Variance Letter of Explanation

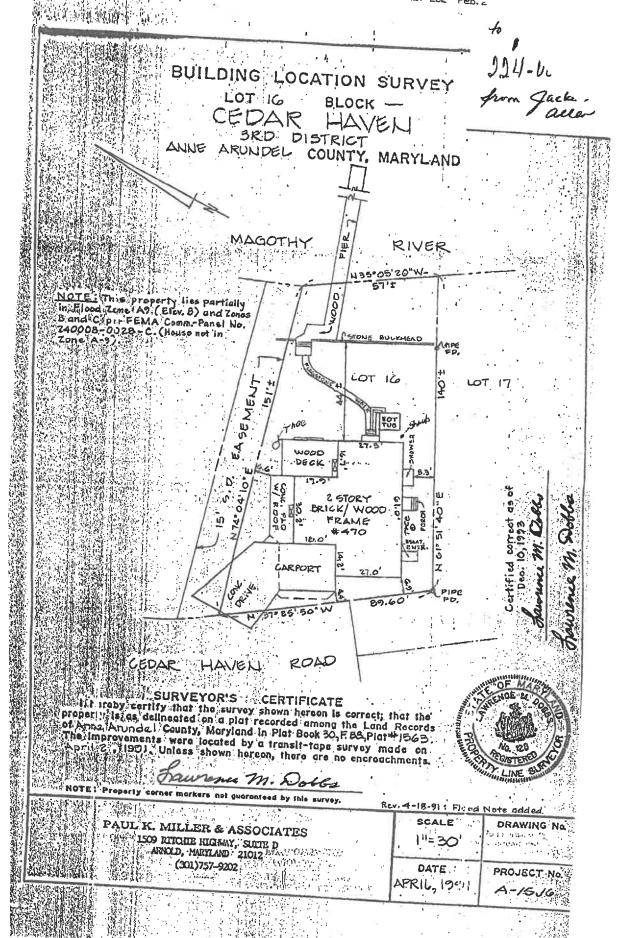
I contacted the Deck and Fence Connection to build a deck. They submitted building permit application number: B02419760. The permit was denied as per Article18-13-104 and COMAR because the project disturbance is within the 100 foot buffer.

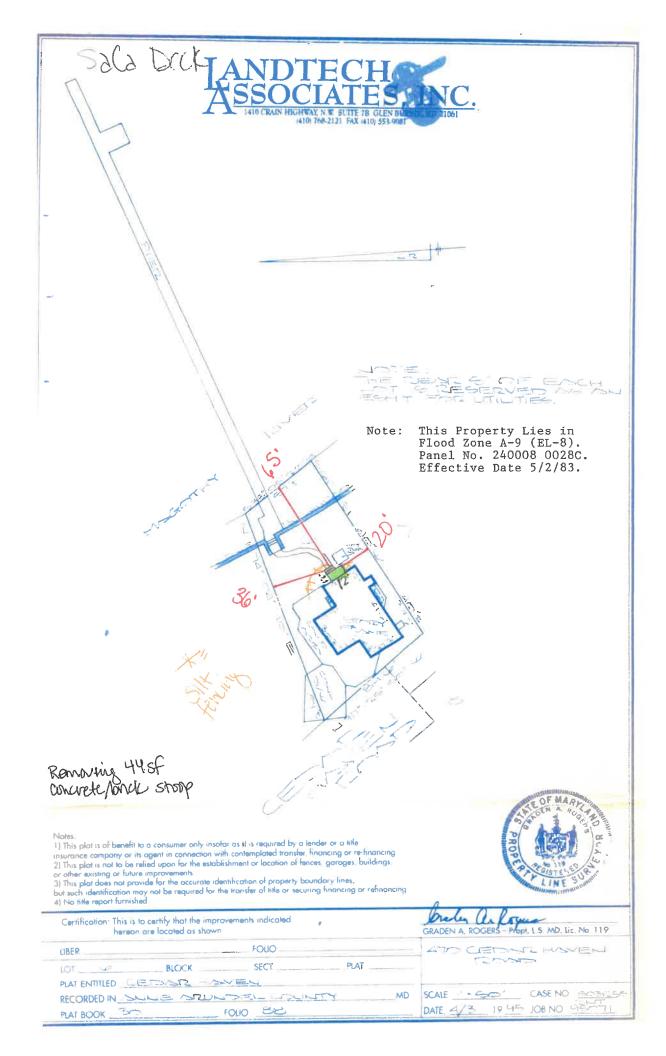
I request a variance to replace an existing solid brick stoop and wooden deck with a Trex deck. The existing stoop is very old and unsafe. The loose bricks are dangerous. My wife and I take care of our grand children often. We try to keep them away from the stoop but it would be better to correct the hazard. The current buffer on the property is nonfunctional because the primary structures were built in 1940 and this property should have been classified as a Buffer Modification Area. The existing stoop was built in 1940. The current brick stoop is approximately 36 square feet of impervious surface and the wooden deck & stairs adjacent to the hot tub was approximately 54 Square feet. The two structures totaled 90 square feet. The proposed deck will be less impervious and approximately 78 square feet. I am 70 and my wife is 66 years old. Your approval of this buffer modification will prevent the hardship due to the current unsafe stoop.

