

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

October 6, 2023

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

RE: View Point Park, Lot 8, 1020 Nabbs Creek Road, Glen Burnie, MD 21060

Dear Planner:

Please accept this submittal of a variance for the above referenced project. We are proposing the construction of a single-family dwelling addition on the above referenced lot. The proposed addition is for an elevator shaft as well as a 5' wide bridge/deck for access. The owner is in declining health and is having a difficult time accessing the house. The addition will have a max height of 35'. The addition has an overall footprint of 5' x 5' and is setback 40.89' from the southern rear property line (Nabbs Creek Road right of way), 5' from the western property line, 52.99' from the northern property line, and 40' from the eastern side property line. This proposal will require a zoning variance of 2' to allow the dwelling addition and bridge/deck to be constructed as close as 5' to the side lot line. We will need a variance to disturb slopes greater than 15% within the critical area for this proposal as well.

Please note this is a R5 zoned property and therefore required to meet the setbacks as required in 18-4-701 of the County Code. For a principal structure and deck, this section of the County Code requires a front setback of 25', a side setback of 7', and a rear setback of 22'. We are proposing a new single-family dwelling addition and Bridge/deck that is setback 5' from the side property line, necessitating a 2' zoning variance.

Please note that disturbance to slopes greater than 15% in the critical area is prohibited per 17-8-201 of the County Code. We are proposing 388 square feet of disturbance to slopes greater than 15% in the critical area, necessitating a critical area variance. Of the 388 square feet of steep slope disturbance, 25 square feet is permanent and the remaining 363 square feet is temporary.

Prefile Comments:

Critical Area Team: Offers no objection to the proposal.

Zoning Administration Section:

1. A variance to allow disturbance to slopes exceeding 15% in the Chesapeake Bay Critical Area (Article 17-8-201). **Response:** Noted
2. A variance to allow less setbacks than required: 7' side required, 5' side proposed. **Response:** Noted
The applicants are reminded that, in order for the Administrative Hearing Officer to grant approval, 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. **Response:** Noted

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, R5 lot. This lot was recorded prior to the implementation of any critical area laws. The lot is developed with a single-family dwelling and multiple retaining walls. Steep slopes cover most of the lot. This restricts the owner's ability to construct the addition (elevator shaft) within slope disturbance. There are no areas around the house that are not steep slopes. The existing sits 10' from both side property lines. There is no way to construct the elevator shaft within going into the side setback. With the size of the site, amount of steep slopes, and the location of the existing house, there is no way of building the proposed addition (elevator shaft) and bridge/deck without the need for these critical and zoning variances. 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 these variances. There is no way to construct the elevator shaft and bridge/deck within going into the side setback. With the size of the site, amount of steep slopes, and the location of the existing house, there is no way of building the proposed addition (elevator shaft) and bridge/deck without the need for these critical and zoning variances. We feel, with the owner's need to get access to the house and from floor to floor of the dwelling, this request is the minimum variance to avoid practical difficulties or unnecessary hardships.

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 dwelling addition is only 25 square feet, the bridge/deck will be constructed on individual footers, therefore only having a minimum permanent impact to steep slopes and only a 2' encroachment into the side lot line setback. We feel, with the owner's need to get access to the house and from floor to floor, this is a minimal impact to the rear 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. This is a minor 25 square foot addition and access bridge/deck to allow the owner continued access to the house and to each floor of the dwelling.

(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 properties are currently developed with a single-family dwelling. This proposal does not impact these dwellings nor the ability of the owner to improve or further develop their property.

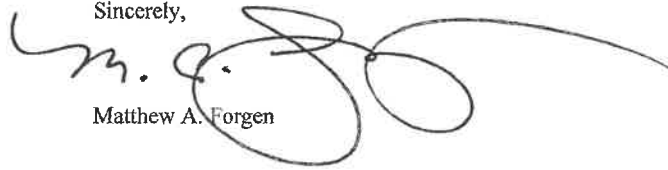
(iii) reduce forest cover in the limited development and resource conservation areas of the critical area: The proposed development will not decrease forest cover within Chesapeake Bay Critical Area. There is no clearing required for this improvement.

(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.

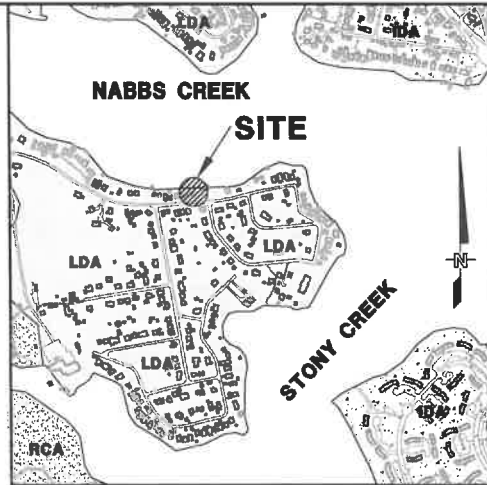
(v) be detrimental to the public welfare: This development is not detrimental to the health and welfare of the community. There will be storm water management and mitigation planting requirements that will be part of the permitting process. This benefits the public welfare.

