

**FitzMall.com features:**  
 CarFind Search new and used  
 AutoMalls Find products and services

**Fitzgerald AUTO MALLS**  
 FitzMall.com SINCE 1966

**FitzWay**

All vehicles have discounted, delivered, no haggle prices. Shop now!

Enter The Gazette's  
**my favorite teacher**  
 CONTEST

# Gazette.Net

Maryland Community Newspapers Online

Now 77° Wed 74°/57° Thu 76°/65° 5-day forecast Traffic

  [Advanced Search](#)

Montgomery | Prince George's | Frederick | Sports | Politics | Business | Entertainment | Speak Out | Jobs | Autos | Homes | Classifieds

News by Community Sports by Community

Wednesday, Sept. 3, 2008

## Accessory apartments draw new support

High housing costs spark new interest, but neighborhood groups say parking remains a problem

by Margie Hyslop | Staff Writer

[E-mail this article](#) | [Print this article](#)

### More News

- Commission for water, sewer loses two members
- Community show, new police facility open in Thurmont
- Maryland Senior Olympics start with bang
- Mount Airy mom places ninth in triathlon
- Candidate withdraws from school board race

Persistent high housing costs have renewed calls to make it easier for homeowners to create licensed rental apartments in their residence.

An affordable housing task force has asked Montgomery County Executive Isiah Leggett (D) to call for zoning law changes that would allow homeowners to create accessory apartments in "appropriate" single-family zones without having to apply for a special exception.

Details are yet to be decided, but amendments to accessory apartment laws will be offered later this month as part of a larger housing plan Leggett will present to the County Council this fall, his spokesman Patrick K. Laceyfield said.

The goal is to encourage the creation of more affordable housing by reducing the time and money residents have to spend to establish accessory apartments legally. Making it easier to create one legally may make it easier for the county to monitor them by eliminating some temptations to rent them without a license, proponents say.

Proposals to make the process easier have been floated before — most recently in 2004 by then-county executive Douglas M. Duncan, whose plan failed to advance to a council vote.

Civic groups remain concerned that changes could shift the burden to neighbors who fear their community cannot bear the burden of more traffic and extra competition for parking.

If a special permission were no longer required, a hearing before the Board of Appeals would be eliminated and that could mean neighbors who oppose new accessory apartment licenses in their communities would have to take their challenge to court.

Montgomery County Civic Federation President Wayne Goldstein said the county has too many complaints already about too many people living in one house.



Photos by Laurie DeWitt/The Gazette  
 The 7200 block of Holly Avenue in Takoma Park, where there are several residences that have accessory apartments, is crowded for parking. Signs like the one at right show parking restrictions in the area.



Find out where to be and what to see. Search right this second. Gazette.Net

**THIS WEEKEND**

Find out where to be and what to see.

Search Gazette.Net's **NEW ONLINE COMMUNITY CALENDAR** right this second. **GO**

**FEATURED JOBS**

**RMA Worldwide Chauffeured**  
 Trans. is a leading provider of high end customer service in the [More](#)

**Music Director Choir**  
 Director Organist Looking to fill these positions! St. Timothy's Epi [More](#)

**GC253 Health Services**  
 Group Virtual Job Fair General Dynamics Information Technology's Health [More](#)

**COMMERCIAL SERVICE ELECTRICIAN**  
 Understands and responds to customer needs. Team player cooperates [More](#)

[See All Featured Ads](#)

**TOP JOBS**  
 Fair September 15th - 20th  
 Attention Employers!  
 Finally....the [More](#)

**CASE MANAGER CUSTOMER SERVICE**  
 Fast paced insurance brokerage firm seeks orga-nized, dependable [More](#)

**Place a classifieds ad now**

**WEEKLY SPECIALS**

**Home Healthcare Exceptional Services At**  
 an Affordable Rate. Avail 24/7.... [More](#)

**SILVER SPRING: Sat Sept 13th**  
 8am-2 p 211 Piping Rock Drive. Baby... [More](#)

**A Loving Day Care Safe,**  
 Educational & Fun Environment See, 20 Yrs. Exp.... [More](#)  
[See All Featured Ads](#)

Savor the best of the Greenbrier Valley ...on us!

Enter to win an exciting getaway for two!

**GREENBRIER VALLEY WEST VIRGINIA**  
 West Virginia Wild and Wonderful

**Enter Today!**  
[www.greenbrierwv.com](http://www.greenbrierwv.com)  
 Greenbrier County Convention & Visitors Bureau

**RESOURCES**

[About us](#)  
[Advertise](#)

Statistics provided by the Department of Housing and Community Affairs officials show the county logged an average of about 156 complaints of possible violations annually over the last three years.

Goldstein said he is worried that the county will try to change the rules without addressing "the real problems ... particularly parking." He said the federation might support a change "if we ever could be convinced the government could enforce the law."

It seems the county's response consists of making a visit or contact with homeowners but not following up, Goldstein said.

"If we make it somewhat easier, we're going to have to make sure resources are there to police that and to improve [inspections]. We're committed to making those improvements," Lacefield said.

The findings of a task force on code enforcement will help give the executive a clearer picture of the direction the county should go as it works to add housing, he said.

The importance people place on their homes is an argument for, and against, accessory apartments, said Patrick Hare, a nationally recognized expert on the issue and a former Montgomery planner.

Although homeowners have financial incentives to rent out apartments, they — just like their neighbors — do not want their property devalued, Hare said.

"Often if you ask 'what about Mrs. Jones, who is getting old, having an accessory apartment?'" neighbors will say "OK" but they'll say they are against loosening the rules, Hare said.

He said evidence shows accessory apartments don't run down neighborhoods.

Few Montgomery communities have more than 10 of the county's 162 licensed accessory apartments.

The majority are already located in inside-the-Beltway neighborhoods: Takoma Park has 56, Silver Spring has 44 and Bethesda has 26.

Nancy Knight, who lives on a block that includes three accessory apartments in the historic district of Takoma Park, said she opposes zoning amendments that would add more.

Knight, who has lived at the same address since 1983, said she supports living quarters for family members who are elderly or who have special needs — usually classified as (rent-free) registered living units.

"It's a delicate thing. I'm not a fan, for parking reasons and others," said Knight, adding that tenants who have lives in accessory apartment near her home have been "lovely people."

Her experience and others show that loosening the rules can be done well, advocates say.

More accessory apartments would enable the region to make better use of existing housing stock, which tends to offer more space than shrinking households need, contends the Coalition for Smart Growth.

Arlington County officials recently voted to allow some accessory apartments by right.

Prince George's County already allows accessory apartments in owner-occupied dwelling in certain zones as long as they do not exceed existing limits, such as the number of unrelated people allowed to live in a house.

Like Montgomery, Fairfax County still requires a special permit from its zoning appeals board.

The District of Columbia allows accessory apartments by right in owner-occupied townhouses or rowhouses in zones with the smallest lot size for that type of dwelling. In other words, accessory apartments are allowed by right in Washington neighborhoods where high density is planned.

"We might want to look at that as an example," said Montgomery County Councilwoman Nancy M. Floreen (D-At large)

**Contact us**

**Gazette jobs**

**Nonprofits**

Montgomery

Frederick

Prince George's

of Garrett Park, a member of the Planning, Housing and Economic Development Committee.

Copyright © 2008 Post-Newsweek Media, Inc./Gazette.Net  
Contact Us | About Us | Privacy Policy | FAQ | E-Letters | Place Classified ad |  
The Gazette | 9030 Comprint Court | Gaithersburg, MD 20877 | main number: 301-670-2565, classifieds: 301-670-2500