Zygmunt E. Sala

470 Cedar Haven Rd Arnold, MD 21012

Home Phone: 410-431-7248 Cell Phone: 410-570-6477





CRITICAL AREA COMMISSION CHESAPEAKE AND ATLANTIC COASTAL BAYS 1804 WEST STREET, SUITE 100 ANNAPOLIS, MD 21401

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction	Anne Arundel	County		· · · · · · · · · · · · · · · · · · ·	Date:	
Tax Map #	Parcel # 04 77	Block #	Lot#	Section	Correction Redesign No Chan	ı 📋
Tax ID:	3176319.	56200	2		*Complete General 1	e Only Page 1 Project Information
	ne (site name, sub			3.5.660	Resident	e
Project loca	tion/Address	470 C	edan	Haven	Rd	
City	Arnold				Zip 2/0	
Local case n	number Of	ginal B	wildi	ng Permi	T Numberi	B02419760
Applicant:	Last name	Sala			First name 2	ZYgmunT
Company	N/h	2				
Application	Type (check all	that apply):				
Conditional Consistency	ngement Plan [Use [Report [> 5,000 sq ft [Variance Rezoning Site Plan Special Excepti Subdivision Other	on	
Local Juriso	liction Contact I	nformation:				
Last name	AACo Zoning A	dministration	Section	First name		
Phone #	410-222-7437		Respon	nse from Comm	ission Required By	TBD
Fax #				Hearing date	TBD	

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:								
Deck construction (18 Sq FT) To Replace Brick STOOP								
and wooden STEPS (90 SEFT).								
Yes				Yes				
Intra-Family Transfer			Growth Allocation	Ü				
Grandfathered Lot			Buffer Exemption Ar	H				
			Builer Exemption Air	ca				
Project Type (check all that a	oply)							
Commercial			Recreational					
Consistency Report			Redevelopment	H				
Industrial			Residential					
Institutional								
Mixed Use			Shore Erosion Control					
Other			Water-Dependent Fac	ility [_]				
Other								
SITE INVENTORY (Enter ac	_			Acres	Sq Ft			
	res	Sq Ft	Total Disturbed Area		7.8			
IDA Area	10	585			70			
LDA Area		0						
RCA Area		0	# of Lots Created					
Total Area		,585						
	Acres	Sq Ft		Acres	Sg Ft			
Existing Forest/Woodland/Trees		5	Existing Lot Coverage		4228			
Created Forest/Woodland/Trees		0	New Lot Coverage		4216			
Removed Forest/Woodland/Trees		0	Removed Lot Coverage		12			
Testilo vod 1 orosu vi oodilahdi 11ees			Total Lot Coverage	-	4211			
			Total Bot Coverage		166			
VARIANCE INFORMATION	(Check all the	n at apply) Sq Ft		Acres	Sq Ft			
Buffer Disturbance		78	Buffer Forest Clearing		0			
Non-Buffer Disturbance		0	Mitigation		Ö			
Variance Type			Structure					
Buffer		A	cc. Structure Addition					
Forest Clearing		Ва	arn 🗍					
HPA Impact	eck 🛱							
Lot Coverage	welling							
			welling Addition					
Nontidal Wetlands	arage							
			nzebo					
			tio \square					
and the same of th			ool					
Sh			The state of the s					
		Ot	her					

Revised 12/14/2006

Critical Area Narrative

A paragraph or less on a separate sheet addressing each point listed below:

 Describe the proposed use of the subject property and include if the project is residential, commercial, industrial, or maritime

The subject property (470 Cedar Haven Rd, Arnold, MD 21012) is residential used as my primary residence.

