



TECHNICAL STAFF REPORT

Falat Property Deck Extension

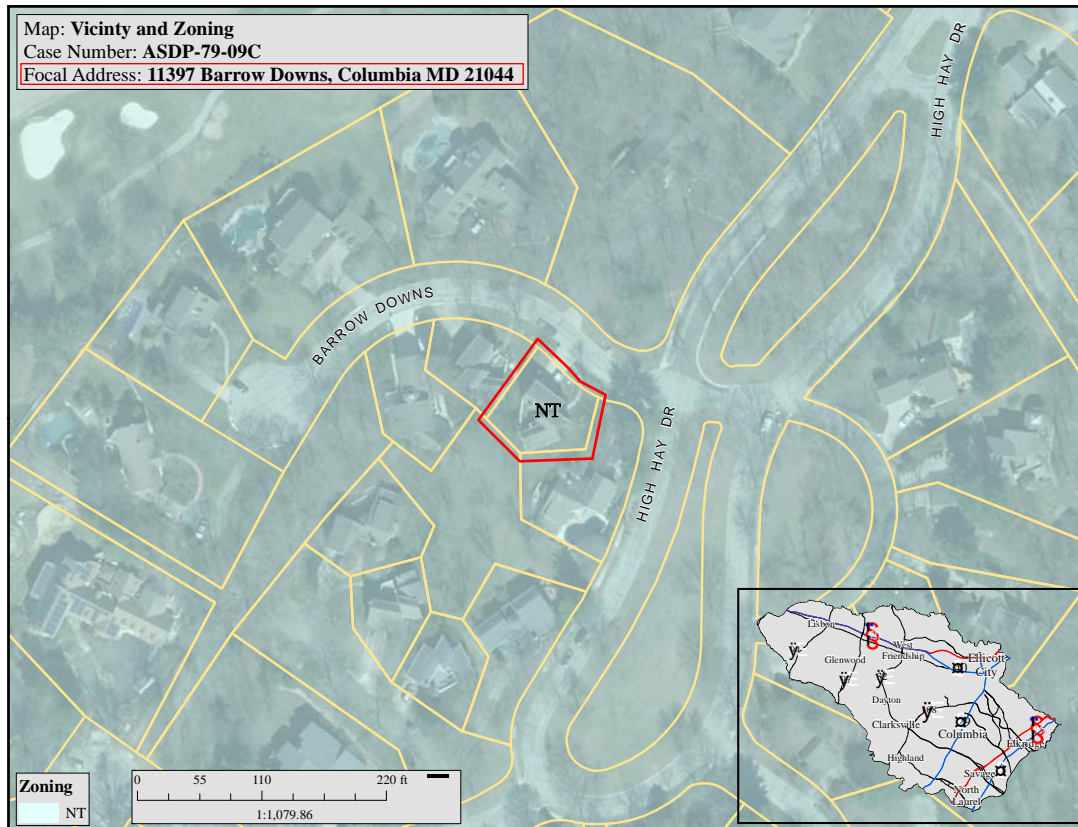
Planning Board Meeting August 16, 2018

File No. / Petitioner: Amended Site Development Plan ASDP-79-09C, Ladislaw Falat

Subject: ASDP-79-09C Village of Harpers Choice Section 2, Lot 88, 11397 Barrow Downs Deck Expansion

Request: For the Planning Board to approve an amendment to a Site Development Plan (SDP) for the expansion of an existing deck that requires an increase to the permitted lot coverage (per FDP-130-A-I criterion 12) from 30% to 31.1% and a decrease of the required minimum structure distance (per FDP-130-A-I criterion 6a) from 15' to 14'. Section 125.0.G.4. of the Zoning Regulations require Planning Board approval to adjust bulk regulations for individual lots to accommodate structures such as decks, storage sheds, or porches. The property is currently developed and zoned New Town- Single Family Low Density (NT-SFLD), in accordance with the Final Development Plan (FDP) 130-A-I.

DPZ Recommendation: The Department of Planning and Zoning (DPZ) recommends **approval** of this amendment to Site Development Plan, SDP-79-09C, subject to compliance with Planning Board conditions of approval.



Location:

The subject property is located on the south side of Barrow Downs, east of the intersection of High Hay Drive. The property is approximately 6,011 square feet (according to MD Tax Assessment Records SDAT). It is identified as Lot 88 in the Village of Harpers Choice, Section 2 Area 4, on Tax Map 29, Parcel 329, Grid 22, in the Fifth Election District of Howard County, Maryland.

Vicinal Properties:

Lot 88 is one of 8 lots in a cluster subdivision, Tooks Way Association Cluster #3, in the Village of Harpers Choice. Four of the lots have houses with near identical footprints and the lots range in size from 5,111 square feet to 6,011 square feet. The cluster also has a sizeable common yard, with only cluster residents having this 'right and easement of enjoyment'. It is the common area concept that distinguishes these clusters from most single family homes in New Town Developments, Single Family Low-Density, and is the reason why these lots are so small. The subject property is surrounded by the following:

North: Barrow Downs, a public road with 50' ROW. The proposed deck extension will not be visible from the public road.

East: A single family dwelling with an attached garage, 11391 Barrow Downs, Columbia, Lot 87, Parcel 329 on Tax Map 29 Grid 22. The proposed deck expansion will not be visible from this property.

South: Common back yard shared by 8 houses, known as Tooks Way Association. Lot 86, Parcel 329 on Tax Map 29 Grid 22.

West: A single family dwelling with an attached garage, 11417 Barrow Downs, Columbia, Lot 89, Parcel 329 on Tax Map 29 Grid 22. The side of the house that faces the subject property is windowless towards the proposed deck expansion.

General Comments:

A. Regulatory Compliance: This project is subject to Section 125.0.G.4 of the Howard County Zoning Regulations (effective October 6, 2013), the development criteria listed in Final Development Plan 130-A-I, and the amended Fifth Edition of the Howard County Subdivision and Land Development Regulations (the October 7, 2007 Edition). Per FDP-130-A-I: criterion 6a, no structures shall be located within 15 feet of one another except as shown on a SDP approved by Planning and Zoning; and criterion 12 states maximum lot coverage may not exceed 30% except as shown on a SDP approved by the Planning Board.

B. DPZ Plan History:

FDP 130-A-I, the Final Development Plan and Criteria for the subject property, Plat 3936-3939, Howard County Land Records, was recorded on December 9, 1977. The subject property is part of Phase 130-A-I, New Town Zoning District, part of the Village of Harpers Choice Section 2 Area 4.

SDP-79-009, the Site Development Plan was approved by the Planning Board on August 2, 1978. The subject property is shown as Lot 88. Development of the subject property and the construction of the single-family dwelling deviates from the approved SDP in that the west property setback was increased from the proposed 6' setback to 9', as built.

Proposed Development Plan/Site Improvements: The Petitioner is requesting the Planning Board to approve an increase of the 30% maximum lot coverage to 31.1%. The petitioner is also requesting Planning and Zoning approval of a one-foot reduction of the structure to structure setback from 15' to 14'. The petitioner proposes a 147 square foot deck expansion that would increase the total lot coverage by buildings and major structures to 31.1% of the lot, exceeding the 30% lot coverage maximum specified in criterion 12 of the FDP by 1.1%, or 66 square feet. The proposed extension also would be located approximately 14'

from the corner of the house on adjacent Lot 89, so a one foot reduction to the 15' setback required by the FDP criterion 6a must also be approved.

C. Site Area and Coverage Information Chart:

Area Per Lot Requirements:

Lot Area	6011 square feet
Existing Structures (Dwelling, Deck, Overhang, Bay Window, and Porch Roof)	1725 square feet (28.7% of Gross Lot Area)
Proposed Deck Expansion	147 square feet (2.4% of Gross Lot Area)
Existing Lot Coverage	28.7% (1725 square feet)
Proposed Lot Coverage	31.1% (1872 square feet)

D. Existing Site Conditions:

1. **Access, Structures, and Parking Area:** The subject property contains a single-family residence, garage, and deck. Lot access is from Barrow Downs.
2. **Environmental Characteristics:**
 - (i) **Forest Cover:** There is no forest.
 - (ii) **Topography:** The site slopes down from east to west, with steep slopes of 20% or greater in the back yard.
 - (iii) **Wetlands, Streams and 100 Year Flood Plain:** There are no wetlands, streams or flood plains.

E. Final Development Plan Analysis: The ASDP complies with FDP-130-A-I. If the Final Development Plan does not address a particular development requirement then the Subdivision and Land Development Regulations, the Zoning Regulations, and other applicable regulations apply.

1. **Permitted Land Uses:** The proposed deck enlargement is an allowed use, provided it complies with FDP criteria and is approved by the Howard County Planning Board.
2. **Stormwater Management:** Stormwater management has been previously addressed and the proposed improvements do not trigger any changes.
3. **Forest Conservation:** The property is exempt from Forest Conservation because according to Section 16.1202(b)(1)(iv) of the Howard County Code, it is zoned NT and the Preliminary Development Plan was approved and more than 50% of development had occurred before December 31, 1992.
4. **Environmental Concerns:** There are no environmental concerns.
5. **Setback Requirements:** Structures must comply with setback requirements. Criterion 6a of the FDP requires structures to be 15' from one another. The proposed deck extension will be within 14' of the single-family dwelling on Lot 89. This encroachment requires Planning & Zoning approval.
6. **Height Requirement:** The FDP establishes a 34 foot maximum building height, measured from the highest ground elevation. The deck will not exceed maximum building height.
7. **Coverage Requirements:** The FDP establishes maximum lot coverage of 30% for buildings and other major structures devoted to single family residential use. Currently, lot coverage is 28.7% and the proposal increases it to 31.1%. This increase requires Planning Board approval.

F. Evaluation of Requested FDP Criteria Adjustment:

The requested setback and lot coverage adjustments were reviewed according to the criteria in Section 125.0.G.4.d(1) and Section 125.0.G.4.d(2) of the Howard County Zoning Regulations.

