



**HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING**  
3430 Courthouse Drive ♦ Ellicott City, Maryland 21043 ♦ 410-313-2350

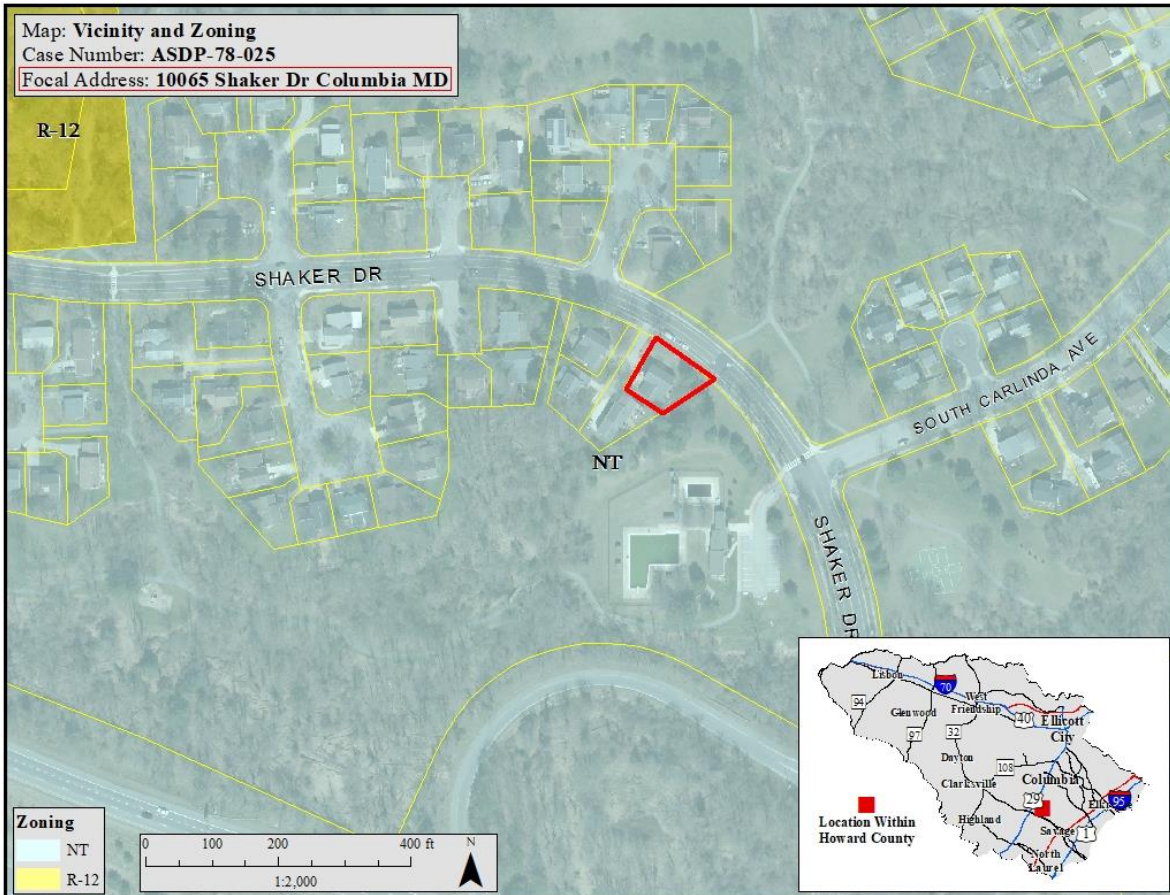
Amy Gowan, Director

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**TECHNICAL STAFF REPORT**

Planning Board Meeting of February 18, 2021

- File No. / Petitioner:** ASDP-78-025, Greg Mercer
- Subject:** ASDP-78-025, 10065 Shaker Drive, Kings Contrivance – Section 1 – Area 1 – Lot 194
- Request:** The applicant is requesting Planning Board approval to amend the Site Development Plan (SDP) to reduce the rear setback from 7.5 feet to 2.5 feet for construction of a deck connected to a private dwelling in accordance with Section 125.0.G.4. of the Zoning Regulations. The property is currently developed and is zoned New Town- Single Family Medium Density (NT-SFMD) in accordance with the Final Development Plan (FDP) 148.
- Location:** The subject property is located on the southern side of Shaker Drive about 140 feet from the intersection of Fair Beauty. The property contains approximately 7,623 square feet of land and is identified as Lot 194 in the Village of Kings Contrivance, Section 1, Area 1 located on Tax Map No. 42, Grid No. 1, Parcel 422 in the Sixth Election District of Howard County, Maryland.



**Vicinal Properties:**

**To the North:** Shaker Drive and NT Open Space Lot 340 owned by the Columbia Association.

**To the East:** A community swimming pool and facility on NT Open Space Lot 341 owned by the Columbia Association. There is an existing 20' sewer easement that runs along the subject property line on Open Space Lot 341.

**To the South:** A single-family detached house with a deck.

**To the West:** A single-family detached house with a deck.

**General Comments:**

**A. Regulatory Compliance:** This project is subject to compliance with Section 125.0.G.4 of the Zoning Regulations (effective October 6, 2013), the development criteria listed in Final Development Plan 148, the amended Fifth Edition of the Howard County Subdivision and Land Development Regulations (the October 7, 2007 Edition), the Howard County Design Manual, and The Village of Kings Contrivance Design Architectural Guidelines.