• Describe the type of predominant trees and shrubs on the subject property. Include a statement addressing the square footage of the property that is vegetated with trees and shrubs, how much of the property will be disturbed by the proposed development, and how the disturbance will be mitigated.

The predominate trees are cedar, cherry, and Fig. The house is surrounded by flower/shrub beds that contain fig shrubs, various bushes, grasses, flowers, ferns. The flower beds encompass approximately 700 Sq Ft. The total amount of property disturbed will be a result of installing 6 support posts mostly in the existing flower beds. The flower beds have existing wooden edging. No trees or shrubs will be disturbed. The installer: The Fence and Deck Connection will mitigate the disturbance as required.

• Describe the methods to minimize impacts on water quality and habitat from proposed construction (i.e. stormwater management, sediment control, and silt fence).

The project is very small and the area to be disturbed is almost level ground. The project should be completed and stabilized in one day.

• Calculate the impervious surface before and after construction, including all structures, gravel areas, driveways, and concrete areas.

Before construction: 4228. After Construction: 4216. Please note that the proposed deck will have 12 Sq Ft less impervious surface than the existing brick stoop and wooden stairs.

• If applicable, describe any habitat protection areas on the subject property including expanded buffers, steep slopes of 15% or greater, rare and endangered species, anadromous fish propagation waters, colonial waterbird nesting sites, historic waterfowl staging and concentration areas, riparian forests, natural heritage areas, and plant and wildlife habitats of local significance.

N/A

Zygmunt E Sala

470 Cedar Haven Rd

Arnold, MD 21012

Home Phone: 410-431-7248

Cell Phone: 410-570-6477



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE

PRE-FILE #: 2023-0028-P DATE: 09/12/2023

OPZ STAFF: Jennifer Lechner

Kelly Krinetz

APPLICANT/REPRESENTATIVE: ZYGMUNT & CHERYL SALA

EMAIL: zsala@verizon.net

SITE LOCATION: 470 CEDAR HAVEN RD ARNOLD 21012 LOT SIZE: 10,585 sqft

ZONING: R5 CA DESIGNATION: IDA BMA: NO or BUFFER: YES APPLICATION TYPE: Variance

The applicants are requesting the following variances for additions to the existing dwelling:

- 1. A variance to allow disturbance to slopes exceeding 15% in the Chesapeake Bay Critical Area (Article 17-8-201).
- 2. A variance to allow disturbance within the 100' Chesapeake Bay Critical Area Expanded Buffer (Article 18-2-301 (t)).

COMMENTS

Critical Area Team: offers no objection to the proposal.

Zoning Administration Section: In accordance with § 18-13-104 (a), there shall be a minimum 100-foot buffer landward from the mean high-water line of tidal waters, tributary streams, and tidal wetlands. Specific development criteria apply as set forth in Article 17 of this Code and COMAR. The proposed work will disturb the 100 ft buffer. A variance will be required to disturb the buffer.

The applicants are reminded that, in order for the Administrative Hearing Officer to grant approval of the variances, the proposal must meet ALL of the Critical Area variance standards provided under Section 18-16-305, which includes the requirement that the variance must be the minimum necessary to afford relief.

The Letter of Explanation for your variance submission should demonstrate that you meet all of those standards.

