



City of Havre de Grace

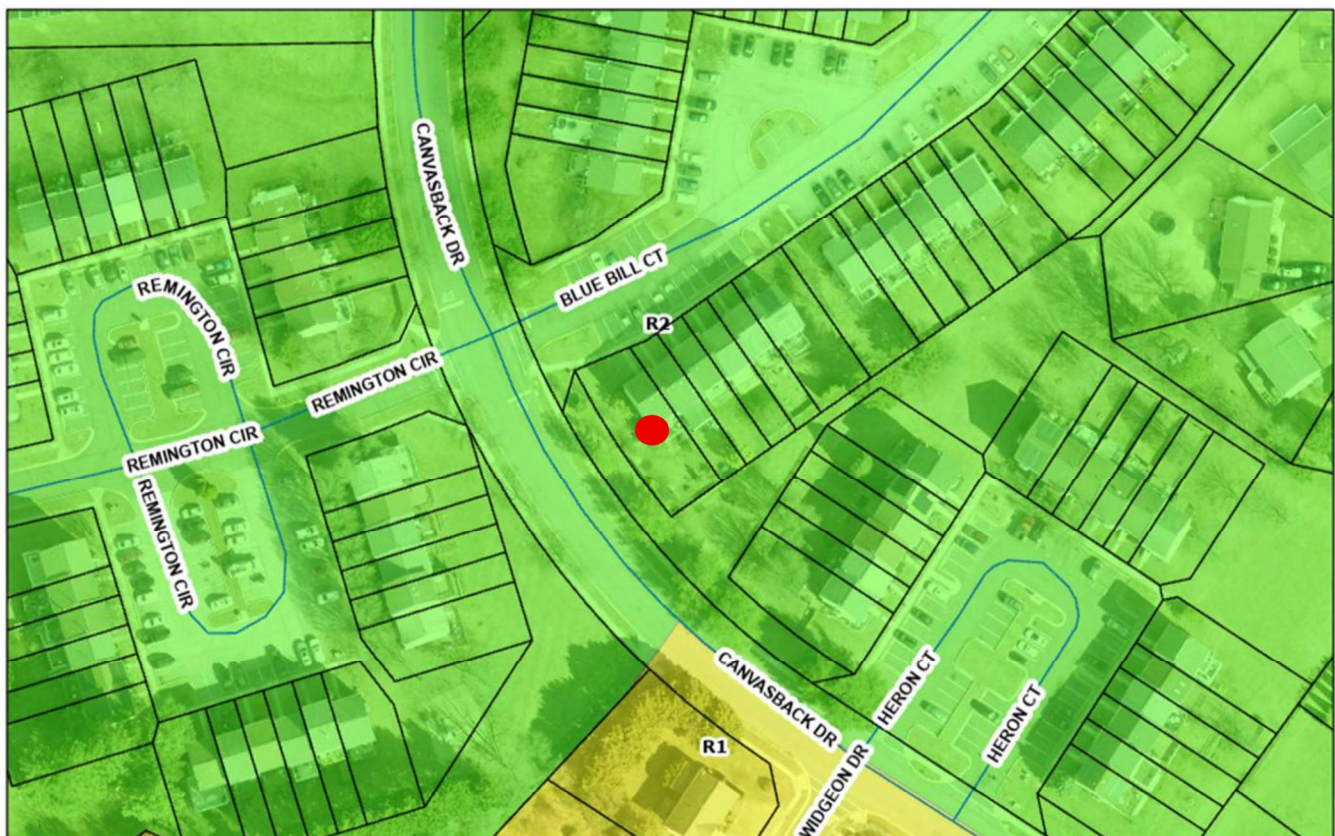
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DEPARTMENT OF PLANNING STAFF REPORT

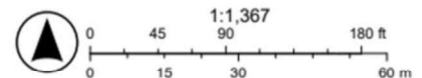
Board of Appeals – August 6, 2026

BOA Case No. 562
Project: Conditional Use: Home Occupation - Food Cottage Business
Applicant: Chaeanna Sutton
Location: 102 Blue Bill Court
Tax Map: 603 / Parcel: 1 / Lot: 216
Area: 4,703 square feet
Zoning: R2 (Residential District)



7/28/2026, 12:35:26 PM

□ Cadastral □ Harford County Boundary □ R2
— Centerline Havre de Grace Zoning
□ R1



I. BACKGROUND INFORMATION

Site Description

The property is approximately 4,703 square feet and contains a 1,760 square foot townhome.

The property is bounded by single family detached dwellings to the south, west and east and townhomes to the north.

II. APPLICANT'S REQUEST

The applicant is requesting approval of a "Home Occupation-Cottage Food License" in the R2/ Residential Zoning District to prepare non-potentially hazardous baked goods such as cookies, brownies, mini loaf cakes, chocolate-covered pretzels, cupcakes, and similar shelf-stable baked items within the existing dwelling for direct sale to consumers.

The use will be conducted entirely within the residence by the applicant and no employees will be present onsite. Equipment used will consist of normal residential kitchen appliances and small baking equipment commonly used for household cooking and baking activities. Business activities will primarily consist of preorders, farmers market and vendor sales, and limited scheduled customer pickups to ensure customer traffic remains minimal.

