



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive

Ellicott City, Maryland 21043

410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

TECHNICAL STAFF REPORT

Hearing Examiner Hearing of January 7, 2026

Case No./Petitioner: BA-25-016C/Wayne Lawson

Request: Conditional Use for Two-Family dwelling within an existing dwelling (Section 131.0.N.54)

Location: 3992 College Avenue
Tax Map 25; Grid 14; Parcel 54 (the "Property")

Property Size: 0.69-acre

Zoning R-ED (Residential: Environmental Development)



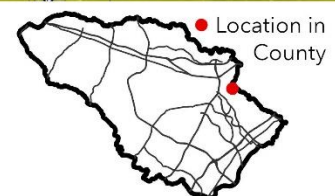
Howard County Department of Planning & Zoning
Maryland Department of Planning
Month Day Year

Zoning & Vicinity
3992 College Avenue

BA-25-016C

Zoning

■ R-ED
□ Subject Property



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Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

I. CONDITIONAL USE PROPOSAL

The Petitioner proposes to convert the existing single-family detached dwelling into a Two-Family dwelling. Since accessory apartments must be located within an owner-occupied dwelling, and the petitioner proposes renting out both units, this necessitates a conversion to a two-family dwelling.

II. BACKGROUND INFORMATION

A. Site Description

The 0.69-acre site is an irregular shaped parcel containing an existing two-story dwelling with associated parking. There are no environmentally sensitive areas on the parcel. The site rises from an elevation of 320 feet along the northern property line to 350 feet at the southwestern corner of the Property.

B. Vicinal Properties

Direction	Zoning	Land Use
North	R-ED	Single-Family Residential/College Avenue
South	R-ED	Single-Family Residential
East	R-ED	Single-Family Residential/College Avenue
West	R-ED	Single-Family Residential

C. Roads

College Avenue has two travel lanes within a 50-foot right-of-way. The speed limit is 25 miles per hour. No changes to ingress or egress to the Property are proposed. There is no Average Annual Daily Trips data for this section of College Avenue.

D. Water and Sewer Service

The Property is within the Planned Service Area and is served by public water and sewer.

E. General Plan

The Property is designated Single-Family Neighborhood on the Future Land Use Map of HoCo By Design.

College Avenue is a Minor Collector Road.

F. Agency Comments

Agency comments are attached.

III. ZONING HISTORY

The Department of Planning and Zoning does not have record of any prior zoning petitions for the Property.

IV. EVALUATION AND CONCLUSION

A. Evaluation of the petition according to Section 131.0.B of the Zoning Regulations (General Criteria for Conditional Uses):

1. *The proposed Conditional Use plan will be in harmony with the land uses and policies in the Howard County General Plan which can be related to the proposed use.*

The proposed use is in harmony with the following policies:

- Policy DN-1 which states, “Increase opportunities for missing middle housing through the creation and use of zoning tools and incentives.”
 - Implementing Action #1 – “Evaluate conditions where duplex and multiplex homes can be compatible with existing neighborhoods and permitted by-right in a greater number of residential and mixed-use zoning districts.”
- Policy DN-12 which states, “Provide a range of affordable, accessible, and adaptable housing options for older adults and persons with disabilities.”
 - Implementing Action #1 – “Use zoning tools and incentives that increase the supply of missing middle housing and accessory dwelling units, as identified in Policy Statements DN-1 and DN-2.”

2. *The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site are such that the overall intensity and scale of the use(s) are appropriate for the site.*

The 0.69-acre property meets all Conditional Use criteria, and the principal structure is compliant with bulk regulations. The Petitioner is not proposing any additions or modifications to the structure. The existing parking area can accommodate six (6) parking spaces, which is an appropriate amount for a two-family dwelling. College Avenue is designated as a Minor Collector road, which is appropriate for the type and number of vehicles associated with the proposed use.

Therefore, the nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site are such that the overall intensity and scale of the use is appropriate for the site.

3. *The use at the proposed location will not have adverse effects on vicinal properties above and beyond those ordinarily associated with such uses. In evaluating the proposed use under this standard, the Hearing Authority shall consider whether or not.*

- a. *The impact of adverse effects such as, but not limited to, noise, dust, fumes, odors, intensity of lighting, vibrations, hazards or other physical conditions will not be greater at the proposed site than it would generally be elsewhere in the same zoning district or other similar zoning district.*

The proposed use is a residential two-family dwelling. The Petitioner is not proposing any additions or modifications to the structure or parking area. The proposed use will not generate any additional noise, dust, fumes, odors, intensity of lighting, vibrations, hazards, or other similar physical conditions. Therefore, the impact of adverse effects will not be greater at the proposed site than it would generally be elsewhere in the R-ED zoning district.

- b. *The location, nature and height of structures, walls or fences, and the nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than it would generally elsewhere in the same zoning district or other similar zoning districts.*

The existing dwelling meets all bulk regulations of the R-ED zoning district and no exterior expansions to the structure are proposed. The proposed use is surrounded by other single-family detached dwellings of similar size and scale. No landscaping, fencing or other screening is being proposed.

Therefore, the proposed two-family dwelling will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than it would generally elsewhere in the R-ED zoning district.