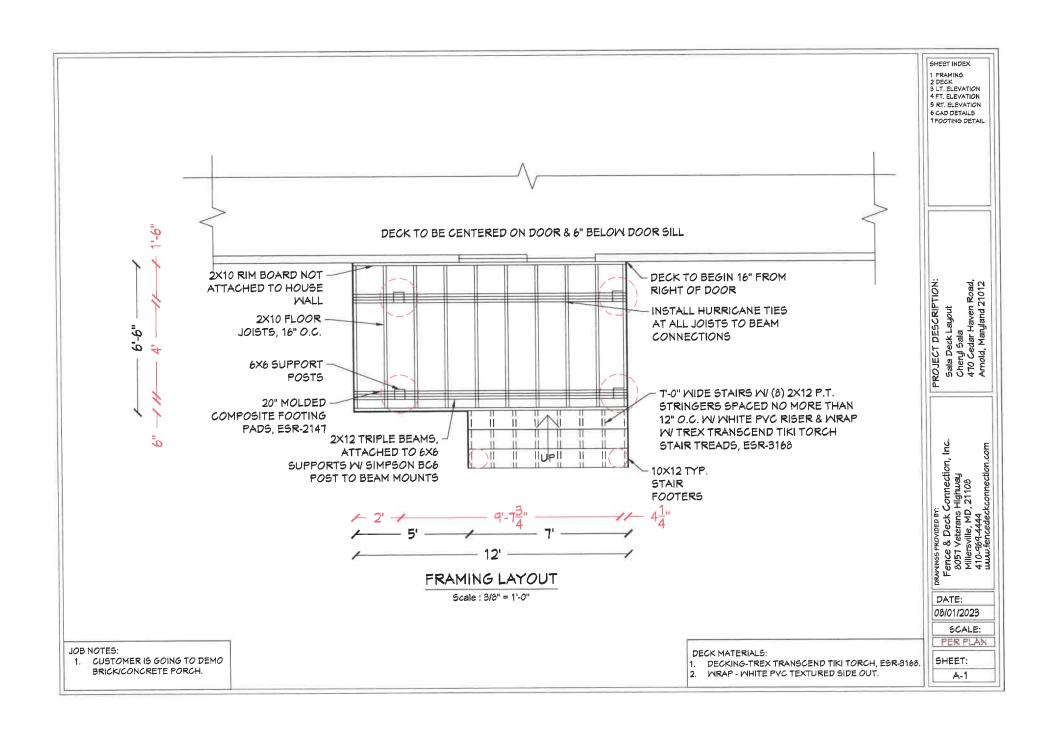
INFORMATION FOR THE APPLICANT

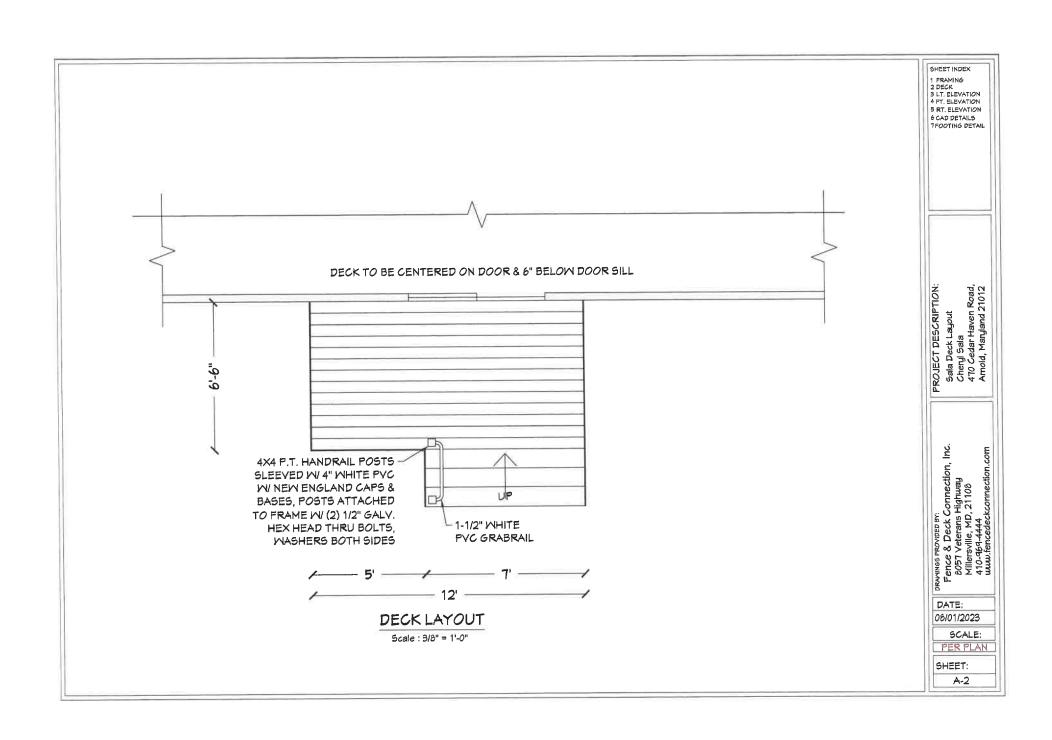
Section 18-16-301 (c) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence.

