

Vicinal Properties:

Surrounding properties are zoned New Town (NT), Residential: Single Cluster (R-SC), and Residential: Single (R-12).

North: Single family and single family attached homes; part of Sewell's Orchard, Section 4, Area 1. The site adjoins Open Space Lot 281.

East: An electrical transmission right of way owned by Baltimore Gas and Electric.

South and West: Single family homes; part of the Village of Owen Brown, Section 4, Area 1. The site adjoins Open Space Lot 546.

Legal Notice:

The property was properly posted and verified by DPZ.

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 FDP-91, and the amended Fifth Edition of the Howard County Subdivision and Land Development Regulations (October 7, 2007 Edition). Per FDP-91: Criterion 8 Height Limitations: No structure shall be constructed within the area encompassed by this Final Development Plan Phase exceeding 50 feet in height from the highest adjoining ground elevation along the front of the structure except, however, that structures may be constructed to any height provided such construction is in accordance with a site development plan approved by the Howard County Planning Board.

DPZ Plan History:

FDP-91, Final Development Plan and Criteria for the subject property, Plat Book 19 Folio 99-101; recorded May 27, 1970.

SDP-70-005, approved December 1970.

Existing Site Conditions:

Access, Structures, and Parking Area: The property contains a BGE substation and gains access from Oakland Mills Road. Currently, the tallest structure is a lightning mast, which is 80 feet high. There is ample room for parking.

Environmental Characteristics: There are no environmental features.

Analysis:

FDP Analysis: The amended SDP complies with FDP-91, subject to Planning Board approval.

Permitted Land Use: There is no land use change.

Stormwater Management: The addition will not disturb more than 5,000 square feet, the minimum requiring stormwater management review.

Forest Conservation: The property is exempt from Forest Conservation under Section 16.1202(b)(1)(iv) of the Howard County Code. The property is zoned NT and the Preliminary Development Plan was approved and more than 50% of development had occurred before December 31, 1992.

Environmental Concerns: There are no environmental features.

Setback Requirements: Structures must comply with Criterion 6, that structures must be at least 25 feet from a public street, road, or highway right-of-way and that any structure exceeding 20 feet in height shall be set back an additional one foot for each additional foot of height in excess of 20 feet. In addition, a structure

shall not be erected within 100 feet of any boundary line, and all structures must be developed in accordance with a SDP approved by the Howard County Planning Board. The proposed structure is 111 feet tall and must be set back at least 111 feet from a boundary line. The amended SDP shows the tower 187.9 feet from the north, 219.9 feet from the west, and 275.5 feet from the south boundary lines.

Height Requirements: FDP Criterion 8 establishes a 50 foot maximum building height, measured from the highest ground elevation, except for structures constructed in accordance with a SDP approved by the Howard County Planning Board. The proposed structure is 111 feet tall, which is allowed if approved by the Howard County Planning Board.

Coverage Requirements: The FDP establishes a maximum lot coverage of 50% for buildings and other major structures, except in accordance with a SDP approved by the Howard County Planning Board. The proposed monopole is within the existing substation and will not expand lot coverage.

Planning Board Criteria:

The requested height adjustment was reviewed according to the criteria in Section 125.0.G.4.d of the Howard County Zoning Regulations.

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.

The new monopole structure allows communication with other BGE substations throughout Howard County. The structure will not change the character of the surrounding neighborhoods since the use will remain a BGE substation. The surrounding properties are fully developed. The monopole tower more than meets the setbacks required by the FDP. There is heavy screening at the rear property lines of the homes that adjoin the substation. The redline to the SDP has been reviewed for compliance with the Howard County Code and FDP requirements. The height adjustment is the minimum required to meet the requirements for the communication tower.

The adjustment is needed due to practical difficulties or unnecessary hardships which arise in complying strictly with the FDP.

To add the required communications monopole the height adjustment is necessary. Unnecessary hardships would result from strict compliance with the FDP height regulations. The tower meets all other FDP requirements and is necessary for communications with other BGE substations.

DPZ Recommendation:

Based upon the above findings, the Department of Planning and Zoning recommends **Approval** of this Amended Site Development Plan, SDP-70-005, subject to complying with any conditions by the Planning Board.


Valdis Lazdins, Director
Department of Planning and Zoning

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.