



PLANNING COMMISSION

Prepared by: Rowan G. Glidden, RLA

Date: April 18, 2024

Meeting Date: May 2, 2024

Case No.:05P-24-01-SD

General Information:

Applicant: Joseph Thompson & Associates, LLC

Owner/Operator: Stephan M. Caplan

Location: 321 W. Hall Street

Lot/Building Size: Parcel 73 on Tax Map 307, a 12,000 sq. ft. lot with an 832 square foot existing residential structure.

Requested Action: Special Development approval to convert the existing detached garage into an Accessory Dwelling Unit.

Zoning: R-1, Low Density Residential

Existing Land Use: Single Family Detached home, with a detached garage and an accessory shed.

Surrounding Land Use & Zoning: Surrounding properties are zoned R-1 (Low Density Residential) on northeast, southeast and southwest sides of the site. The property to the northwest of W. Hall Street is located outside of the Town corporate limits and is therefore within Harford County. This portion of Harford County is zoned R-2 (Urban Residential District) by Harford County Zoning Maps.

Comprehensive Plan: The Bel Air Land Use Plan in the 2022 Comprehensive Plan designates subject property as *Low Density Residential*, as well as the surrounding lots. The Harford County Land Use Map designates the parcel northwest of West Hall Road as *Medium Intensity*.

Zoning History: The 832 square foot principal structure was built in 1951, according to state tax records. A 572± square foot detached garage was built in 1995, under Town of Bel Air Building Permit No. 6995. There is no record of a permit for the existing accessory shed. A fence permit, #TBA-F-24-04, was issued on Feb. 15, 2024 for a 42-inch tall white vinyl picket fence to be located on the front yards of the principal structure.

Applicable Regulations: Chapter 165, Article III (Sect. 165-25 R-1 Zoning);
Specific Sections – 165-53.G(2)(a) Special Developments –
Accessory Dwelling Units;
Article XII (Special Development)

Public Utilities & Services: The property is served by Maryland American Water Company for potable water and is served by the Town of Bel Air for sewer. Bel Air Police and Bel Air Volunteer Fire Company also provide services to this property.

Transportation: The site has a frontage on West Hall Street and Mapleview Drive, with existing driveway access on Mapleview Drive. West Hall Street and Mapleview Drive are Town Roads and are classified as *Local Streets* in the 2022 Comprehensive Plan.

Environmental Assessment There are no mapped environmentally sensitive areas in proximity to the proposed development. The site contains a detached single-family home along with a detached garage and accessory shed. The site slopes gently from the northeast to the southwest. There is no forest on the site as defined by the Town Code. The site encompasses 0.2755 acres (12,000 square feet).

Landscaping, Lighting & Amenities: Landscaping is not required in accordance with Section 165.55.A. However, the review guidelines in the Performance Standards Section 165-53.G(2)(a) provides that the reviewing agency may consider provision of buffering to adequately limit the use from adversely impacting the neighboring properties.

Performance Standards: The general performance standards in Section 165-53.B apply. The performance standards in Section 165-53.G(2)(a) for an Accessory Dwelling Unit use apply.

Standards:

- [a] The use shall be limited to extended family members (as defined in Article XIV of this Part 2) of the owners of the primary residence Or a caregiver for a person residing in the primary residence.
 - [b] The principal dwelling must be owner occupied and the use shall discontinue as soon as the designated unit is vacated for more than 12 months.
 - [c] The parcel on which the accessory dwelling unit is located must be a minimum of 10,000 square feet and reviewed as a Special Development when located in the R1, R2, or R3 district.
 - [d] Fire code inspection and tax application must be provided to the Town.
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Guidelines:

- [i] Provision for adequate parking and buffering
- [ii] Lease criteria and operating information
- [iii] Structure, size, capacity and location of the unit

Analysis:

The Applicant is requesting special development approval for an Accessory Dwelling Unit in the R-1 district. The proposal is to convert an existing detached 572± square foot garage into an Accessory Dwelling Unit. The owner provided a sketch floor plan of the existing garage. This plan is difficult to read. An Accessory Dwelling Unit has performance standards associated with the use.

SPECIAL DEVELOPMENT

The applicant or owner provided annotated Performance Standards sheet for an Accessory Dwelling Unit.

During their presentation to the Planning Commission, the applicant or owner must:

- a) expand upon their statement regarding the occupant of the ADU;
- b) expand upon their statement regarding the provision of adequate parking given the loss of existing garage parking;
- c) explain the lack of needed buffering from the neighboring lots.
- d) explain the description of a half story for both structures, house and ADU.
- e) further explain the existing floor plan of the detached garage.

SITE

The site is gently sloping, 2% to 3%. The site exceeds the minimum required parcel size of 10,000 square feet.

The existing dwelling has an existing non-conforming front setback on Maplevue Drive, 32 feet in lieu of the required front setback of 35 feet. As a corner lot, there is no rear yard. There are two front yards and two side yards.

The application indicates that the existing detached garage is requested to be converted into an Accessory Dwelling Unit, without change to the footprint of the garage building. The existing garage building meets the required yard setbacks for a corner lot/parcel. However, the existing detached garage building is an existing non-conforming accessory structure, as its floor area of 572± square feet, exceeds 50% of the floor area of the principal structure. This limitation can be found in Town Code Section 165-68.B(5).

The Site Plan needs to be revised to:

1. Correct the ownership and parcel number of 608 Mapleview Drive;
2. Provide a survey benchmark;
3. Add Signature Blocks and Certification Blocks to the plan;
4. Add dimensions for distance from existing house and proposed ADU to the adjacent property lines.
5. Add dimensions and footprint area to the existing detached garage and the principal structure.
6. Revise notes and labels to indicate an Accessory Dwelling Unit rather than a Cottage Dwelling.

Recommendations:

Special Development

Approval of the Special Development for an Accessory Dwelling Unit in the R-1 District is based upon the following findings of fact that the applicant has adequately demonstrated adherence to Section 165-53.G(2)(a):

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- [d] Fire code inspection and tax application must be provided to the Town.

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Approval of the Special Development is conditioned on the following:

1. The applicant provides a signed affidavit to the Town acknowledging the occupant restrictions as provided for in Section 165-53.G(2)(a).
2. The applicant constructs two parking pads off the existing driveway to accommodate the anticipated occupant parking.



Rowan G. Glidden, RLA

Director of Planning & Community Development

Attachments

Application and Justification

Performance Standards for Accessory Dwelling Unit - Annotated

Site Plan