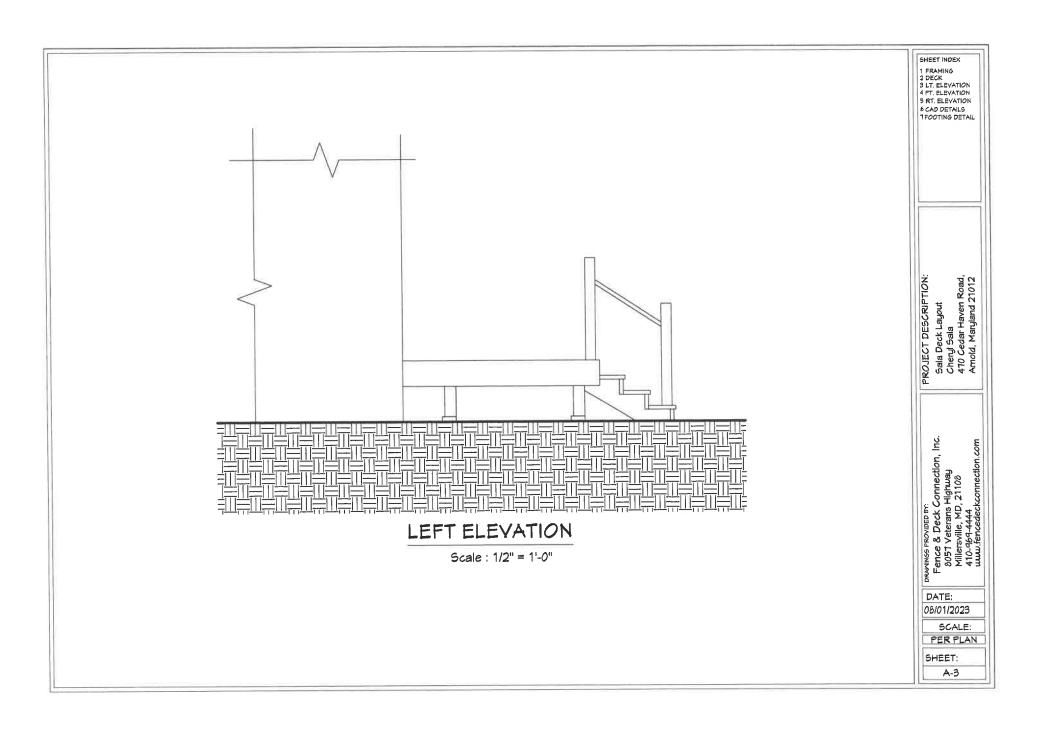
A variance to the requirements of the County's Critical Area Program may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Article 18-16-305. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the variance request.