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

Sincerely,

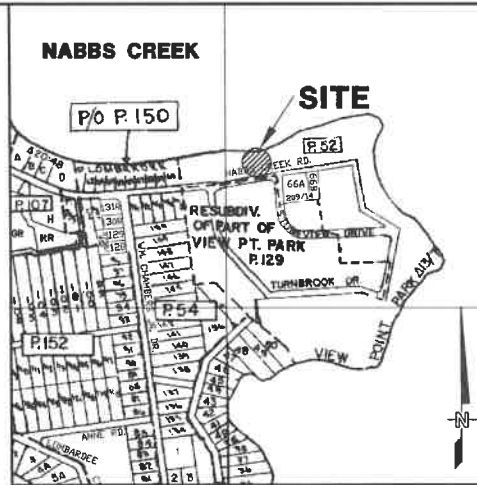
A handwritten signature in black ink, appearing to read 'M. A. Forgen', with a long, sweeping horizontal line extending to the right.

Matthew A. Forgen



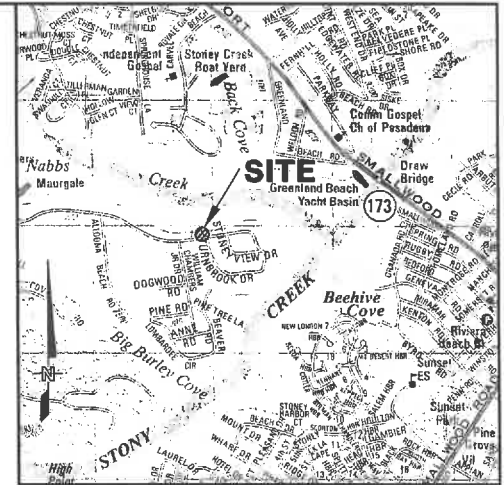
CRITICAL AREA MAP

SCALE: 1" = 1,000'



TAX MAP LAYOUT

SCALE: 1" = 600'



VICINITY MAP

SCALE: 1" = 2,000'

ADC MAP: 9, GRID: D3

Copyright ADC The Map People

Permitted Use Number 2081204

SITE DATA	
PROPERTY ADDRESS:	1020 NABBS CREEK ROAD GLEN BURNIE, MD 21060
OWNER:	CLIFTON GALLOWAY JUNE GALLOWAY 1020 NABBS CREEK ROAD GLEN BURNIE, MD 21060
DEVELOPER:	CLIFTON GALLOWAY JUNE GALLOWAY 1020 NABBS CREEK ROAD GLEN BURNIE, MD 21060
EXISTING USE:	SINGLE-FAMILY
PROPOSED USE:	SINGLE FAMILY ADDITION
EXISTING ZONING:	R5
SETBACKS:	FRONT: 25', SIDE: 7', REAR: 20'
TAX MAP:	11
BLOCK:	15
PARCEL:	52
LOT:	8
ASSESSMENT DISTRICT:	THIRD
TAX ACCOUNT NUMBER:	3888-1086-5200
CRITICAL AREA:	LDA
TOTAL SITE AREA:	0.1156 ACRES
	5,037 SQUARE FEET
EXISTING IMPERVIOUS:	0.0312 ACRES
	1,357 SQUARE FEET
PROPOSED IMPERVIOUS:	0.0006 ACRES
	25 SQUARE FEET
TOTAL DISTURBED AREA:	0.0162 ACRES
	705 SQUARE FEET