1. Setback Adjustment

- (a) **Not Detrimental to the Public Interest:** The 1' structure setback encroachment to accommodate the existing deck does not alter the character of the neighborhood or the surrounding area. The existing home was built in 1982 and based on a review of aerial photographs the deck was constructed at the same time, or within the following year. The deck has existed for approximately 35 years without impairing the appropriate use or development of adjacent properties. DPZ has not received any documented complaints regarding its location and, therefore, concludes that the location of the existing deck on the south side of the house is not detrimental to the public interest. Also, visually affected neighbors were made aware of the proposed expansion, and the Village of Harpers Choice Architectural Committee gave its approval for the proposed expansion on March 27, 2018. The existing dwelling on Lot 89 has no windows on the side facing the proposed deck expansion, further limiting any disturbance to the adjoining property.
- (b) **Extraordinary Hardship and Practical Difficulties:** Extraordinary hardship and practical difficulties arise by strictly complying with setback requirements on undersized lots. The proposed deck expansion will come within 14' of the corner of the house on the adjacent property (Lot 89), on a side of the house without windows. The applicant's deck will maintain a minimum 9' setback from the property line, however the dwelling on Lot 89 is set back 4.5' from the property line. The lot's steep slope makes the back yard difficult to mow and unusable as an outdoor space without a deck. The applicant's dwelling is already set back farther than initially planned on the SDP. It creates a practical difficulty to the applicant to use his backyard when his lot is required to have a greater property line setback than the adjacent property for the sake of enforcing a difference of one foot to the structure setback.

2. Lot Coverage Adjustment

- (a) **Not Detrimental to the Public Interest:** The expansion of the deck will improve the character of usable outdoor space that would not be possible if lot coverage requirements are strictly enforced. Many properties already exceed permitted lot coverage in this neighborhood due to the small size of the lots. In addition, the Village of Harpers Choice Architectural Committee has concluded that the deck expansion will comply with Village design guidelines and conform to the design of neighboring homes. Consequently, the proposed adjustment to lot coverage is compatible with surrounding homes, will not impede the use of neighboring properties, and will not result in negative environmental impacts.
- (b) **Extraordinary Hardship and Practical Difficulties:** Extraordinary hardship and practical difficulties arise by strictly complying with the lot coverage requirements because of the size and shape of the lot, the placement of the house on the lot, and the overall character of the surrounding neighborhood. The use and enjoyment of this home would be limited by not allowing more expansive use of outdoor space, especially given the size of the lot, which is characteristic of the surrounding neighborhood. Many nearby properties already exceed lot coverage requirements and the proposed deck expansion will not be inconsistent with nearby homes. Consequently, not allowing such an adjustment would constitute an extraordinary hardship and a practical difficulty for this property.

DPZ Recommendation: Based upon the above findings, the Department of Planning and Zoning recommends **Approval** of this Amended Site Development Plan, ASDP-79-09C, subject to complying with any conditions by the Planning Board.

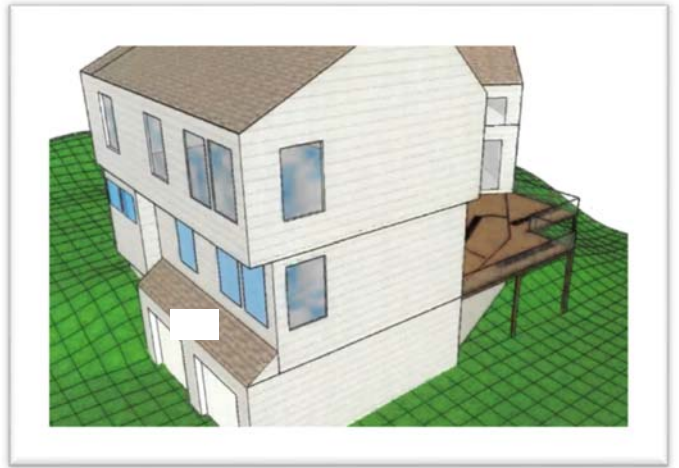
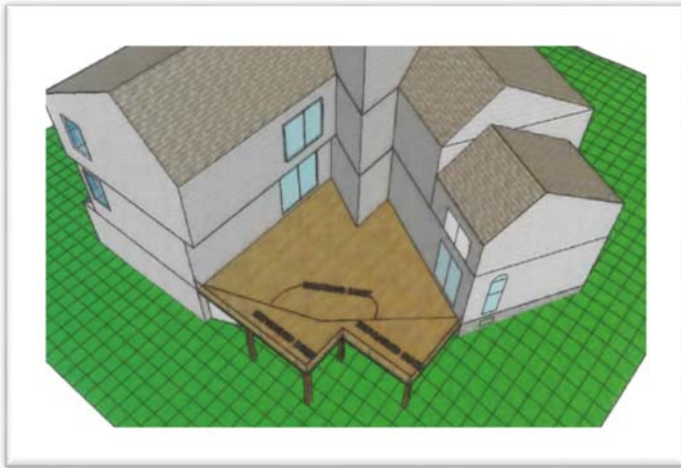

Valdis Lazdins, Director
Department of Planning and Zoning

8/2/18

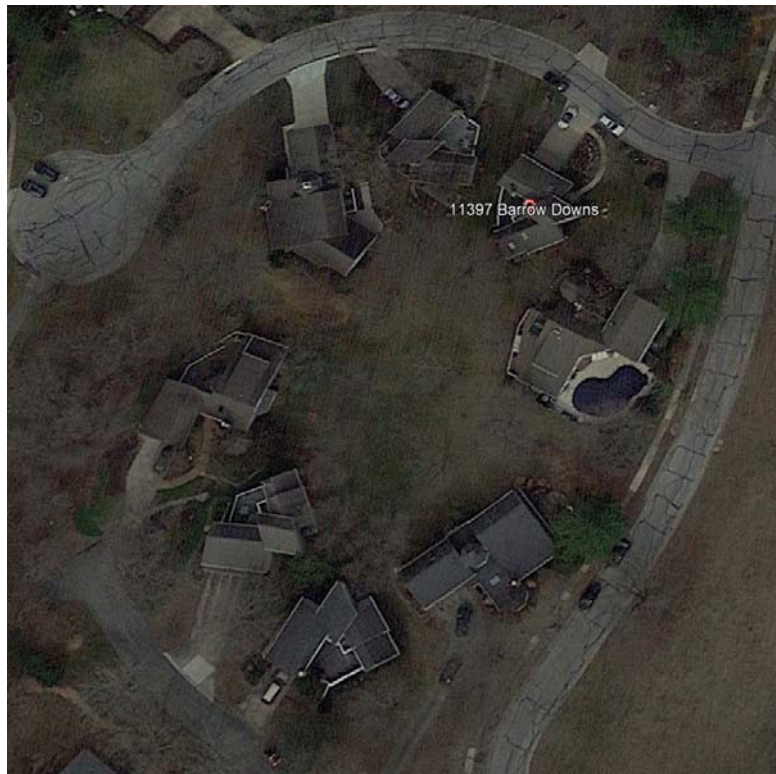
Date

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.

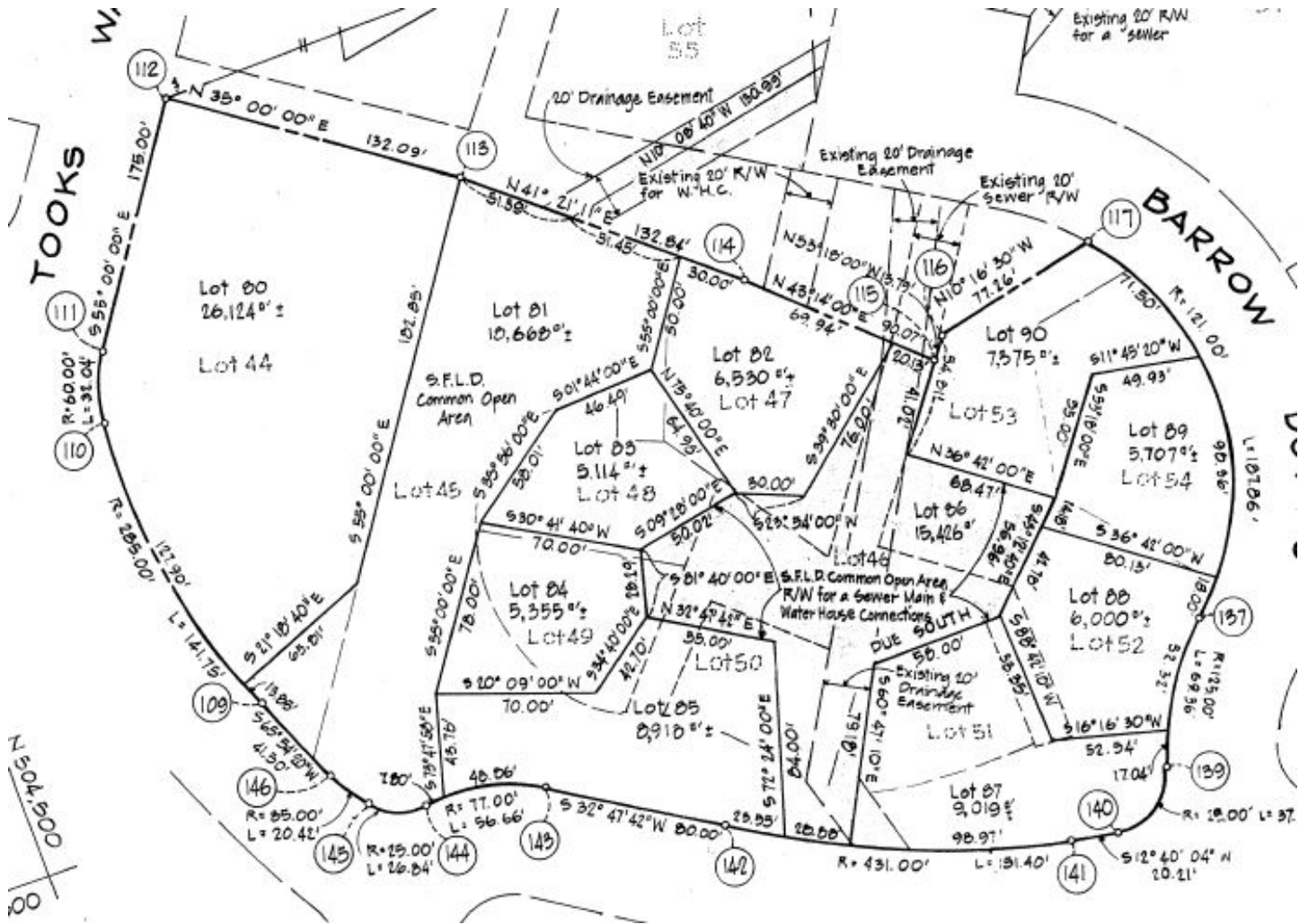
Staff Report Prepared by: Donna Despres
VL/DD/JMF/KS



Rendering of proposed deck extension on existing deck and house.