**B. DPZ Plan History:**

- **FDP-148**, Final Development Plan and Criteria for the subject property was recorded on August 1, 1974. The subject property is part of FDP-148 in the New Town Zoning District as part of the Village of Kings Contrivance, Section 1, Area 1. The FDP is recorded as Plat Book 28 Folio 70 among the Land Records of Howard County, MD.
- **Plat 3575**, A plat that the current subject property was identified as Lot 194 and was recorded on December 10, 1976.
- **SDP-78-025**, Site development plan that the current subject property was previously developed under, in which the existing single-family dwelling was constructed, and parking areas were established per the development criteria set forth in the FDP.

**C. Proposed Development Plan/Site Improvements:** The ASDP proposes the construction of a new deck along the rear of the dwelling. The proposed deck will be roughly 20 feet x 12 feet, with a 2-foot mitered corner as requested by the Department of Public Works. The proposed design has been reviewed and approved by the Village of Kings Contrivance Architecture Review Committee. The ASDP is required in order to reduce the setback from the property line from 7.5 feet to 2.5 feet.

**D. Existing Site Conditions:**

- **Access, Structures, and Parking Area:** Currently, the subject area contains the existing single-family residence. Access is provided to the lot by a private shared driveway easement from Shaker Drive.
- **Environmental Characteristics:**
  - (i) **Forest Cover:** There is no forest on site.
  - (ii) **Topography:** The site is mostly flat with lawn areas with lightly landscaped areas surrounding the house.
  - (iii) **Wetlands, Streams and 100 Year Flood Plain:** There are no steep slopes, wetlands, streams or 100-year floodplain on the lot.

**E. Final Development Plan Analysis:**

This Amended Site Development Plan has been evaluated for compliance with FDP-148. Where the Final Development Plan is silent, compliance with the Subdivision and Land Development Regulations, the Zoning Regulations, and other applicable regulations are required. See attachments for the proposed layout of the site. Below is a summary of the major FDP criteria used in this evaluation:

1. **Permitted Land Uses:** In accordance with FDP-148, the proposed project is an addition to the existing dwelling. There are no provisions prohibiting the proposed deck provided that the additions are in accordance with the established FDP criteria and approved by the Howard County Planning Board.
2. **Stormwater Management:** The proposed deck improvements are less than 5,000sf and therefore do not trigger SWM review for this lot.
3. **Forest Conservation:** The property is exempt from the requirements of Section 16.1200 of the Howard County Code for Forest Conservation because the property is zoned NT which had preliminary development plan approval and was 50% or more developed prior to 12/31/92 per Section 16.1202(b)(1)(ii).
4. **Environmental Concerns:** No wetlands, wetland buffers, streams, stream buffers, steep slopes, Forest Conservation Easement Areas or 100-year floodplain exist on site. This site has been previously graded and the proposed deck will not disturb any of the existing substantial vegetation.
5. **Setback Requirements:** The FDP establishes a 7.5-foot setback for structures from any property line. The proposed deck will encroach 5 feet into the rear setback from adjoining Open Space Lot 341, resulting in a 2.5-foot remaining setback and requires Planning Board approval.
6. **Height Requirement:** In accordance with FDP-148, no structure shall be constructed within the FDP area that exceeds 34 feet in height from the highest ground elevation. The proposed deck for this Amended Site Development Plan will have a maximum height of 5'-6" which complies with the height requirements per FDP-148.
7. **Coverage Requirements:** The FDP establishes a maximum lot coverage of 30% for buildings and other structures. The lot coverage for the existing house and proposed improvements will be 28%.

**Evaluation of Requested FDP Criteria Adjustment:**

The requested adjustment was reviewed according to the criteria set forth in Section 125.0.G.4.d(1) and Section 125.0.G.4.d(2) of the Howard County Zoning Regulations.

- 1) **Not Detrimental to the Public Interest:** 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 adjustment is needed due to practical difficulties with the confines of the current structure and property. The addition of the deck will create an improved usable outdoor space that would not be allowed by strict compliance with the development criteria. The architectural design of the deck is in accordance with the guidelines set forth by the Village of Kings Contrivance and will be in conformance with existing architecture so as not to alter the neighborhood characteristics and will be compatible with surrounding lots. The proposed addition will not exceed the height limitations or impede the neighbor's property use in any way.
- 2) **Extraordinary Hardship and Practical Difficulties:** Extraordinary hardship and practical difficulties arise with compliance of the development criteria because of the lot size, shape, house placement, and the overall design of the community. The lot shape is widest along Shaker Drive where development must be setback 30 feet from the 60-foot road right-of-way. The property also shares a driveway with three adjoining neighbors and to meet the required setbacks and provide the best privacy and orientation, the house was constructed parallel to the front and side lot lines within the narrowest portion of the lot. This

resulted in an angled rear yard with limited space at the narrowest location. Maintaining the minimum 7.5-foot setback given these conditions presents a practical difficulty for the homeowner to construct a deck in their rear yard, similar to others. The addition of the open deck space will serve as an open area for general outdoor use during warmer months. The proposed deck addition will not infringe on the FDP in terms of utilities, environmental features, and general requirements.

DocuSigned by:  
*Amy Gowan* 2/1/2021  
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Amy Gowan, Director  
Department of Planning and Zoning

**SHEET DESCRIPTION**

SHEET:

**6/12**

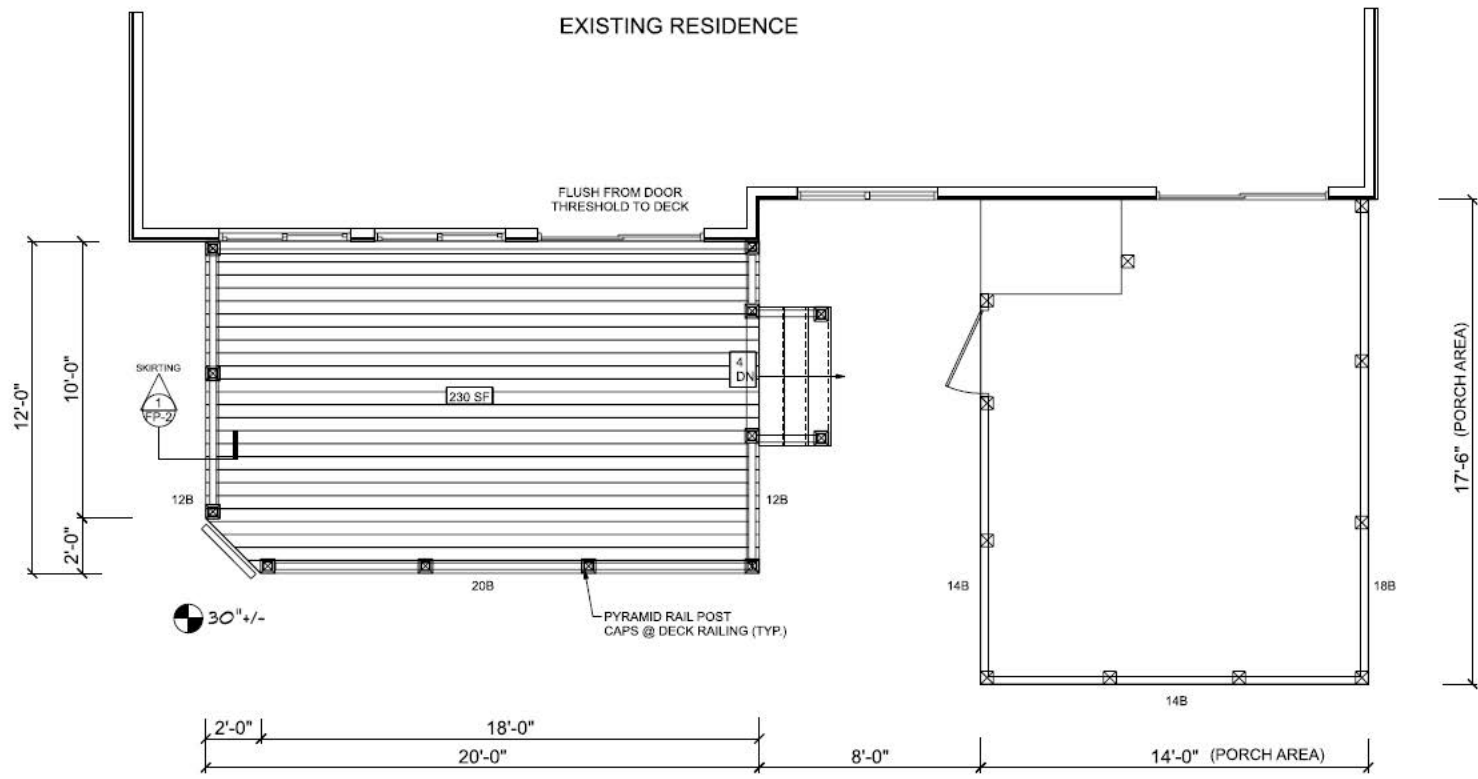
FP-1

SCALE: 1/4" = 1'-0"

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#63-MERCER-08252002-01  
10065 SHAKER DR.  
COLUMBIA, MD, 21046  
DRAWN BY: TMG EXT: #233  
OCTOBER 13, 2020

**EXISTING RESIDENCE**



**GENERAL DECK NOTES**

- 5/4 x 6 TREX SELECT DECKING w/ HIDDEN FASTENERS
- 1 x 8 VINYL WRAPPED TRIM @ PERIMETER
- 36" HIGH MONUMENT RAILING KIT, INSTALLED PER MANUF. SPEC'S.
- TREX STAIR w/ 5/4 x 6 TREADS & 1 x 8 PVC RISERS w/ 2 x 12 P.T. STRINGERS @ 9" O.C.

**GENERAL PORCH NOTES**

- SCREEN-EZE (FLUSH MOUNT) SCREENING SYSTEM, INSTALLED PER MANUF. SPEC'S.
- (2) 2 x 10 (#1 GRADE) P.T. "BOX" ROOF BEAM w/ 2 x 6 TOP & BOTTOM PLATES (TYP.)
- 6 x 6 P.T. ROOF POSTS
- (1) 36" x 80" SCREEN DOOR w/ 6 x 6 @ HINGE