**M.A.F. &
ASSOCIATES, LLC**

55 JONES STATION ROAD, W.
SEVERNA PARK, MD 21146

PHONE: 443-864-8589
EMAIL: MFORGEN@AOL.COM

THIS SITE IS WITHIN THE BUFFER MODIFICATION AREA

ADMINISTRATIVE SITE PLAN

**VIEW POINT PARK
LOT 8**

1020 NABBS CREEK ROAD, GLEN BURNIE MD 21060

TAX MAP 11 BLOCK 15 PARCEL 52 TAX ACCOUNT #: 3888-1086-5200 ZONING: R5

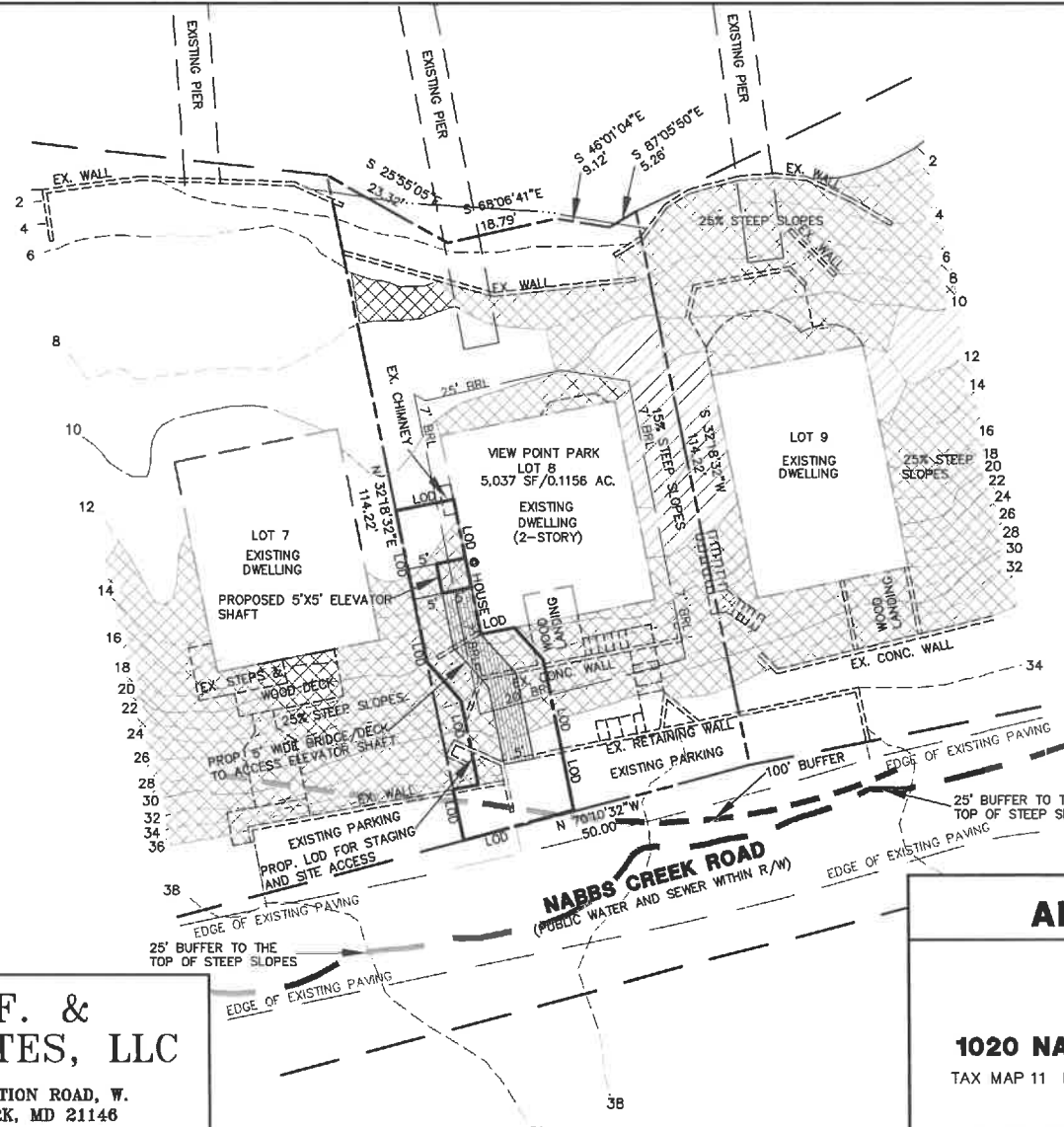
DATE: OCTOBER 6, 2023

THIRD ASSESSMENT DISTRICT

ANNE ARUNDEL COUNTY, MARYLAND

SHEET 1 of 2

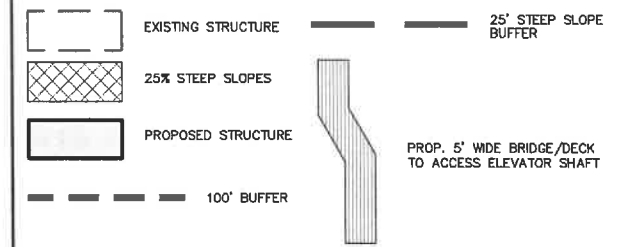
NAD-83 GRID NORTH



**SITE AREA CALCULATIONS/
CRITICAL AREA CALCULATIONS (LDAI)**

- 1) Total site area: 5,037 s.f. or 0.1156 Ac.
- 2) Total impervious area allowed: 25% of lot + 500 s.f. or 1,759 s.f.
- 3) Total clearing in 100' buffer: 0 square feet
- 4) Total clearing out of 100' buffer: 0 square feet
- 5) Total existing impervious: House 975 s.f.
Drive: 382 s.f.
Total: 1,357 s.f.
- 6) Total proposed impervious: House Addition 25 s.f.
- 7) Total impervious after construction: 1,382 s.f.
- 8) Total steep slope disturbance: 388 square feet
363 s.f. temporary disturbance and 25 s.f. permanent
- 9) Total steep slope buffer disturbance: 240 square feet

LEGEND



ADMINISTRATIVE SITE PLAN

**VIEW POINT PARK
LOT 8**

1020 NABBS CREEK ROAD, GLEN BURNIE MD 21060

TAX MAP 11 BLOCK 15 PARCEL 52 TAX ACCOUNT #: 3888-1086-5200 ZONING: R5

DATE: OCTOBER 6, 2023

THIRD ASSESSMENT DISTRICT

ANNE ARUNDEL COUNTY, MARYLAND

SHEET 2 of 2

**M.A.F. &
ASSOCIATES, LLC**

55 JONES STATION ROAD, W.
SEVERNA PARK, MD 21146

PHONE: 443-864-8589
EMAIL: MFORGEN@AOL.COM

SCALE: 1"=20'

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

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction: ADHE ARUNDEL Co.