Google Earth aerial image of Tooks Way Association



ADDRESS	LOT NO.	LOT COVERAGE	LOT SIZE	% COVERAGE
11303 Tooks Way	74	1720 SF	5531 SF	31.1
11308 Tooks Way	84	1715 SF	5355 SF	32.0
11312 Tooks Way	83	1710 SF	5114 SF	33.4
11412 Barrow Downs	90	2470 SF	7375	33.5

Comparison of Lot Coverage. Subject Property is Lot 88

NOTES:

- 1) B.R.L. Information, if shown, was obtained from existing record plat or local agencies and is not guaranteed by NTT, Inc.
- 2) Building line and/or Flood Zone Information is subject to the interpretation of the originator.
- 3) NTT, Inc. does not certify to unshown or unrecorded encroachments or overlaps.
- 4) Property markers not found, or guaranteed by this location.
- 5) Setback distance accuracy: 1'±.

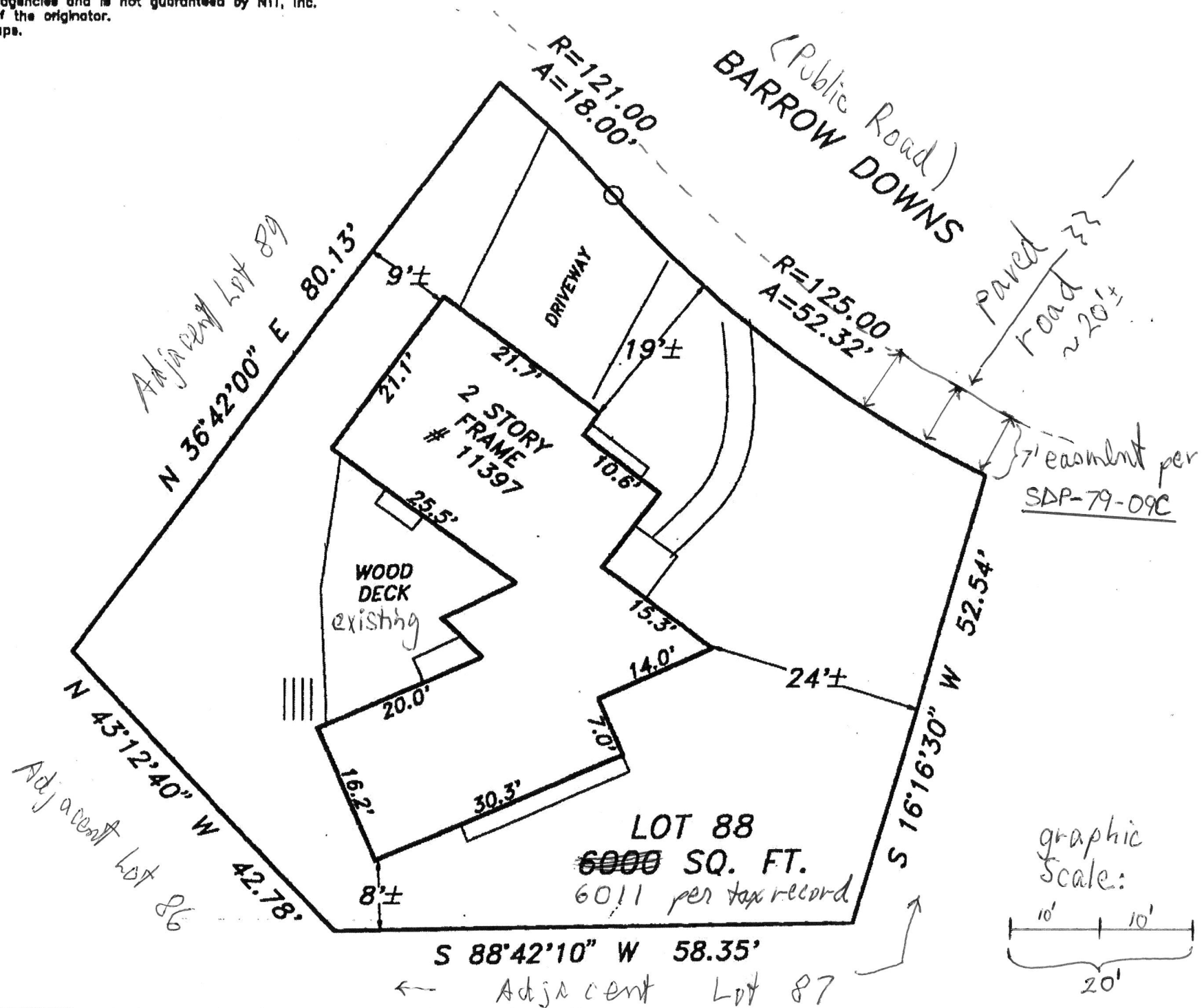
Plan Exhibit #1

Survey of Lot 88 existing

Zoned: "Single Family Low Density"

DZP files: FDP-130-A-1
SDP-79-09C

No wetland, No flood plain,
No forested area
No Environmental feature
or Buffer



Subject property is shown in Zone C on the National Flood Insurance Program Flood Insurance Rate Map of Howard County, Maryland. Panel # 27 of 45 Community Panel # 240044-00 27B Effective date: December 4, 1986

This is to certify that I have surveyed the property shown hereon, being known as **LOT 88** **11397 BARROW DOWNS** recorded in the Land Records of Howard County, Maryland in Plat Bk. **3939** Liber **Folio** for the purpose of locating the improvements thereon.

- * This plat is of benefit to the consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing, or refinancing purposes.
- * This plat is not to be relied upon for the establishment of location of fences, garages, buildings, or other existing or future structures.
- * This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or for securing financing or refinancing.



J. Carl Hudgins - PLS #96

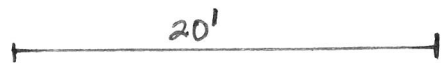
LOCATION DRAWING
11397 BARROW DOWNS
COLUMBIA
5TH ELECTION DISTRICT
HOWARD COUNTY, MARYLAND

NTT Associates, Inc.
16205 Old Frederick Road
Mt. Airy, Maryland 21771
Ph. (410)442-2031
Fax No. (410)442-1315

Scale: above 1"=20'
Date: JULY 18, 1996
Field by: JLM
Drawn by: JLM
Drawing # 18344COL

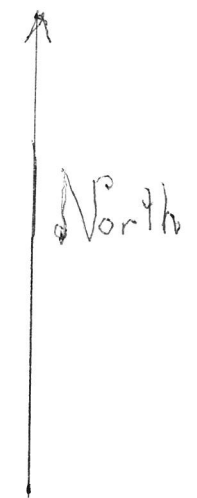
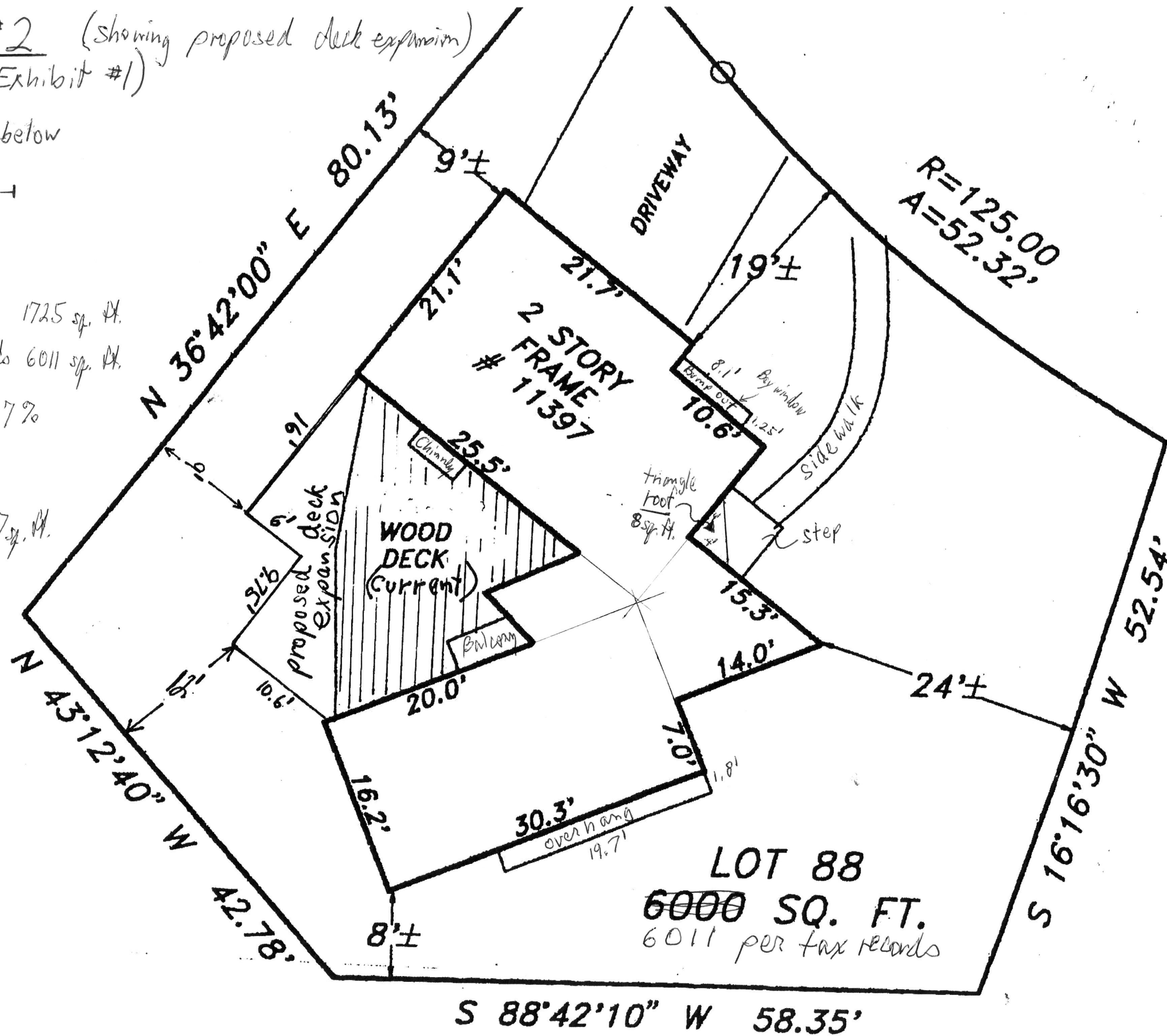
Plan Exhibit #2 (showing proposed deck expansion)
 (Zoomed image of Exhibit #1)