No exterior changes to the property are proposed, and no signage will be displayed on the property. Typical hours of operation for baking and preparation will generally occur between 8:00 AM and 8:00 PM.

III. ANALYSIS

Environmental Features

The property has been analyzed and no sensitive environmental features exist.

Zoning:

The property is zoned R2 (Residential District), which allows Home Occupations as a Conditional Use in accordance with Section 205-21(M).

Home Occupation definition:

Any occupations or activities which are clearly incidental and secondary to the use of the premises for dwelling purposes, not detrimental to the neighborhood, carried on by a member of a family residing on the premises, in connection with which there is not display or storage of materials or generation of substantial volumes of vehicular or pedestrian traffic or parking demand or other exterior indication of the home occupation or variation from the residential character of the building, and in connection with which no more than two persons outside the resident family are employed and no equipment used which

creates offensive noise, vibration, smoke, dust, odor, heat or glare. When within the above requirements, a home occupation includes, but is not limited to, the following: professional office of a physician, dentist, lawyer, engineer, architect, accountant, salesman, real estate agent, insurance agent, art studio, tailoring and dressmaking, hairdressing, boat building, decoy carving, cabinetmaking, home crafts, teaching limited to two pupils at a time or other similar occupation. "Home occupation" shall not include family day-care home services.

Comprehensive Plan:

The Comprehensive Plan's Future Land Use Map identifies the property as Low Intensity Residential. Low Density Residential is *intended to provide opportunities for single-family detached residential development at a maximum density of four units per acre. This will permit more flexibility in yard requirements, lot widths, and bulk regulations.*

IV. FINDINGS

Section 205-21(M)

Home occupations, provided that:

1) Home occupations are in the same buildings, including accessory buildings, as the residence and do not change the residential character and appearance of the dwelling.

The applicant will be residing in the dwelling. Food preparation will occur on the first-floor kitchen area not seen by public. No exterior changes to the dwelling are proposed.

2) An individual concerned with the occupation resides on the premises.

The applicant is the business operator and will reside in the dwelling.

3) Not more than 1/2 of the entire floor space of all buildings on the lot shall be used for all such home occupations.

The use will occur within the existing kitchen/dining area, which is less than 1/2 of the total building floor space.

4) No goods for sale or rent shall be stored on the property in a manner as to be seen from off the premises.

All goods for sale will be stored indoors and will not be seen from off the premises.

Section 25-17(B)

A Conditional Use may be granted when the Board of Appeals finds from the evidence of record that the proposed use:

1) Is a permissible Special Exception within the zone and that the petition complies with all procedural requirements set forth in this chapter;

Section 205-21(M) allows “Home Occupation” as a Conditional Use/Special Exception in the R2 zoning district.

2) Complies with all standards and requirements specifically set forth for such use as may be contained in this chapter and the development standards for the zoning district within which the intended use will be located;

The use will occur within the existing dwelling and no changes are proposed to the property. The use complies with the use requirements for Home Occupations in Section 205-21(M).

3) Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, toxicity, glare or physical activity;

The activities will occur within the existing dwelling, no outside employees will be on premises, and products will be primarily sold off-site. Therefore, the use is unlikely to result in adverse impacts the existing neighborhood or surrounding environment more at this location than elsewhere in the R2 zoning district.

4) Will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structure or conversion of existing structures; as well as the intensity and character of activity, traffic and parking conditions and number of similar uses;

No exterior modifications to the building or property are proposed. The activities will occur within the existing dwelling, no outside employees will be on premises, no items will be stored in view from off the premises, and products will be primarily sold off-site. Therefore, the use will not be less harmonious with the surrounding neighborhood than elsewhere in the R2 zoning district.

5) Will be consistent with the comprehensive plan or other planning guides or capital programs for the physical development of the district;

The Comprehensive Plan’s Future Land Use Map identifies the property as Low Intensity Residential. Home Occupations are consistent with this designation.

6) Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area;

All food items shall adhere to the Maryland Department of Health regulations for cottage food products and "Cottage Food License" requirements. Equipment will consist of normal residential kitchen appliances and small baking equipment commonly used for household cooking and baking activities. Therefore, the use is unlikely to adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers more at this location than elsewhere in the R2 zoning district.

7) Will be served by adequate public services and facilities, including police and fire protection, water and sanitary sewer, storm drainage, public roads and other public improvements; and

The property is presently served by public water and sewer, and will utilize existing infrastructure serving the dwelling.

8) Will consider the environmental impact, the effect on sensitive features and opportunities for recreation and open space.

The use will occur within the existing dwelling and will not impact environmentally sensitive features.

9) Will consider the preservation of cultural and Historic Landmarks.

There are no cultural or historic landmarks in the vicinity; therefore, this criterion does not apply.

10) That the petitioner has demonstrated a need for the requested use.

The applicant has stated there is a need for the proposed use and will be responsible for demonstrating to the satisfaction of the Board.

V. RECOMMENDATION

The Department of Planning has examined the appropriateness of the applicants' request and per §25-16E of the City Code recommends **APPROVAL** of the Home Occupation at 102 Blue Bill Court subject to the following condition:

1. The number of customer pickups at the property be limited to two per day.



7/29/2026

Geoff Goins
Director of Planning

Date