- c. *The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.*

The Regulations do not contain an off-street parking requirement for a two-family dwelling. However, single-family detached and attached dwellings require 2 spaces per dwelling unit plus an additional 0.5 spaces for visitor parking. Five (5) spaces are appropriate for this use and 6 spaces are provided. The location of the driveway will not change.

- d. *The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate. For proposed Conditional Use sites which have driveway access that is shared with other residential properties, the proposed Conditional Use will not adversely impact the convenience or safety of shared use of the driveway.*

The existing ingress/egress entrance to College Avenue was approved during the original construction of the dwelling and no changes are being proposed to this area. The Property shares a driveway with other residential properties. The two-family dwelling is unlikely to impact the convenience and safety of the shared driveway, since it is a residential use with limited vehicular traffic.

- e. *The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.*

The Property is not encumbered by any environmentally sensitive areas. The closest environmental area is a 75-foot stream bank buffer located over 500 feet away from the existing structure. Therefore, the proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.

- f. *The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.*

The closest historic site, The William R. and Rebecca D. Dorsey House (HO-342), is located over 800 feet to the northwest of the Property and is screened by existing structures, distance/topography, and vegetation. Therefore, the proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.

B. Evaluation of the petition according to Section 131.0.N.54 (Specific Criteria for Two-family Dwellings and Accessory Apartments):

A Conditional Use may be granted for two-family dwellings or accessory apartments in the following districts, provided that any new structures or additions will be designed to be compatible in scale and character with the surrounding residential neighborhood. Compatibility of character may be in architectural style, materials or details. Compatibility shall be demonstrated by architectural elevations or rendering submitted with the petition.

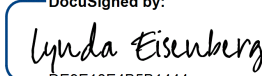
No new structures or additions are proposed for the two-family dwelling.

- a. *Two-family dwellings: in the RC and RR districts, on properties that are not ALPP purchased or dedicated easement properties, and in the R-ED, R-20 or R-12 Districts, provided that the two-family dwelling is on an individual lot, with only one two-family dwelling permitted on one lot, and the lot is an existing recorded lot at the time of the Conditional Use application. The minimum lot size shall be at least 16,000 square-feet for two-family dwelling structures in the R-ED and R-12 Districts.*

The Property is within the R-ED zoning district and is an existing individual recorded lot of 0.69-acre (30,056 square feet). The Petitioner is proposing only one two-family dwelling unit on the lot.

- b. *Accessory apartments: on lots of less than 12,000 square feet in the R-ED, R-20, R-12 and R-SC Districts. (On lots of 12,000 square feet or larger, this is a permitted use in these districts).*

The Petitioner is not proposing an accessory apartment; therefore, this criterion does not apply.

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11/14/2025

Lynda D. Eisenberg, Director

Date



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Agency Comment Form

Conditional Use

Date: July 22, 2025
Use Category: Two Family Dwelling
File No.: BA-25-016C
Petitioner: Wayne Lawson
Property Address: 3992 College Avenue
Map No: 25
Parcel: 54

CONDITIONAL USE CRITERIA REVIEW BY AGENCY										
GENERAL CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	FD	
Certification that the development shown on the plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x		x	x	
The nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures	x									
The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.	x									
The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.		x							x	
The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x				
The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x							
Design Advisory Panel review	x									

Comments Due: August 5, 2025

COMMENTS: DILP---be advised that a building permit would be required and a Rental license

James Hobson 7/23/25

SIGNATURE



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The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x							
Design Advisory Panel review	x									

Comments Due: August 5, 2025

COMMENTS: The Development Engineering Division takes NO EXCEPTION to the request for a Conditional Use for age restricted adult housing at 3992 College Avenue based on justification presented in the application.

Jim Witmer

SIGNATURE



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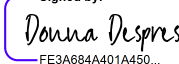
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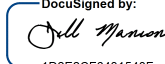
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The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x						
Design Advisory Panel review	x								

Comments Due: August 5, 2025

COMMENTS: DLD has reviewed the petition to change the use from accessory apartment to two family dwelling and has no objection to approval of the request. The plan and application do not propose exterior modifications to the site which would require review and approval of site plans. The change in use is similar to the existing use and no change in parking provided are required and existing parking is appropriate to serve the proposed use. No impacts to environmentally sensitive areas are anticipated, and no DAP review is required.

Signed by:

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 Donna Despres
 Division of Land Development, DPZ

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 Jill Manion, Acting Chief
 Division of Land Development, DPZ



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Design Advisory Panel review	x								

Comments Due: August 5, 2025

COMMENTS: Health has no comments regarding this property's proposed conditional use/amendment.

Zack Silvest

SIGNATURE



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esign Advisory Panel review	x								

omments Due: August 5, 2025

COMMENTS: _____

We have no comments.

Paul Walsky
Dept. of Rec. and Parks
July 29, 2025

SIGNATURE



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The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x							
Design Advisory Panel review	x									

Comments Due: August 5, 2025

COMMENTS: The Department of Fire and Rescue Services has no comment on, nor objection to, this request.

Robert Ferguson
Battalion Chief
Office of the Fire Marshal