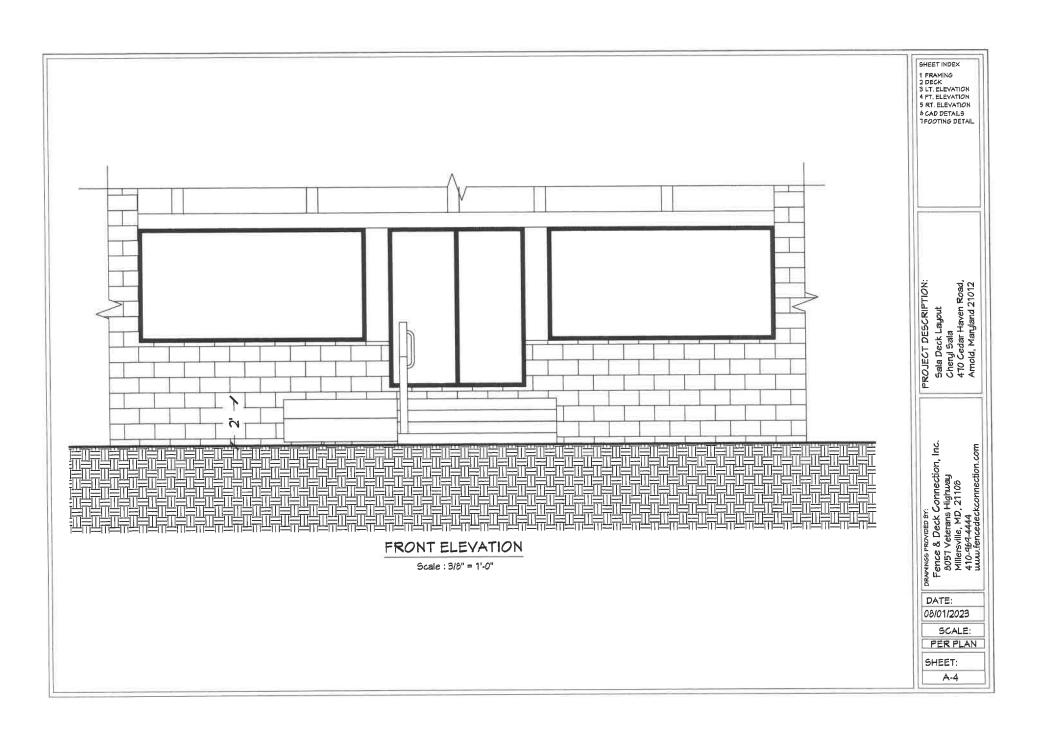
CRITICAL AREA REPORT WORKSHEET TO ACCOMPANY THE SITE PLAN

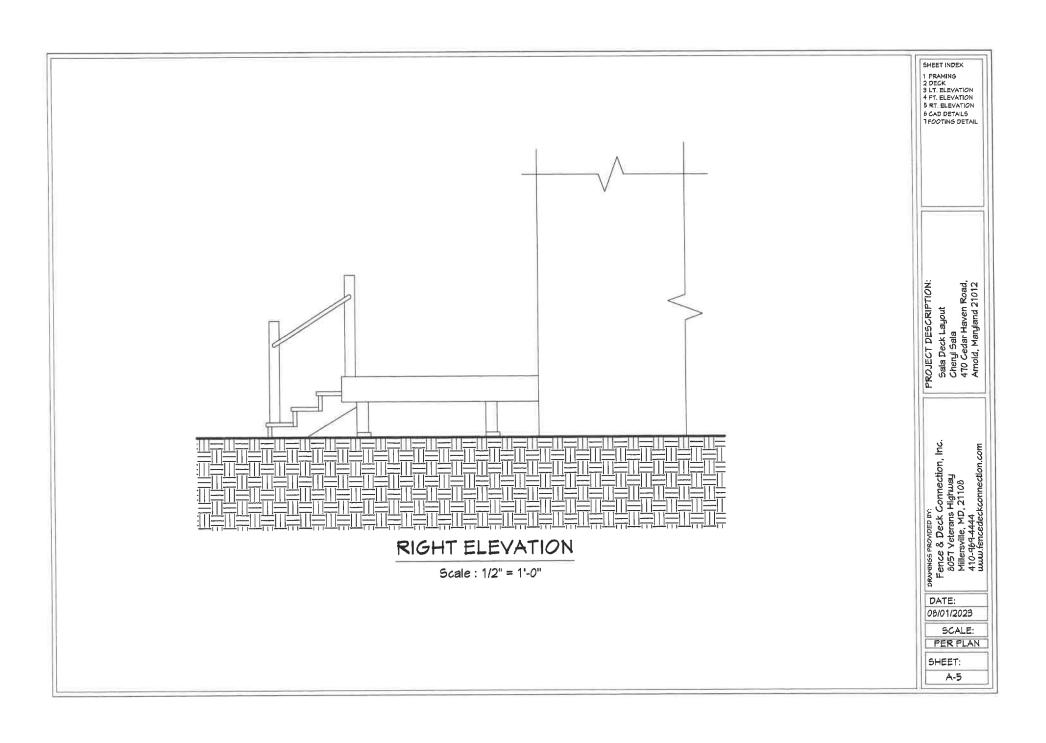
Permit Number B02419760)		
Total Site Area 10,585 Square		eet (1 Acre = 43,560 Square Feet)	
Total Wooded Area O COMMUNITY DOMINAT UNDERGROWTH), INCL	Squar ED BY TREES AND UDING FORESTS TH	re Feet- 'Wooded' MEANS A BIOLO OTHER WOODY PLANTS (SHRUI IAT HAVE BEEN CUT BUT NOT C	GICAL BS AND LEARED.
* Please Indicate Sq	uare Footage of Wood	land Removed for the following:	
1. House 0	Sq. Ft.	5. Accessory Structure 0	Sq. Ft.
2. Septic or sewer 0	Sq. Ft.	6. Additions 0	Sq. Ft.
3. Well <u>0</u>	Sq. Ft.	7. Storm Water Management 0	Sq. Ft.
4. Driveway 0	Sq. Ft.	8. Other Clearing: work area; access etc. 0	
* Tota	al Woodland Removed	I = 0 Sq. Ft.	
ROOFS, SIDEWALKS, DE GRAVAEL IS CONSIDER	IVEWAYS, AND AN ED AN <u>IMPERVIOU:</u>		
		vious Coverage for the following:	
Existing Imp		Proposed Impervious	
1. House (roof area) 3649	Sq. Ft.	1. House (roof area) 0	Sq. Ft.
2. Driveway + Sidewalks 4	33 Sq. Ft.	2. Driveway + Sidewalks 0	Sq. Ft.
3. Accessory Structures 140	Sq. Ft.	3. Accessory Structures 78	Sq. Ft.
		4. Additions 0	Sq. Ft.
* Total Existing	and Proposed Imperv	ious Coverage 4216	Sq. Ft.
⊕ PLEASE INC	LUDE ALL EXISTIN	G AND PROPOSED SQUARE FOOT	ΓAGE.
applicable) hereby certify the knowledge. I further declare this property from me (or co	at the above critical are that a copy of the for- propropriation, if applicable a binding part of issua	, (property owner and contrea worksheet is true and correct based egoing document will be transferred to e) at the time of settlement. I hereby unce of a building permit for lot # 16	upon personal any purchaser of nderstand that
I hereby certify that I have s	een and read the recore indicated on the attace	ed plat (if approved after 1986 and subjected site plan any easements, buffers, gnature) 09/26/23(Dartle)	or other
S	(Sig	gnature)(Da	te)
	(Ti	tle)	