Scale of exhibit #2 below



Total Structures area 1725 sq. ft.
 Land area per tax records 6011 sq. ft.
 % structures = $\frac{1725}{6011} = 28.7\%$

Proposed deck expansion = 147 sq. ft.
 Yielding: $\frac{1872 \text{ sq. ft.}}{6011 \text{ sq. ft.}} = 31.1\%$



LOT 88
~~6000~~ SQ. FT.
 6011 per tax records

APPROVED FOR PUBLIC WATER & PUBLIC SEWER
COUNTY HEALTH DEPARTMENT

Walter Park 10-18-78
DATE: 10-18-78

APPROVED: HOWARD COUNTY OFFICE OF PLANNING & ZONING
Richard G. Freudenberger 10-23-78
DATE: 10-23-78

PLANNING DIRECTOR DATE:
Walter Park 10-20-78
DATE: 10-20-78

CHIEF DIVISION OF LAND DEVELOPMENT

APPROVED FOR PUBLIC WATER & PUBLIC SEWER, STORM DRAIN SYSTEMS & ROADS
HOWARD COUNTY DEPARTMENT OF PUBLIC WORKS

Richard G. Freudenberger 10/11/78
DATE: 10/11/78

DIRECTOR DATE:
Walter Park 10-11-78
DATE: 10-11-78

CHIEF BUREAU OF ENGINEERING

ENGINEER'S CERTIFICATE:
I HEREBY CERTIFY THAT THIS PLAN FOR EROSION & SEDIMENT CONTROL REPRESENTS A PRACTICAL & WORKABLE PLAN BASED ON MY PERSONAL KNOWLEDGE OF THE SITE CONDITIONS & THAT IT WAS PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE HOWARD SOIL CONSERVATION DISTRICT.

Walter Park Sept 13, 1978
DATE: 9-13-78

WALTER PARK

DEVELOPER'S CERTIFICATE:
I HEREBY CERTIFY THAT ALL DEVELOPMENT AND/OR CONSTRUCTION WILL BE DONE ACCORDING TO THIS PLAN OF DEVELOPMENT AND PLAN FOR EROSION & SEDIMENT CONTROL. WE AUTHORIZE PERIODIC ON-SITE INSPECTION BY THE HO. SOIL CONSERVATION DISTRICT OR THEIR AUTHORIZED AGENTS AS ARE DEEMED NECESSARY. DEVIATION FROM THIS PLAN WILL NOT BE MADE UNLESS AUTHORIZED BY THE HO. SOIL CONSERVATION DISTRICT.

Ethan Grossman July 11, 1978
DATE: 7-11-78

ETHAN GROSSMAN

REVIEWED FOR HO. SOIL CONSERVATION DISTRICTS & MEETS TECHNICAL REQUIREMENTS.

