner from seeking a hardship extension.

Adequate Public Roads – The subdivision is exempt from the adequate road facilities test.

Development Criteria – The plan complies with the Howard County Subdivision and Land Development Regulations and the October 6, 2013, Howard County Zoning Ordinance.

Planning Board Criteria: The Subdivision Plan complies with the below criteria requirements of Maryland Senate Bill 236, “The Sustainable Growth and Agricultural Preservation Act of 2012”:

- 1. The cost of providing local government services to the residential major subdivision unless a local jurisdiction’s Adequate Public Facilities Ordinance already requires review of government services.**

Howard County has an Adequate Public Facilities ordinance; therefore, this requirement has been met.

- 2. The potential environmental issues or a natural resources inventory related to the proposed residential major subdivision.**

There are no environmental issues or impacts as the proposed resubdivision does not contain environmental features or buffers.

SRC Action: The SRC determined the Final Plan can be approved in a letter dated October 25, 2018.

DPZ Recommendation: **Approval**, subject to complying with any Planning Board Conditions.


Valdis Lazdins, Director
Department of Planning and Zoning

1/2/2019
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.