Date: 9-2-2023

Tax Map #	Parcel #	Block #	Lot #	Section
11	52		8	

FOR RESUBMITTAL ONLY

- Corrections
- Redesign
- No Change
- Non-Critical Area

*Complete Only Page 1
 General Project Information

Tax ID: 3888-1086-5200

Project Name (site name, subdivision name, or other) VIEW POINT PARK, Lot 8

Project location/Address 1020 THIBBS CREEK ROAD

City GLEN BURNIE Zip 21060

Local case number _____

Applicant: Last name GALLOWAY First name CLIFTON

Company _____

Application Type (check all that apply):

- Building Permit
- Buffer Management Plan
- Conditional Use
- Consistency Report
- Disturbance > 5,000 sq ft
- Grading Permit

- Variance
- Rezoning
- Site Plan
- Special Exception
- Subdivision
- Other

Local Jurisdiction Contact Information:

Last name _____ First name _____

Phone # _____ Response from Commission Required By _____

Fax # _____ Hearing date _____

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

CONSTRUCT A 25 SQ. FT. (5'x5') ADDITION

Intra-Family Transfer
 Grandfathered Lot

Growth Allocation
 Buffer Exemption Area

Project Type (check all that apply)

Commercial
 Consistency Report
 Industrial
 Institutional
 Mixed Use
 Other

Recreational
 Redevelopment
 Residential
 Shore Erosion Control
 Water-Dependent Facility

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft
IDA Area		0
LDA Area		5037
RCA Area		0
Total Area		5037

Total Disturbed Area Acres Sq Ft

of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		0	Existing Lot Coverage		1357
Created Forest/Woodland/Trees		0	New Lot Coverage		25
Removed Forest/Woodland/Trees		0	Removed Lot Coverage		0
			Total Lot Coverage		1382

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		705	Buffer Forest Clearing		0
Non-Buffer Disturbance		0	Mitigation		0

Variance Type

Buffer
 Forest Clearing
 HPA Impact
 Lot Coverage
 Expanded Buffer
 Nontidal Wetlands
 Setback
 Steep Slopes
 Other

Structure

Acc. Structure Addition
 Barn
 Deck
 Dwelling
 Dwelling Addition
 Garage
 Gazebo
 Patio
 Pool
 Shed
 Other

View Point Park, Lot 8
1020 Nabbs Creek Road, Glen Burnie, MD 21060

CRITICAL AREA REPORT

PREPARED BY:
M.A.F. & ASSOCIATES, LLC
55 Jones Station Road, W.
Severna Park, MD 21146

443-864-8589

October 2, 2023

INTRODUCTION

The lot is located at 1020 Nabbs Creek Road, Glen Burnie, MD 21060. This is a legal lot as defined by Article 17-1-101 (63). The property owner is proposing a very small addition to the existing single-family dwelling that falls within the side yard setbacks within a R5 zoning area. The lot is an undersized lot for an R5 zoning district. This lot lies entirely within the LDA portion of the Chesapeake Bay Critical Area.

VICINITY MAP

Included in this report and shown on the attached plan is a vicinity map designating the location of the subject site. Also included in the report is a portion of the Critical Area Map with the site located.

NARRATIVE

EXISTING CONDITIONS

The lot is currently an improved single-family dwelling lot. The lot is an undersized R5 zoned lot. The lot is improved with a single-family dwelling and multiple retaining walls. The property slopes steeply from the road to the waters edge. The slope are approximately 15%-25%+ to the water side of the property.

There was no wildlife seen around the property at the time of inspection. It is expected that there is very little to no wildlife use of the property since it is fully developed.

PROPOSED DEVELOPMENT

The property owner is proposing a very small addition to the existing single-family dwelling that falls within the side yard setbacks within a R5 zoning area. The small addition will disturb slopes greater than 15%.

STORMWATER MANAGEMENT

During construction, sediment and erosion control measures will be employed. Storm water management will be provided with the required building permit application.

IMPACT MINIMIZATION

Due to the unique lot characteristics and the location of the existing dwelling, we feel that this development plan demonstrates a minimal impact on the environment.

HABITAT PROTECTION AREAS

The habitat protection areas on this property is the 100' buffer to tidal waters.

AFTER CONSTRUCTION CONDITIONS AND SITE CALCULATIONS

The proposed conditions of the site include the construction of a new house and driveway. The site calculations are as follows:

Total site area	5,037 sf
Existing woodland	0 sf
Proposed clearing	0 sf
Proposed planting	to be determined.
Existing impervious coverage prior to the proposed lot coverage	1,357 sf
Allowed lot coverage	1,759 sf
Proposed lot coverage	25 sf
Proposed lot coverage reduction	0 sf
Existing and proposed lot coverage	1,382 sf

CONCLUSIONS

The lot in question is an undersized legal lot located in an established community. It's not possible to construct the proposed dwelling addition without the need for the requested variances based on the size of the lot and the location of the existing dwelling.