Walter Park 9-21-78
DATE: 9-21-78

U.S. SOIL CONSERVATION SERVICE

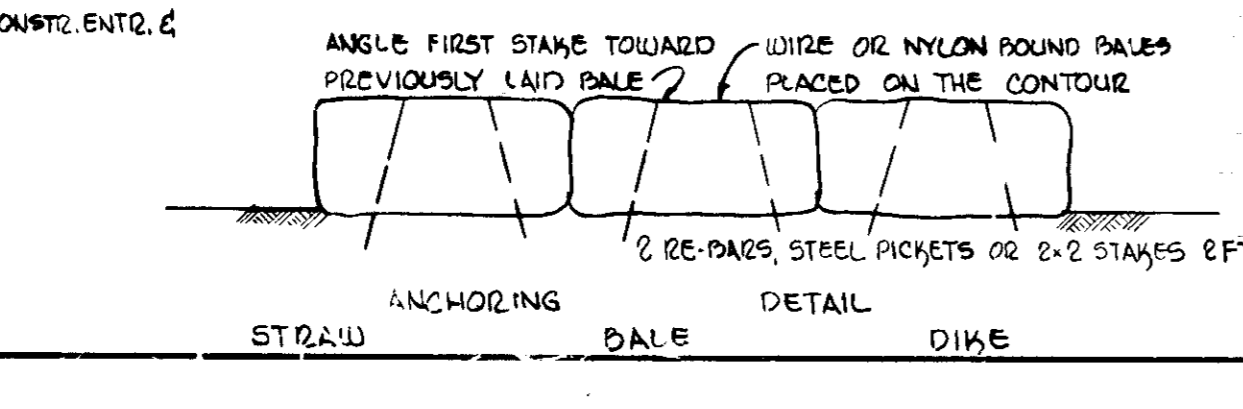
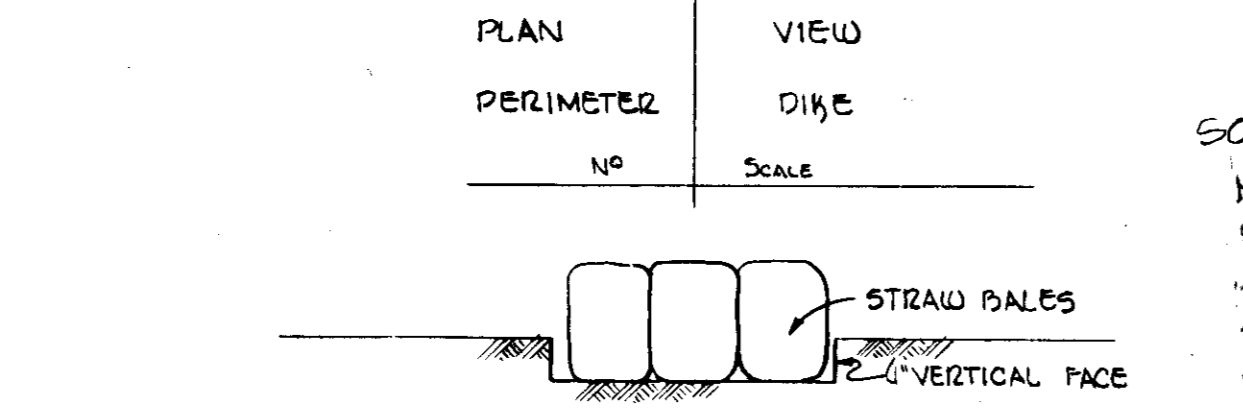
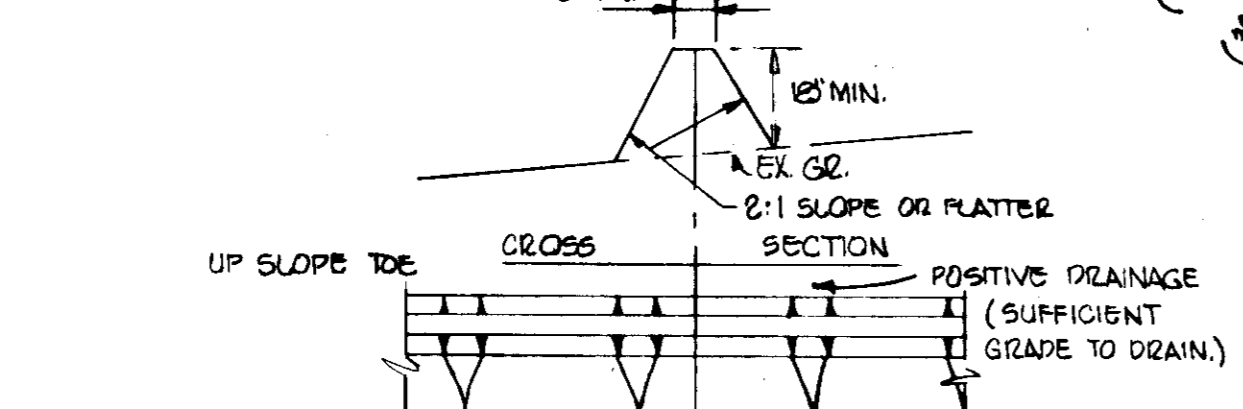
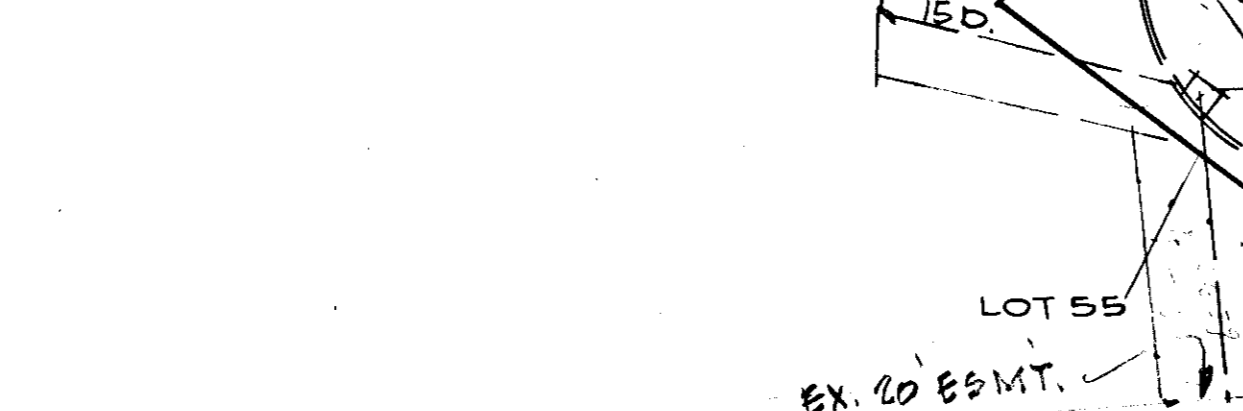
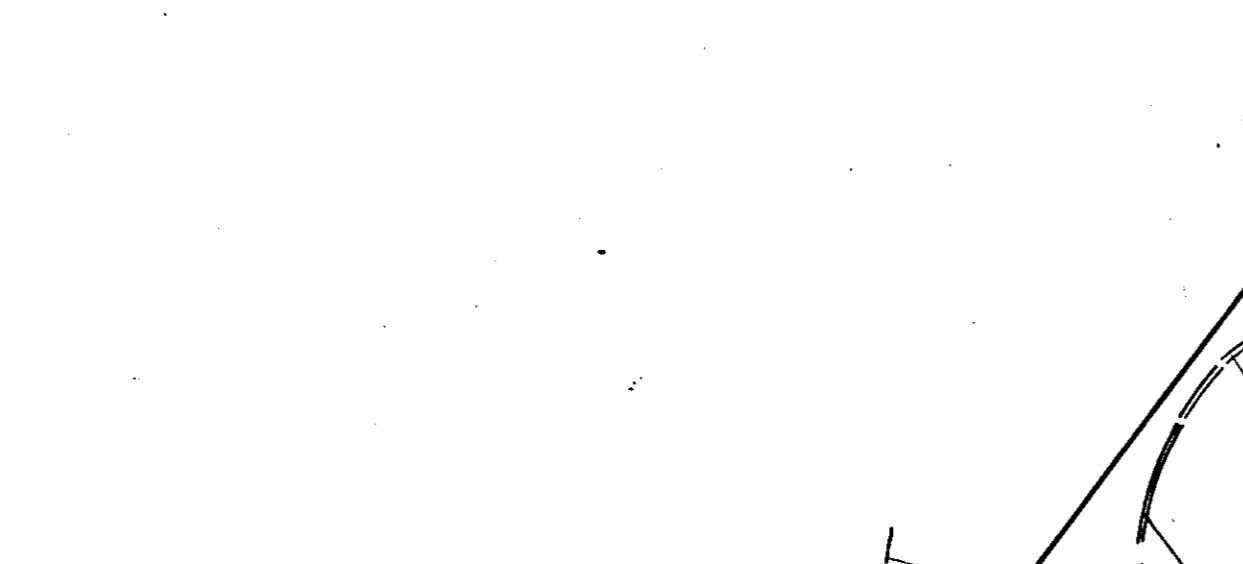
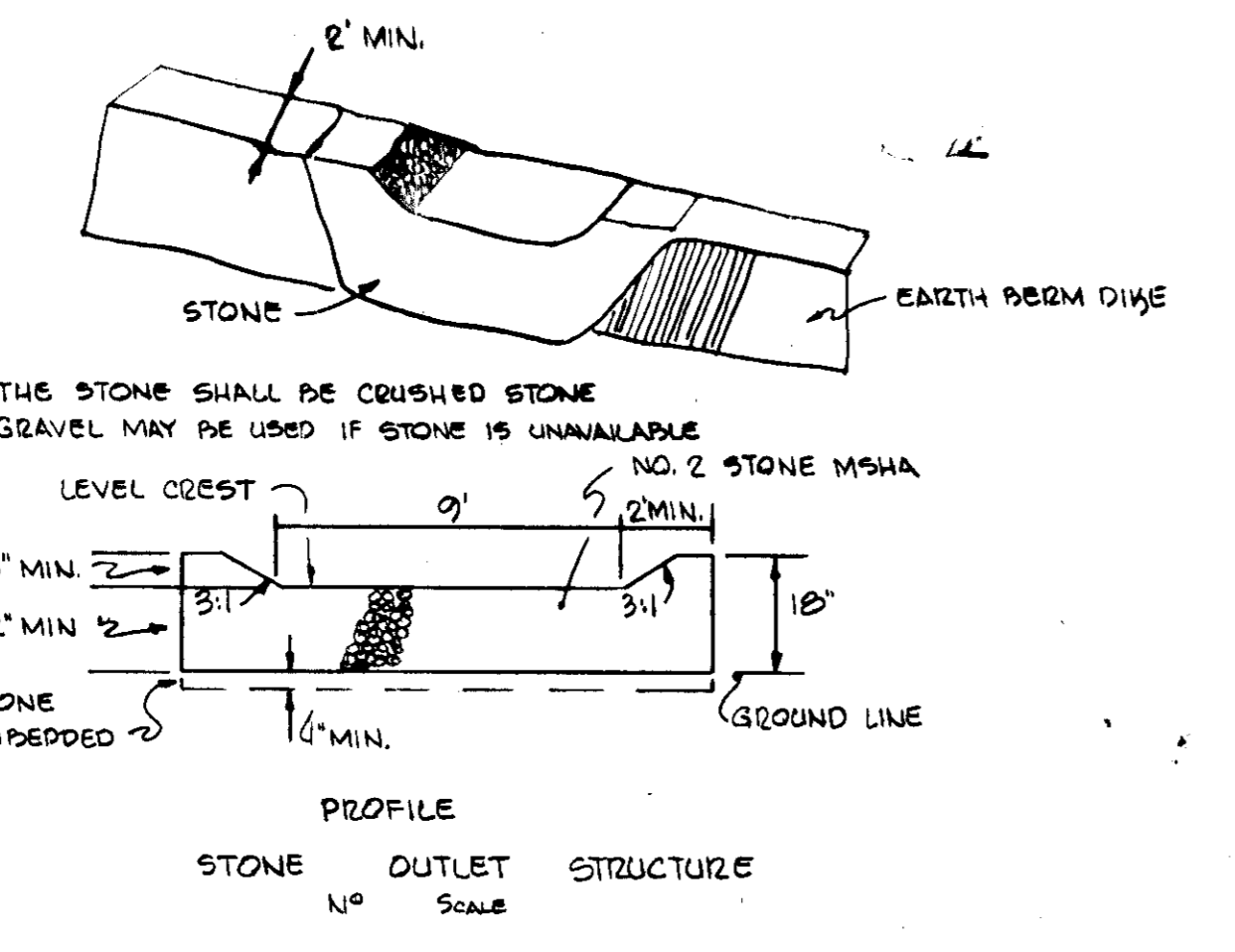
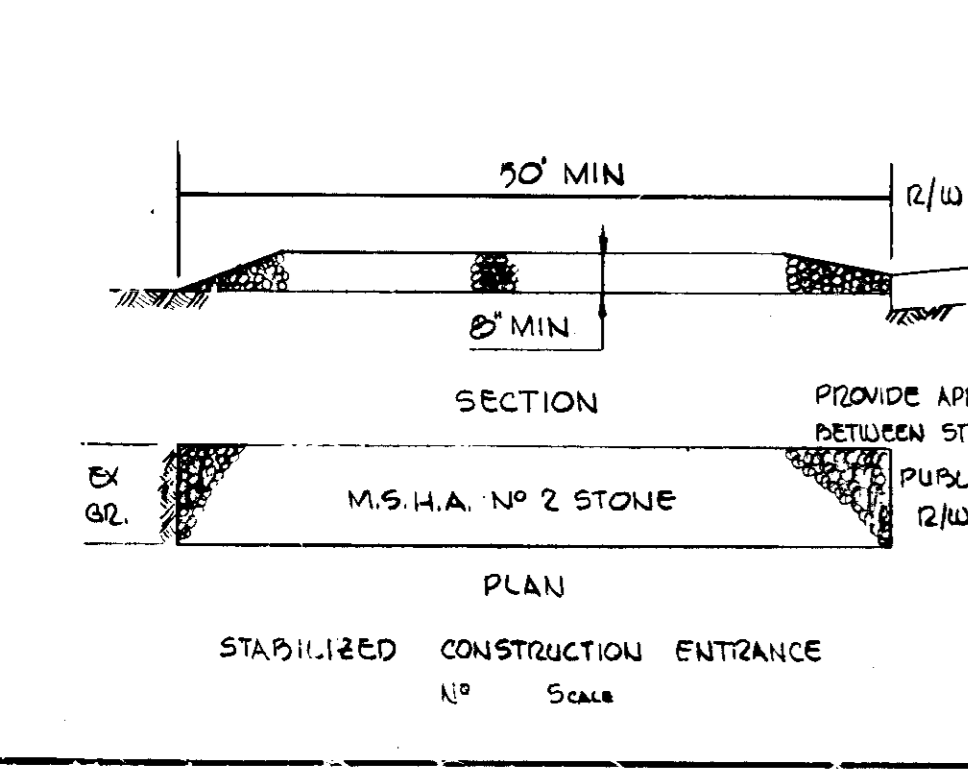
THIS DEVELOPMENT PLAN IS APPROVED FOR SOIL EROSION AND SEDIMENT CONTROL BY THE HOWARD SOIL CONSERVATION SERVICE.

