M.A.F. & Associates, LLC Matthew A. Forgen 55 Jones Station Road, W. Severna Park, MD 21146 Phone: 443-864-8589

September 1, 2023

Planner
Department of Planning & Zoning
2664 Riva Road
Annapolis MD 21401

RE: Parkview Lot, 1

201 Customs Way, Millersville MD 21108

Dear Planner:

Please accept this submittal of a variance for the above referenced project. We are proposing the construction of a new detached garage (accessory structure). The proposed garage is a 2-story structure with a height of 24'. The structure has an overall footprint of 56' x 26' and is setback 10' from the southern, side property line and 53.81' from the northern property line. This proposal will require a zoning variance of 5' to allow development within the side lot line setback.

Please note this is a standard size R1 zoned property and therefore required to meet the setbacks as required in 18-4-601 of the County Code. For an accessory structure, this section of the County Code requires a front setback of 50', a side setback of 15', and a rear setback of 15'. We are proposing a detached garage setback 10' from the side property line, necessitating a 5' zoning variance.

WE REQUEST A 5' VARIANCE TO ARTICLE 18-4-601 THAT REQUIRES A SIDE LOT LINE SETBACK OF 15' FOR AN ACCESSORY STRUCTURE, TO ALLOW FOR THE CONSTRUCTION OF THE NEW DETACHED GARAGE. THE DETACHED GARAGE IS PROPOSED BE CONSTRUCTED AT 10,00' TO THE SIDE LOT LINE.

We feel this zoning variance request meets the requirements of Article 18-16-305 (a) & (c) and therefore the variances should be granted. Below is the justification for granting the above noted variances.

18-16-305(a)(1) Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article; or:

This site is an existing legally platted lot. The lot was recorded in 1992. At this point the lot was greatly restricted by a clear site easement as shown on the record plat. A copy of this plat is attached. As of today, this easement is no longer needed because of the reconfiguration of Jumpers Hole Road but per the Zoning Department we are not able to build the garage within the easement. This easement requires the garage to be placed closer to the side lot line than permitted by the county code. This site also requires 2 replacement septic systems to be shown for the Anne Arundel County Health Department. There is limited room for these replacement mounds because of the site characteristics. We are required to hold a setback of 25° from the mound to any part of the garage structure. This limits the placement of the garage as well. With the size of the site and required Health Department setbacks and the platted clear sight easement, there is no way of building the garage without the need for this zoning variance. These are the unique characteristics of the lot.

18-16-305(a)(2) Because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot:

With the unique characteristics of this site, we are not able to develop the property without the need for a variance. If a variance is not granted, we would only be able to construct a very narrow garage.

18-16-305(c)(1): the variance is the minimum variance necessary to afford relief:

This variance is the minimum variance necessary to afford relief in that the proposed garage is held as tight to the clear sight easement and mound system as possible. We feel this is a minimal impact to these setbacks.

### 18-16-305(c)(2) the granting of the variance will not:

- (i) alter the essential character of the neighborhood or district in which the lot is located: The approval of these variances will not alter the essential character of the neighborhood. Detached garages are commonly enjoyed by property owners of single-family dwellings.
- (ii) substantially impair the appropriate use or development of adjacent property: This proposed development would not impair the appropriate use or development of adjacent properties. The neighboring property is currently developed with a single-family dwelling. This proposal does not impact this dwelling nor the ability of the owner to improve or further develop their property.
- (iii) reduce forest cover in the limited development and resource conservation areas of the critical area: The property is not located within the Chesapeak Bay Critical Area.
- (iv) be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area: The property is not located within a bog protection area and is not contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area.
- (v) be detrimental to the public welfare: This development is not detrimental to the health and welfare of the community. This proposal will not have an increased impact on the public water and sewer system. Storm water management plantings will be required the required building permit application.

If you should have any questions regarding this submittal, please feel free to contact me at the number above.

Sincerely,

Matthew A. Forg

APPROVED: FOR TURN SYSTEMS
HEALTH DEPARTMENT OF
ANNEARUNDED COUNTY, MARYLAND

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CHUNTY HEALTH OFFICER

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# NOTICE TO TITLE EXAMINERS

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I) AN INSPECTION AGREEMENT OR A PUBLIC WORKS AGREEMENT
HAS BEEN EXECUTED AND RECORDED WITHIN 2YEARS AFTER
THIS PLAT IS APPROVED;

II) IF REQUIRED, A UTILITY AGREEMENT HAS BEEN EXECUTED
AND RECORDED WITHIN 2YEARS AFTER THIS PLAT IS
APPROVED; AND

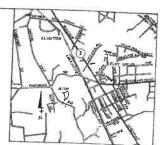
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# PUBLIC SERVICE AGREEMENT

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FIRST AMENDED PLAT PARKVIEW

\*(AN ADMINISTRATIVE PLAT)

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604 BALTIMORE - ANNAPOLIS BOLLEVARD
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OFFICE OF PLANNING AND ZONING OF

ANNE ARUNDEL COUNTY, MARYLAND

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