As proposed, the development of the lot does not have an adverse impact on the plant or wildlife habitat of the Critical Area. The proposed dwelling addition and site improvements will not adversely impact adjacent properties.

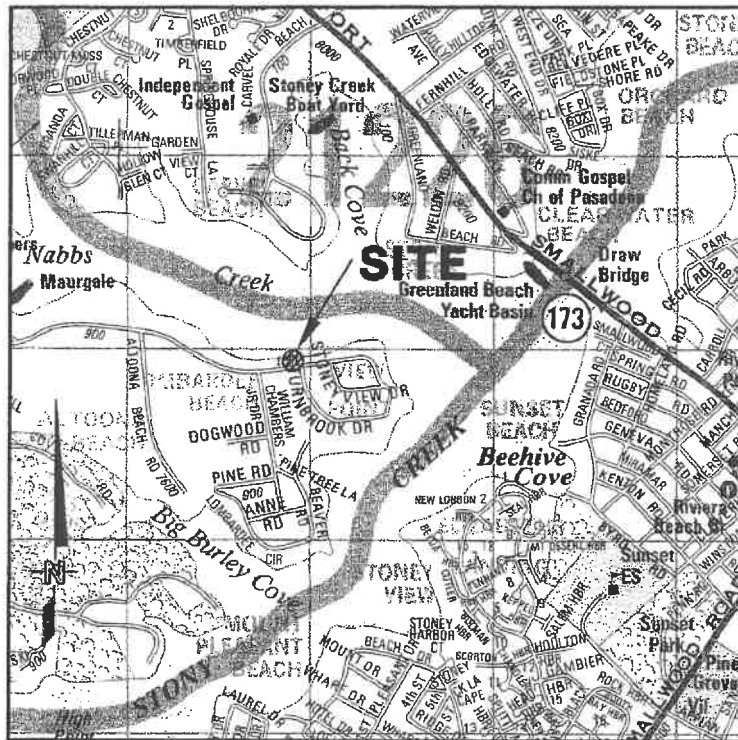
PLANS

A plan showing the site and its improvements is attached to this report.

ADDITIONAL INFORMATION

A Notification of Project Application for the Critical Area Commission is included in this package.

The fieldwork was conducted on September 1, 2023

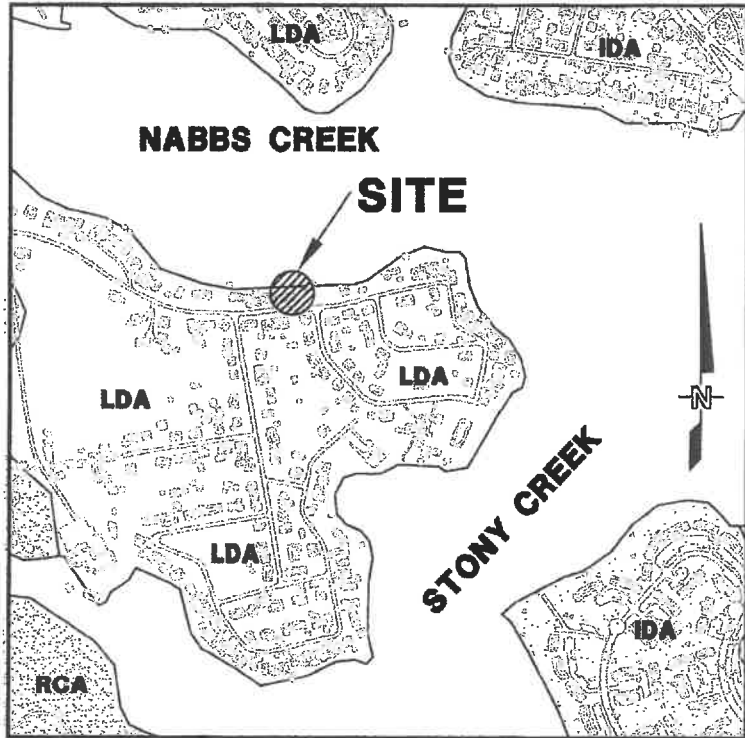


VICINITY MAP

SCALE: 1" = 2,000'

ADC MAP: 9, GRID: D3

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Permitted Use Number 20811204



CRITICAL AREA MAP

SCALE: 1" = 1,000'



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE

PRE-FILE #: 2023-0030-P
DATE: 10/02/2023
OPZ STAFF: Joan A. Jenkins
Kelly Krinetz

APPLICANT/REPRESENTATIVE: Matt Forgen

EMAIL:

SITE LOCATION: 1020 Nabbs Creek Rd, Glen Burnie MD 21060

LOT SIZE: 6130 sf

ZONING: R5

CA DESIGNATION: LDA

BMA: yes or **BUFFER:** no

APPLICATION TYPE: Variance

Description:

The applicants propose a SFD addition for an elevator shaft on the existing dwelling, 5x5 footprint.