Walter Park 9-21-78
DATE: 9-21-78

HO. SOIL CONSERVATION DISTRICT

SEDIMENT CONTROL NOTES:
1. OBTAIN GRADING PERMIT
2. THE HO. CO. BUREAU OF LICENSE, INSPECTIONS & PERMITS SHALL BE GIVEN 24 HRS. NOTICE PRIOR TO ANY GRADING.
3. ALL SEDIMENT CONTROL MEASURES SHOWN ON THIS PLAN UNLESS OTHERWISE SPECIFIED SHALL BE INSTALLED IN ACCORDANCE WITH NOTE 2.
4. ALL SLOPES SHALL BE MAX. 3 TO 1.
5. FOLLOWING THE STABILIZATION OF ALL AREAS TO BE UPGRADED, THE AREA OF SEDIMENT CONTROL MEASURES MAY BE REMOVED & GRADED TO THE FINAL GRADES SHOWN & STABILIZED IMMEDIATELY.
6. IN THE EVENT OF EXCESS MATERIAL, EXCESS MATERIAL SHALL BE STOCKPILED WITH A MAX. SLOPE 3:1 IN AN AREA WHICH HAS BEEN CLEARED ON-SITE. STOCKPILED MATERIAL SHALL BE STABILIZED IN ACCORDANCE WITH NOTE 2.
7. SEDIMENT CONTROL MEASURES WILL NOT BE REMOVED UNTIL APPROVAL IS OBTAINED FROM HO. CO. BUREAU OF PERMITS, INSPECTION & LICENSE.

PERMANENT STABILIZATION
APPLY: 2000 lbs. PER ACRE OF PULVERIZED DOLOMITIC LIMESTONE
1000 lbs. PER ACRE OF 0-20-0 SUPER PHOSPHATE
1000 lbs. PER ACRE OF 10-10-10 FERTILIZER
SEED: 85 lbs. PER ACRE OF KENTUCKY 31 TALL FESCUE & 25 lbs. PER ACRE OF ANNUAL RYE GRASS.
NOTE: SEED BETWEEN MAR. 1 - MAY 1 OR AUG. 1 - OCT. 1 ONLY.
MULCH: 2 TONS PER AC. OF UNWEATHERED W/HEAT-TREATED TIE DOWN MULCH WITH 480 GAL. PER AC. OF LIQUID ASPHALT.



SITE ANALYSIS AREA TO BE REVEGETATED

1. TOTAL AREA OF SITE 2.02 AC.
2. DISTURBED AREA 1.70 AC.
3. TOTAL AREA PAVED 0.33 AC.
4. TOTAL CUT 3000 CU. YD.
5. TOTAL FILL 2000 CU. YD.

CONSTRUCTION SEQUENCE

1. INSTALL SEDIMENT MEASURES 1 WEEK
2. GRADE SITE 2 WEEKS
3. CONSTRUCT PAVEMENT 2 WEEKS
4. CONSTRUCT BUILDING 4-6 MONTHS

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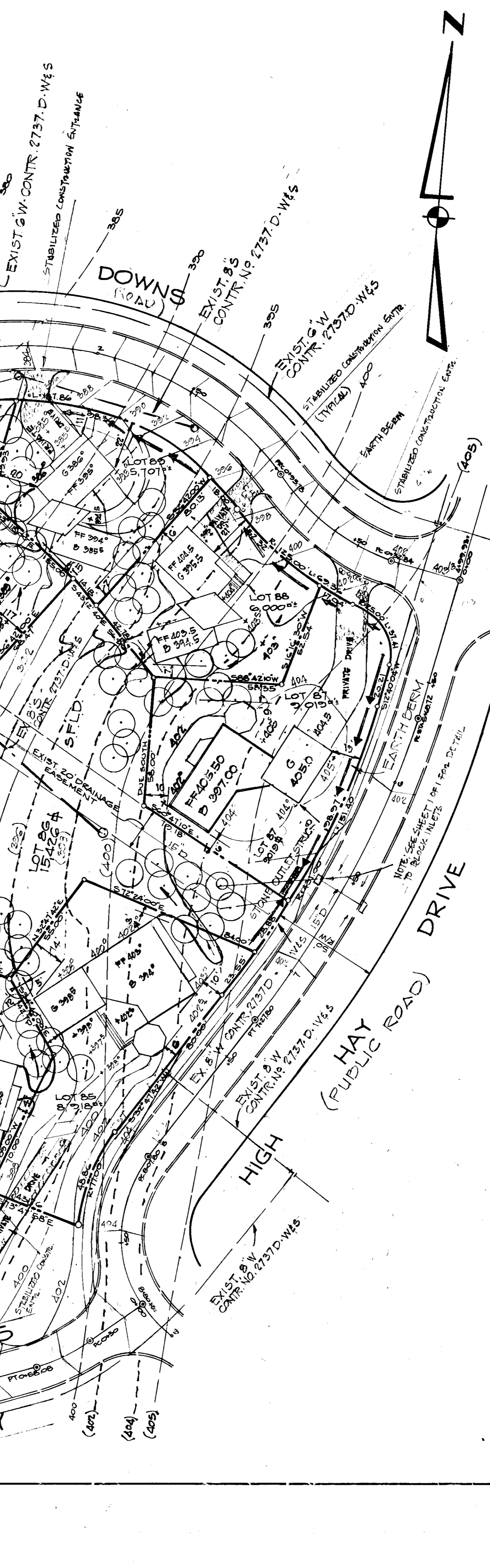
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VICINITY MAP
SCALE: 1" = 200'

GENERAL NOTES:

- TOTAL AREA OF THIS SUBMISSION 135,612[±] OR 3.11 AC. 10 LOTS
- OWNER: ETHAN GROSSMAN
1800 GAMEWELL RD.
SILVER SPRING MD. 20904 TELE: 1-421-9494
- ZONING: NEWTOWN ZONING MAP 29
- TAX MAP: 29
- SITE USE: SINGLE FAMILY DWELLINGS
NO. OF LOTS THIS SHEET: 10
NO. OF UNITS THIS SHEET: 8
- DISTRICT: 5TH
- PUBLIC WATER & SEWER: 80 FT. OF BUILDING SEE SCHEDULE THIS SHEET
- PLAT REF: VILLAGE OF HARPER'S CHOICE SECT. 2 AREA 4 SH. 2074 PLAT NO. 3055
- FOR REF. PHASE 120 F-74-105

ENGINEERS:
LAND DEVELOPMENT CONSULTANTS
9088-15 TOWN & COUNTRY PLVD
ELLCOTT CITY, MARYLAND 21043
PHONE: (301) 465-8512

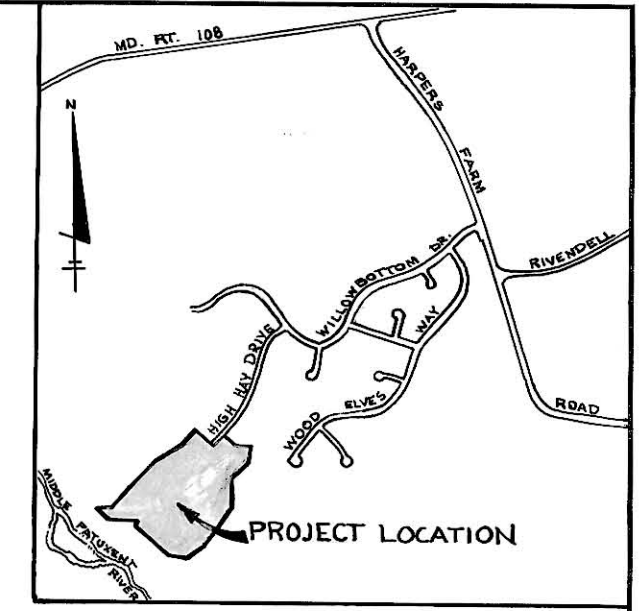
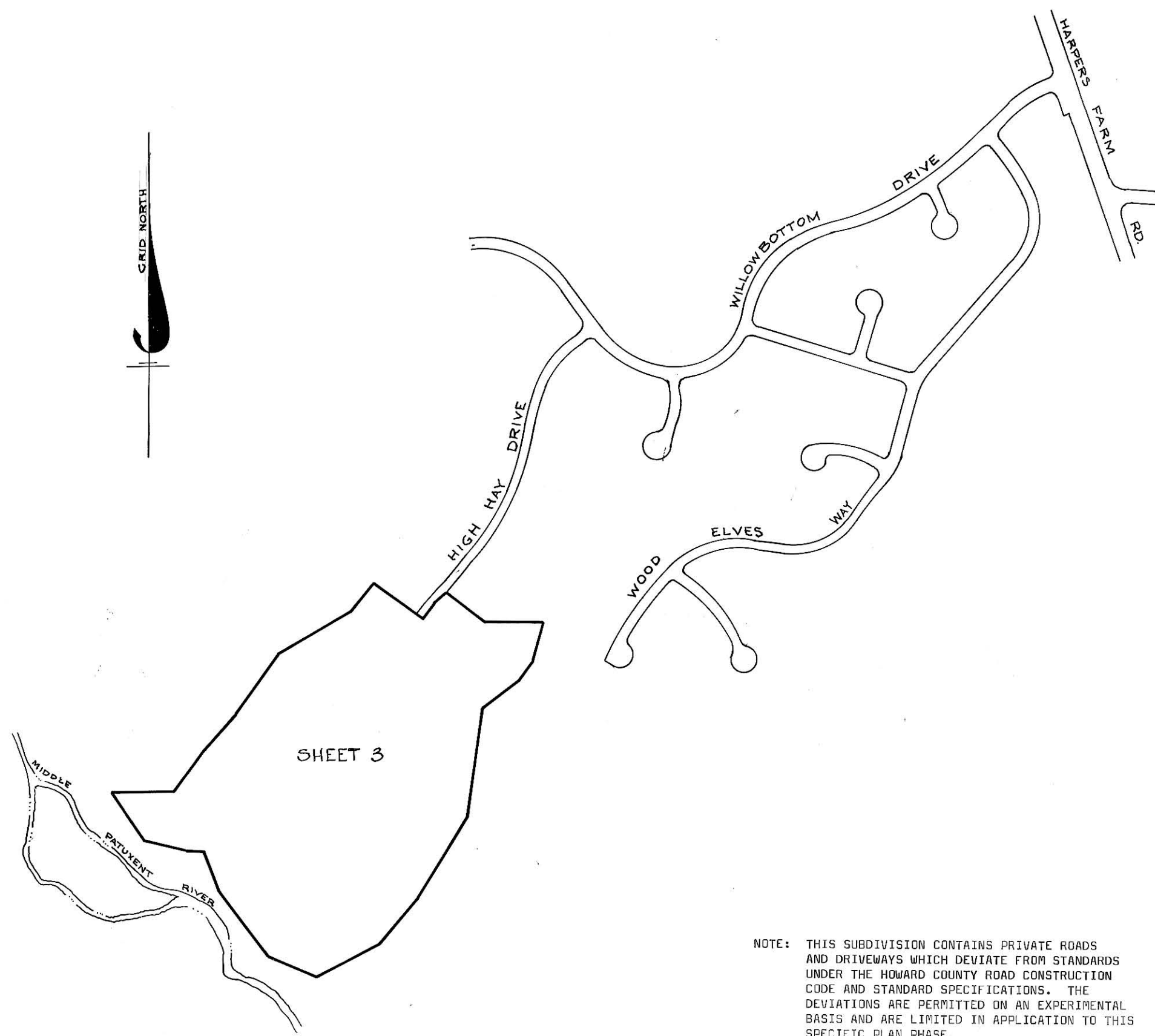
LOT NO.	AREA	BLDG. TYPE	SQ. FT. PAVED	DENSITY
81	18600 [±]	2 FLD	1841 [±]	28%
82	6520 [±]	AD	1513 [±]	23.6%
83	5114 [±]	D	1513 [±]	29%
84	5955 [±]	D	2124 [±]	35%
85	8910 [±]	C/GZEZED	1841 [±]	20%
86	15426 [±]	SFLD	1513 [±]	25%
87	3019 [±]	AD	1513 [±]	26%
88	6000 [±]	D	1856 [±]	25%
89	5707 [±]	D		
90	7375 [±]	C		