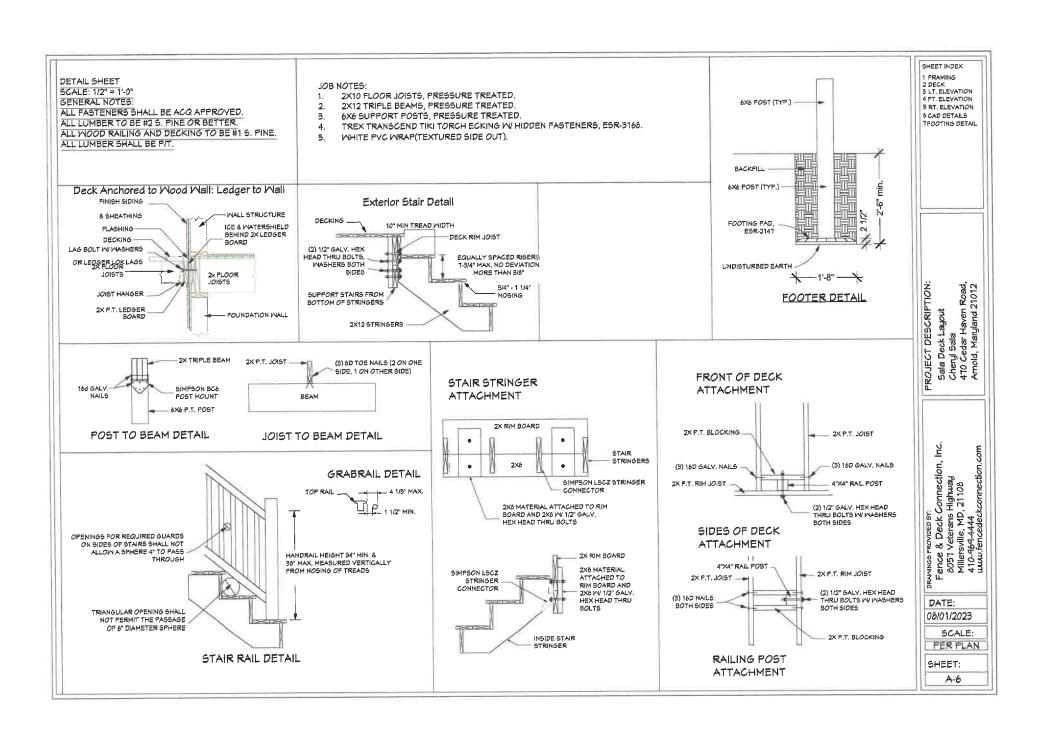


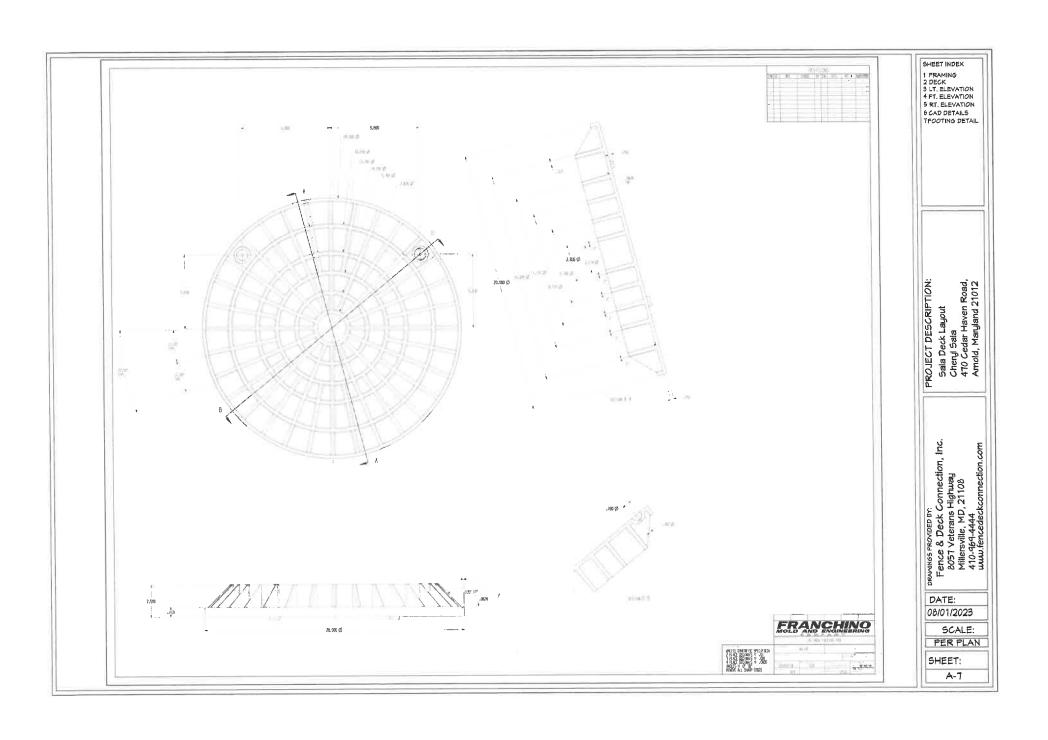






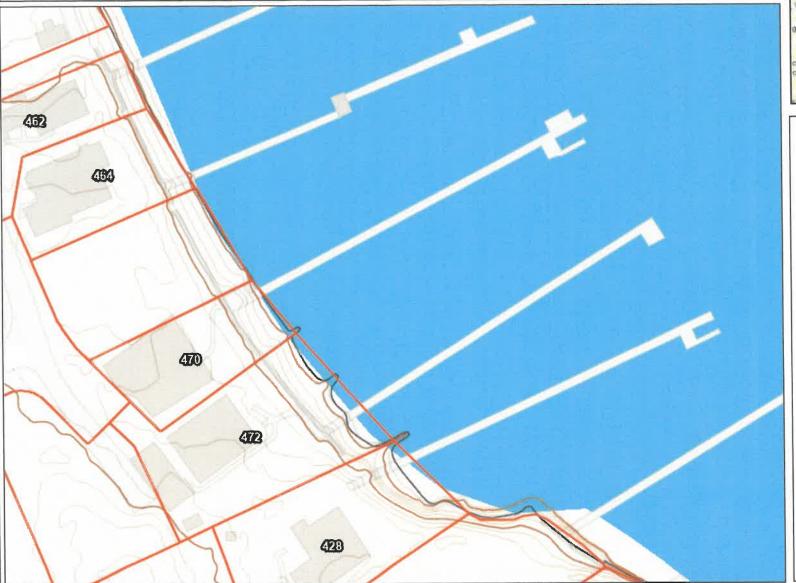






Topographic Map - - Lot outline Ref ONLY not exact 749 6 8 Legend Foundation 452 Addressing 432 0 Parcels 433 Elevation Topo 2020 --- Index 452 470 Codar HEEDAR HAVEN RD Intermediate Cedar Haven 472 457 455 423 420 422 424 432 Notes 1" = 200 ft - Lot outline Ref ONLY not exact This map is a user generated static output from an Internet mapping site and is for reference only. Esri Community Maps Contributors, Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. County of Anne Arundel, VGIN, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, THIS MAP IS NOT TO BE 400 200 USED FOR NAVIGATION

Topographic Map - - Lot outline Ref ONLY not exact





Legend

Foundation

Addressing

0

Parcels



Elevation

Topo 2020

--- Index

Intermediate

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Notes 1" = 100 ft - Lot outline Ref ONLY not exact