COMMENTS

Critical Area Team: offers no objection to the proposal.

Zoning Administration Section:

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 less setbacks than required: 7' side required, 5' side proposed.

The applicants are reminded that, in order for the Administrative Hearing Officer to grant approval, 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 these standards are met.

INFORMATION FOR THE APPLICANT

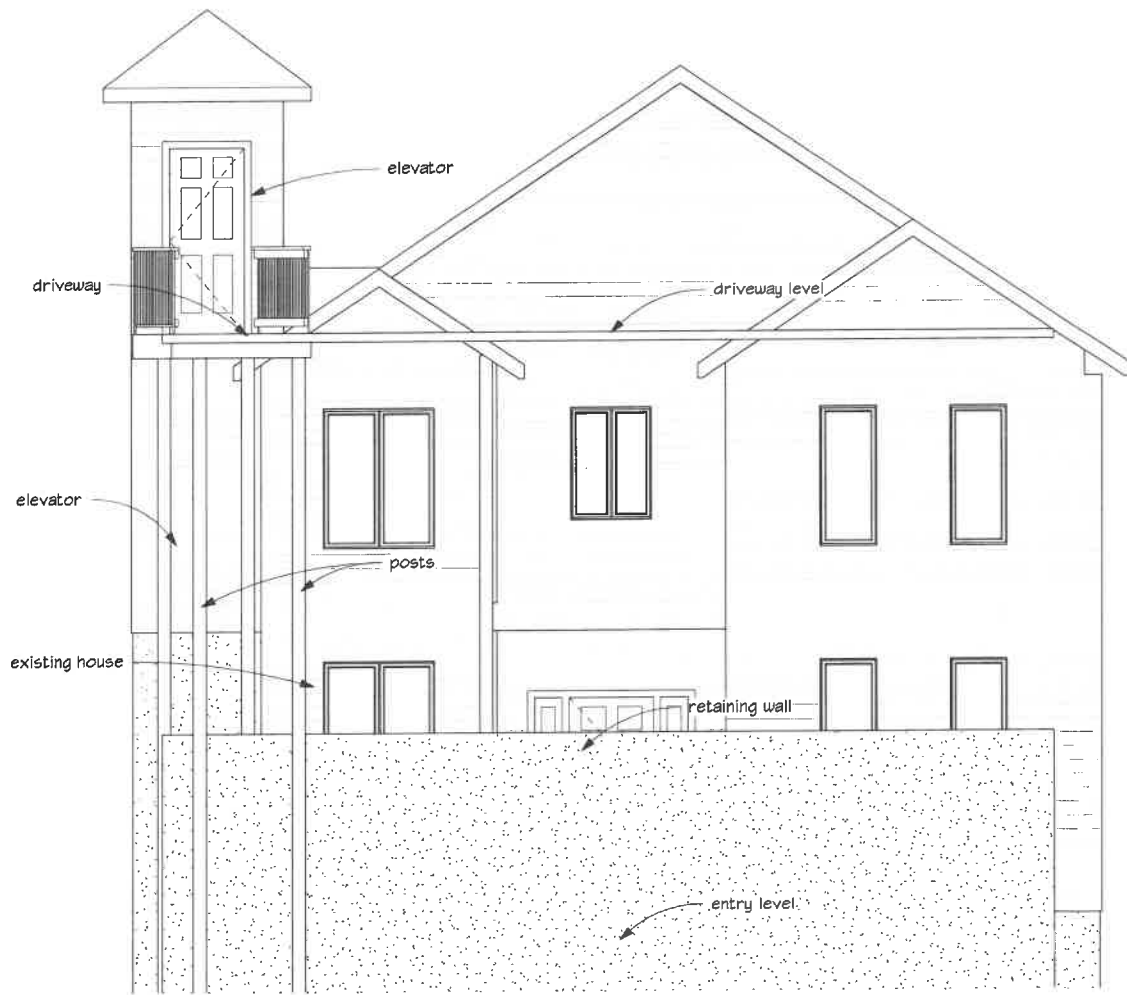
Section 18-16-301 (c) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence.

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.