Walter Park Sept 13, 1978

SITE DEVELOPMENT PLAN
FOR
VILLAGE OF HARPER'S CHOICE
SECT. 2 LOTS 67 THROUGH 76 & AREA 4
LOTS 81 THROUGH 90
5TH ELECTION DISTRICT
HOWARD COUNTY, MARYLAND
SCALE: 1" = 30' JULY 10, 1978

APPROVED
PLANNING BOARD
OF HOWARD COUNTY
DATE: 8-2-78
SHEET 2 OF 2

SDP-79-09C



VICINITY MAP
1" = 1600'

SUMMARY OF AMENDMENTS

- 130- A Modified Sheet 3 of 3 to correct boundary survey discrepancies and coordinate values.
- 130- A -I- Modifies Section 6 and 7 of the Criteria by the elimination of the requirement for Planning Board approval of a site development plan for structures in Single Family Low Density Land Use Areas.

NOTE: This plat supersedes plat previously recorded among the land records for Howard County, Maryland, on November 4, 1974, in Plat Book 28, Folio 102.

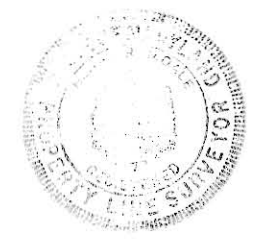
NOTE: THIS SUBDIVISION CONTAINS PRIVATE ROADS AND DRIVEWAYS WHICH DEVIATE FROM STANDARDS UNDER THE HOWARD COUNTY ROAD CONSTRUCTION CODE AND STANDARD SPECIFICATIONS. THE DEVIATIONS ARE PERMITTED ON AN EXPERIMENTAL BASIS AND ARE LIMITED IN APPLICATION TO THIS SPECIFIC PLAN PHASE.

VILLAGE OF HARPER'S CHOICE
SECTION 2 AREA 4

RECORDED PLAT 3054 A-225
ON 8-3-1979 AMONG THE LAND RECORDS OF
HOWARD COUNTY, MD.

PETITIONER AND OWNER
THE HOWARD RESEARCH AND DEVELOPMENT CORPORATION
COLUMBIA, MARYLAND 21044

PREPARED AS TO SHEETS TO
IN ACCORDANCE WITH THE ZONING REGULATIONS
OF HOWARD COUNTY
ADOPTED OCT. 3, 1977



BOARD OF COUNTY COMM. B.C.C. CASE 412 RESOLUTION APPROVED 8-10-1965
AMENDED B.C.C. CASE 507 RESOLUTION APPROVED 11-4-1968
AMENDED Z.B. CASE 606 RESOLUTION APPROVED 11-22-1972
AMENDED Z.B. CASE 644 RESOLUTION APPROVED 1-7-1974
AMENDED Z.B. CASE 693 RESOLUTION APPROVED 12-20-1976

HOWARD COUNTY PLANNING BOARD
[Signature] 8/1/79 *[Signature]* 8/1/79
H.C.P.B. EXEC. SEC. DATE H.C.P.B. CHAIRPERSON DATE

130-A-I			
130-A	11/4/74	28	102 thru 104
130	9/30/74	28	57 thru 59
PHASE	DATE	BOOK	FOLIO
	RECORDATION		

COLUMBIA
AMENDED
FINAL DEVELOPMENT PLAN PHASE 130-A-I
5TH ELECTION DISTRICT HOWARD COUNTY, MD.
SCALE 1" = 400'
SHEET 1 OF 3

[Signature] No. 78
LAND SURVEYOR'S SIGNATURE

DRWN. BY:
CHKD. BY:

FINAL DEVELOPMENT PLAN CRITERIA

The Area included within this Final Development Plan Phase 130-A is Applicable to Section 2, Area 4, of the Village of Harper's Choice.

1. PUBLIC STREET AND ROADS - Section 119-C-1-a(1):
To be shown on subdivision plats, if required by the Howard County Office of Planning and Zoning.
2. PUBLIC RIGHTS-OF-WAY - Section 119-C-1-a(2):
2A To be shown on subdivision plats, if required by the Howard County Office of Planning and Zoning.

2B Vehicular ingress and egress to High Hay Drive will be permitted only at points of access approved by the Howard County Office of Planning and Zoning.
3. MAJOR UTILITY RIGHTS-OF-WAY - Section 119-C-1-a(3):
To be shown on subdivision plats, if required by the Howard County Office of Planning and Zoning.
4. DRAINAGE FACILITIES - Section 119-C-1-a(4):
To be shown on subdivision plats, if required by the Howard County Office of Planning and Zoning.
5. RECREATIONAL, SCHOOL, PARK AND OTHER COMMUNITY USES - Section 119-C-1-b:
To be shown on the Final Development Plan, if required by the Howard County Planning Board.
6. PERMITTED GENERAL LOCATIONS OF BUILDINGS AND STRUCTURES - Section 119-C-1-d:
The term "structure", as used in this Final Development Plan Phase, shall include but not be limited to:

cornices	porches
eaves	bay windows
roof or building overhangs	privacy walls or screens
chimneys	all parts of any buildings
trellises	dwelling, or accessory buildings

All setback areas shall be clear of any protrusions, extension, or construction of any type, and where any land use is adjacent to a freeway or primary road, no structure shall be located within 50' of the right-of-way line thereof, except, however, that structures may be constructed at any location within such setback areas if such construction is in accordance with a site development plan approved by the Howard County Planning Board.

The term "structure" does not include the following upon which no restriction as to location is imposed:

walks	excavations or fill
shrubby	fencing under 6' in height
trees	retaining walls under 3' in height
ornamental landscaping	similar minor structures

Determination of the specific character of "similar minor structures" and setbacks applicable thereto will be made by the Howard County Office of Planning and Zoning.

Fences or walls, if located within setback areas adjacent to a public street, road, or highway upon which construction of structures is prohibited, shall not exceed 3' in height if solid or closed nor 5' in height if open, except in accordance with a site development plan approved by the Howard County Planning Board.

6A SINGLE FAMILY LOW DENSITY
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. No residential structures may be located within 15' of one another.

6D OPEN SPACE LAND USE AREAS
No structure within Open Space Land Use Areas shall be located within thirty (30) feet of the right-of-way of any public street, road, or highway; or within twenty-five (25) feet of any property line; except, however, that structures may be constructed at any location upon lots devoted to Open Space Land Use provided such construction is in accordance with a site development plan approved by the Howard County Planning Board. All structures must be developed in accordance with a site development plan approved by the Howard County Planning Board.

7. PERMITTED USES - Section 119-C-1-d:

7A-1 SINGLE FAMILY LOW DENSITY LAND AREAS
All lots within single family low density land use areas shall be used only for single family detached low density residential uses. The accessory use provisions of Section 107 of the Howard County Zoning Regulations shall be applicable.

The Planning Board may designate on the subdivision a lot, lots, or parcels as "common open areas" which will not be credited to "Open Space", but, will be credited to the Single Family Low Density of the Phase in which it presently exists. These lots 15, 20, 29, 30, 43, 45, 46, 62, and 63 as shown on the subdivision plat are to be used for vehicular and pedestrian access and may be used for drainage and utility easements if necessary, provided that such easements are shown on the subdivision plat, if required by the Howard County Office of Planning and Zoning.

7E-1 OPEN SPACE LAND USE AREAS

Lots 1, 8, and 60 are to be used for all open space land uses including, but not limited to, pedestrian and bicycle pathways. These lots may be used as drainage and utility easements if necessary, provided that such easements are shown on the subdivision plat if required by the Howard County Office of Planning and Zoning.

8. HEIGHT LIMITATIONS - Section 119-C-1-e:

8A SINGLE FAMILY LOW AND/OR MEDIUM DENSITY LAND USE AREAS
No structure shall be constructed more than 34 feet in height from the highest adjoining ground elevation adjacent to the building upon lots devoted to single family land use.

8E OPEN SPACE LAND USE AREAS

No height limitation is imposed upon structures constructed within Open Space Land Use Areas provided improvements thereon are constructed in accordance with a site development plan approved by the Howard County Planning Board.