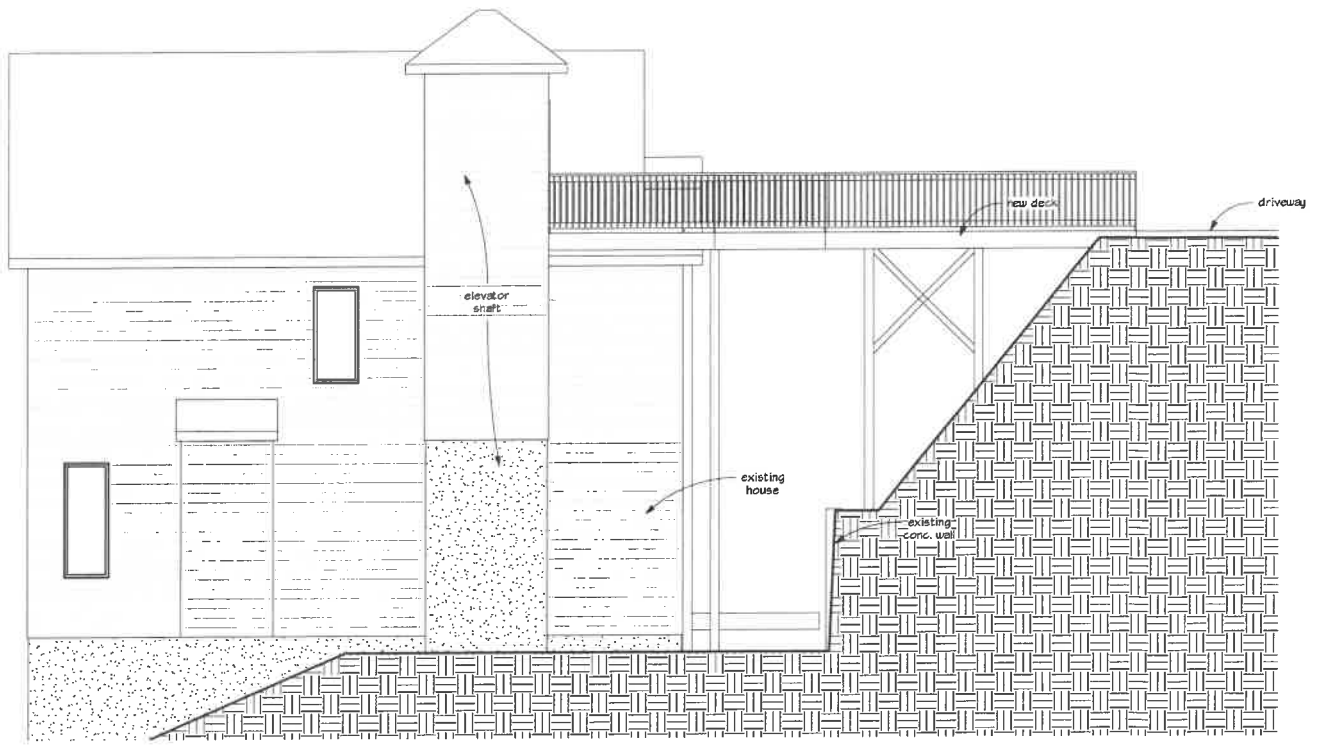




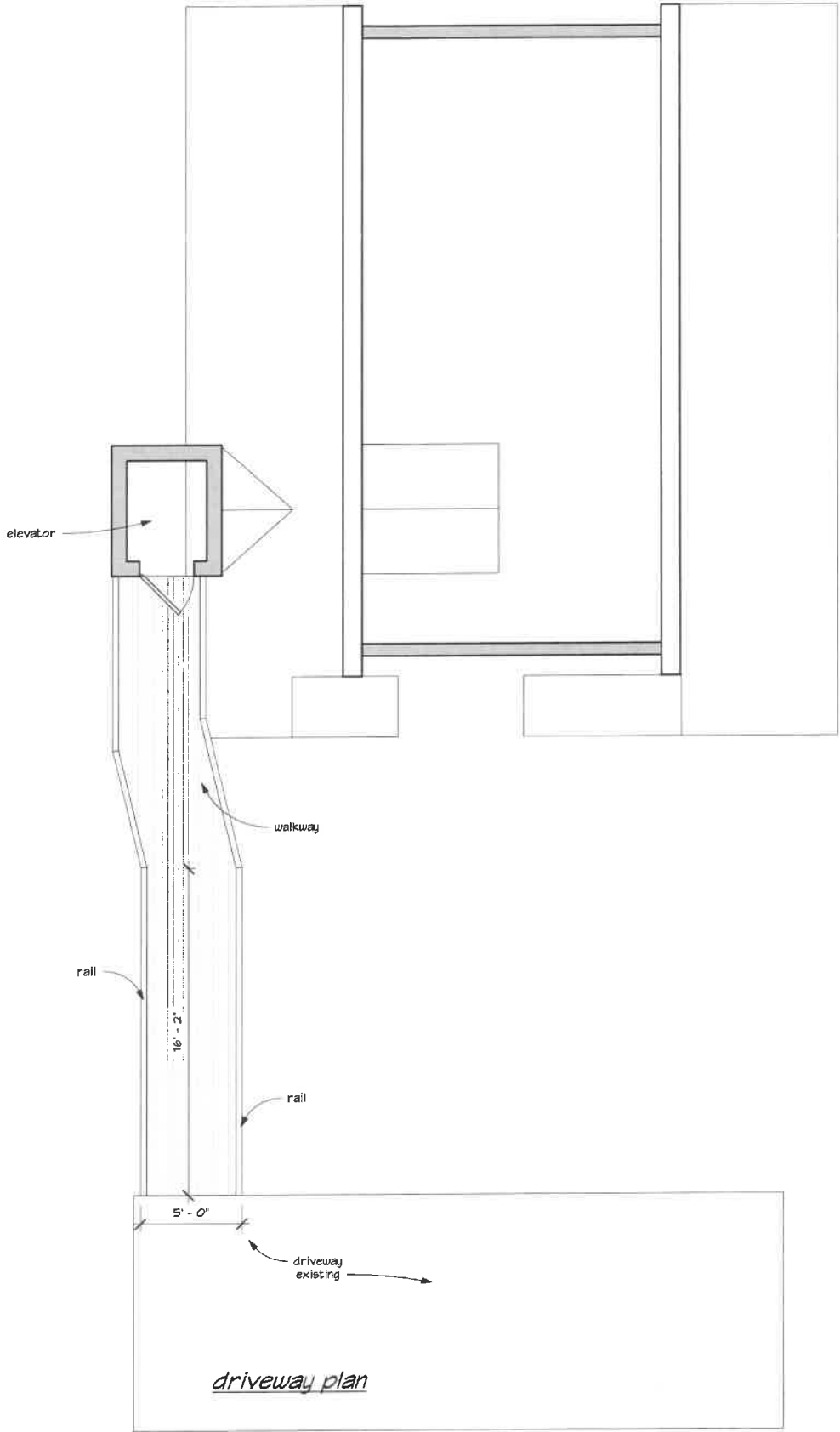




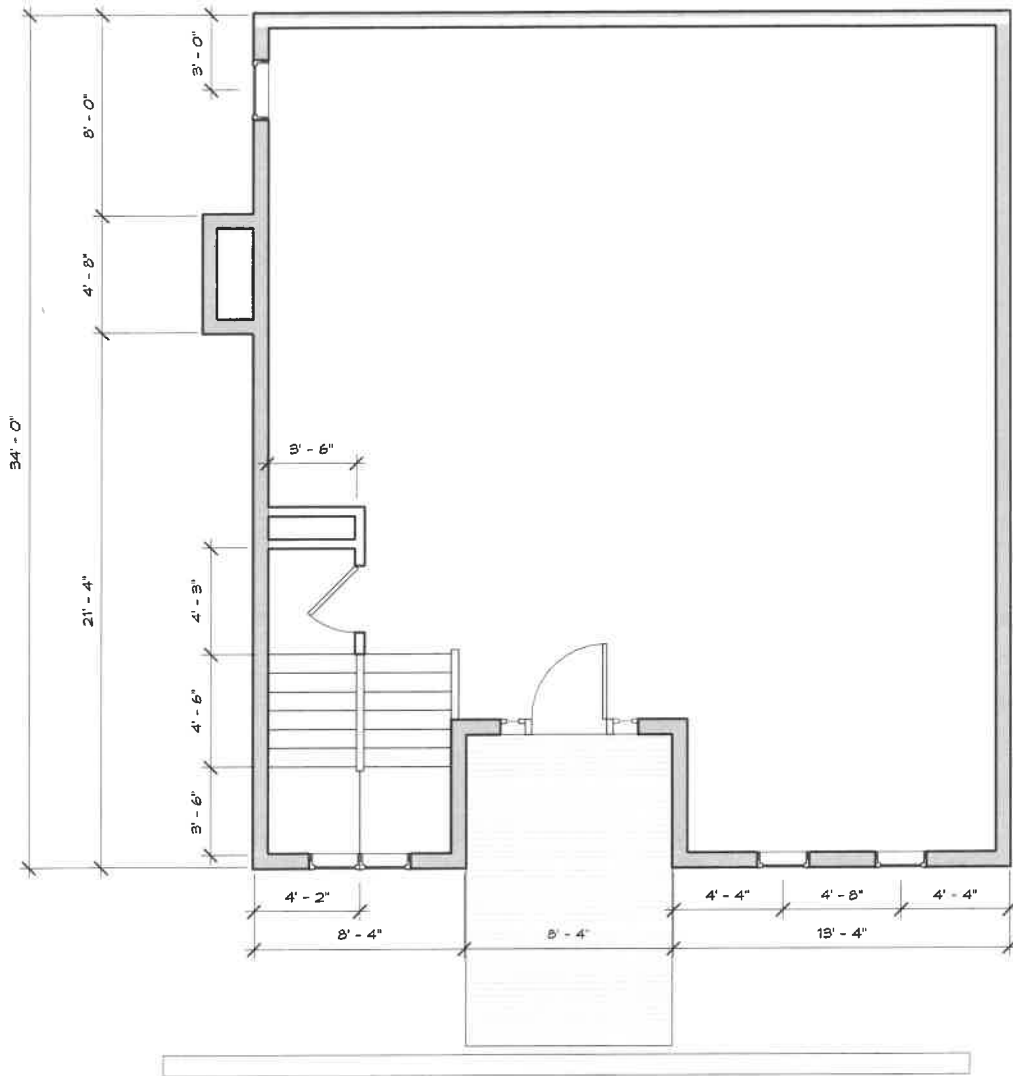
front elevation



left side elevation



driveway plan



FIRST FLOOR EXISTING