9. PARKING REQUIREMENTS - Section 119-C-1-e:

9A SINGLE FAMILY MEDIUM AND/OR LOW DENSITY LAND USE AREAS
No less than two (2) off-street parking spaces containing a minimum area of two hundred (200) square feet per each parking space shall be provided for each lot with a single family structure. Parking may be provided on adjacent lots if shown on a site development plan approved by the Howard County Planning Board

9E OPEN SPACE LAND USE AREAS

No parking requirements are imposed upon any of the land within this Final Development Plan Phase devoted to open space uses, in the event structures are proposed for construction on any portion of such land parking requirements therefore may be imposed by the Howard County Planning Board at the time a site development plan is submitted for approval. Any open space land use areas as may be required for parking purposes by the Howard County Planning Board shall be deducted from the credited open space land use tabulations and denoted as non-credited in accordance with Section 119-A-9 of the Howard County Zoning Regulations.

10. SETBACK PROVISIONS - Section 119-C-1-e:

GENERALLY:

- a. Setbacks shall conform to the requirements of Section 6 above.
- b. No other setback restrictions are imposed upon land within this Final Development Plan Phase.

11. MINIMUM LOT SIZES - Section 119-C-1-e:

As shown on subdivision plat in accordance with minimum lot sizes as may be required by the Howard County Planning Board.

12. COVERAGE REQUIREMENTS - Section 119-C-1-e:

12A SINGLE FAMILY LOW DENSITY DETACHED RESIDENTIAL LAND USE AREAS
In no event shall more than 30 percent (30%) of any lot devoted to single family residential purposes be covered by buildings or other major structures except that a greater percentage of coverage of any such lot may be permitted if such buildings or other major structures are constructed in accordance with a site development plan approved by the Howard County Planning Board. No limitation is imposed upon the area used for sidewalks, paved parking areas, trees and shrubbery, and similar minor structures.

12E OPEN SPACE LAND USES

No more than ten percent (10%) of the land within this Final Development Plan Phase devoted to Open Space Land Uses shall be covered by buildings or major structures except in accordance with a site development plan as approved by the Howard County Planning Board.

TABULATION OF LAND USE IN ACRES

Land Use	Acres
S.F.L.D.	37.598
Roadway	4.530 Ac.
Open Space	0.0
Non-Credited	0.529
TOTAL	38.127

NOTE: This plat supersedes plat previously recorded among the land records for Howard County, Maryland, in Plat Book 28, Folio 103, and shall apply to Phases 130, 130-A and 130-A-I.

The purpose of this revised plat is to modify Section 6 and 7 of the Criteria to eliminate the requirement for Planning Board approval of a site development plan for all structures in Single Family Low Density land use areas, and to conform references to the 1977 Howard County Zoning Regulations.

VILLAGE OF HARPER'S CHOICE

SECTION 2 AREA 4

PETITIONER AND OWNER

THE HOWARD RESEARCH AND DEVELOPMENT CORPORATION
COLUMBIA, MARYLAND 21044

RECORDED PLAT 305' A-226
ON 8-2-1979 AMONG THE LAND RECORDS OF
HOWARD COUNTY MD.

COLUMBIA

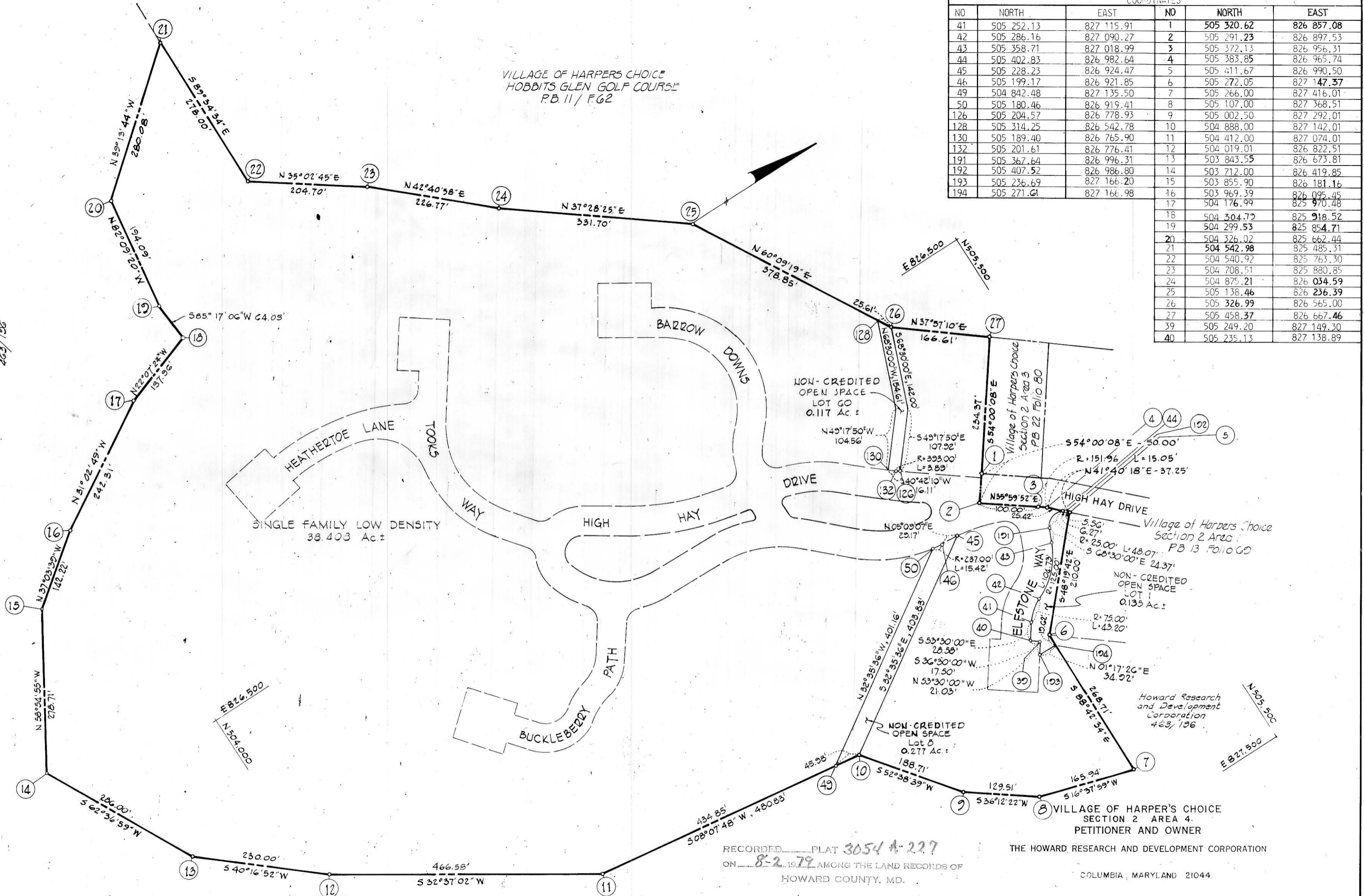
AMENDED
FINAL DEVELOPMENT PLAN PHASE 130-A-I
5TH ELECTION DISTRICT HOWARD COUNTY, MD.

SHEET 2 OF 3

Howard Research and Development Corporation
463/196

VILLAGE OF HARPERS CHOICE
HOBBITS GLEN GOLF COURSE
P.B. 11 / F.62

COORDINATES					
NO	NORTH	EAST	NO	NORTH	EAST
41	505 252.13	827 115.91	1	505 320.62	826 857.08
42	505 286.16	827 090.27	2	505 291.23	826 897.53
43	505 358.71	827 018.99	3	505 372.13	826 956.31
44	505 402.83	826 982.64	4	505 383.85	826 965.74
45	505 228.23	826 924.47	5	505 411.67	826 990.50
46	505 199.17	826 921.85	6	505 272.05	827 147.37
49	504 842.48	827 135.50	7	505 266.00	827 416.01
50	505 180.46	826 919.41	8	505 107.00	827 368.51
126	505 204.57	826 778.93	9	505 002.50	827 292.01
128	505 314.25	826 542.78	10	504 888.00	827 142.01
130	505 189.40	826 765.90	11	504 412.00	827 074.01
132	505 201.61	826 776.41	12	504 019.01	826 822.51
191	505 367.64	826 996.31	13	503 843.55	826 673.81
192	505 407.52	826 986.80	14	503 712.00	826 419.85
193	505 236.69	827 166.20	15	503 855.90	826 181.16
194	505 271.61	827 166.98	16	503 969.39	826 095.45
			17	504 176.99	825 970.48
			18	504 304.72	825 918.52
			19	504 299.53	825 854.71
			20	504 326.02	825 662.44
			21	504 542.98	825 485.31
			22	504 540.92	825 763.30
			23	504 708.51	825 880.85
			24	504 875.21	826 034.59
			25	505 138.46	826 236.39
			26	505 326.99	826 565.00
			27	505 458.37	826 667.46
			39	505 249.20	827 149.30
			40	505 235.13	827 138.89



Howard Research And Development Corporation
463/196

NOTE: This plat supersedes plat previously recorded among the land records of Howard County, Maryland, on November 4, 1974, in Plat Book 28, Folio 104.

RECORDED PLAT 3054 A-227
ON 8-2-79 AMONG THE LAND RECORDS OF
HOWARD COUNTY, MD.

NOTE: THIS SUBDIVISION CONTAINS PRIVATE ROADS AND DRIVEWAYS WHICH DEVIATE FROM STANDARDS UNDER THE HOWARD COUNTY ROAD CONSTRUCTION CODE AND STANDARD SPECIFICATIONS. THE DEVIATIONS ARE PERMITTED ON AN EXPERIMENTAL BASIS AND ARE LIMITED IN APPLICATION TO THIS SPECIFIC PLAN PHASE.

THE HOWARD RESEARCH AND DEVELOPMENT CORPORATION
COLUMBIA, MARYLAND 21044

COLUMBIA

AMENDED

FINAL DEVELOPMENT PLAN PHASE 130-A-I
5TH ELECTION DISTRICT HOWARD COUNTY, MD.

SCALE 1"=100' SHEET 3 OF 3

DRWN. BY: J.G.
CHKD. BY: K.J.C.