

Jo Ann and Lyle Modlin (the “**Applicant’s**”) propose to modify an existing private residential pier at their waterfront home, 3708 Gateshead Drive, Annapolis, Maryland, 21403 (the “**Property**”), which has approximately ± 55 linear feet of frontage on Watergate Harbor. The Applicant’s Property is approximately ± 28,960 SF and is zoned R2. Pursuant to the Anne Arundel County Code (the “**Code**”), §18-4-106, “Piers, private residential, if accessory to a dwelling unit” is permitted by right in the R2 zoning district.

The Applicant’s proposed pier modification will consist of removing an existing floating platform and constructing an irregular 200 SF shape platform, a 4’ by 29’ walkway, and installing 1 boat lift that includes 2 supporting pilings. Due to the unique shape of the shoreline and the converging property lines of the Applicant’s Property, the proposed platform, and pilings would require variances to the required 15-foot setbacks. The Applicant’s proposed platform is the minimum necessary to allow the Applicant reasonable access to navigable water at a depth of -3.0 at mean low water (0.0 feet).

The location, setbacks, and length requirements for piers and mooring pilings are spelled out in Code, §18-2-404, “Piers and mooring pilings.” Subsection (b) of said Code provision reads, in pertinent part, as follows:

“(b) **Setbacks.** A pier or mooring piling shall be located at least 15 feet from a lot line extended for a private pier [...]. The Office of Planning and Zoning determines the method of the lot line extension in accordance with one or more of the following methods:

- (1) From the side lot line at a 90 – degree angle to the shoreline;
- (2) From the extension of the last course of the lot line into the waterway;
- (3) From the side lot lines to the center of cove; or
- (4) From the side lot lines generally parallel with existing piers located on adjacent lots.

In the Applicant's case, method (2) is being utilized on the northern property line extensions, and method (1) is being utilized on the southern property line extensions because of the unique shape of the shoreline and surrounding piers. Strict compliance with the provisions of the Code results in practical difficulties for the Applicant due to the unique physical conditions of the Applicant's Property. Accordingly, the Applicant is requesting two (2) variances to Code, **§18-2-404(b)**. The variances requested are:

1. 14.75 feet to the required 15-foot side yard setback on the northern side of the proposed platform to construct 200 SQFT of platform space.
2. 13 feet to the 15-foot side yard setback on the southern side of the proposed platform, to install 2 boatlift pilings.

The requested variances satisfy the general variance requirements of Code, **§18-6-305(a) and (c)**. The Applicants cannot construct the platform and associated boat lift pilings without the requested variances, which are the minimum variance necessary to afford the Applicant's relief.

The requested variances will not substantially impair the appropriate use or development of adjacent properties. The Applicants currently only have a small floating platform while several of the surrounding properties have existing small piers and boat lifts. Access to and from the neighboring piers will remain unaffected by the construction and use of the Applicant's proposed platform and boat lift pilings.

Variance – Statement in Support

Private Residential Pier – 3708 Gateshead Drive, Annapolis, Maryland, 21403 – Jo Ann Hyatt Modlin &
Lyle T. Modlin

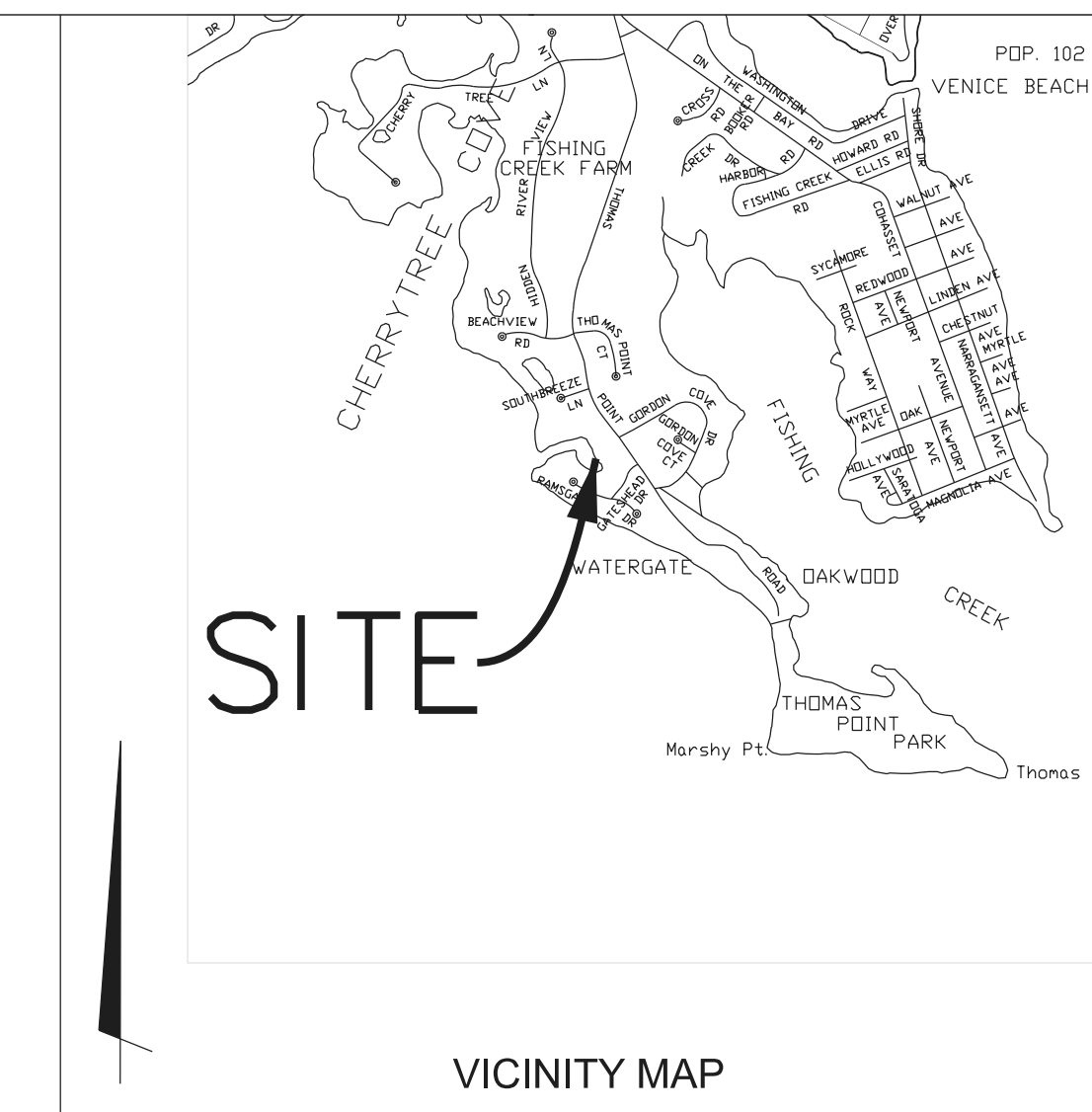
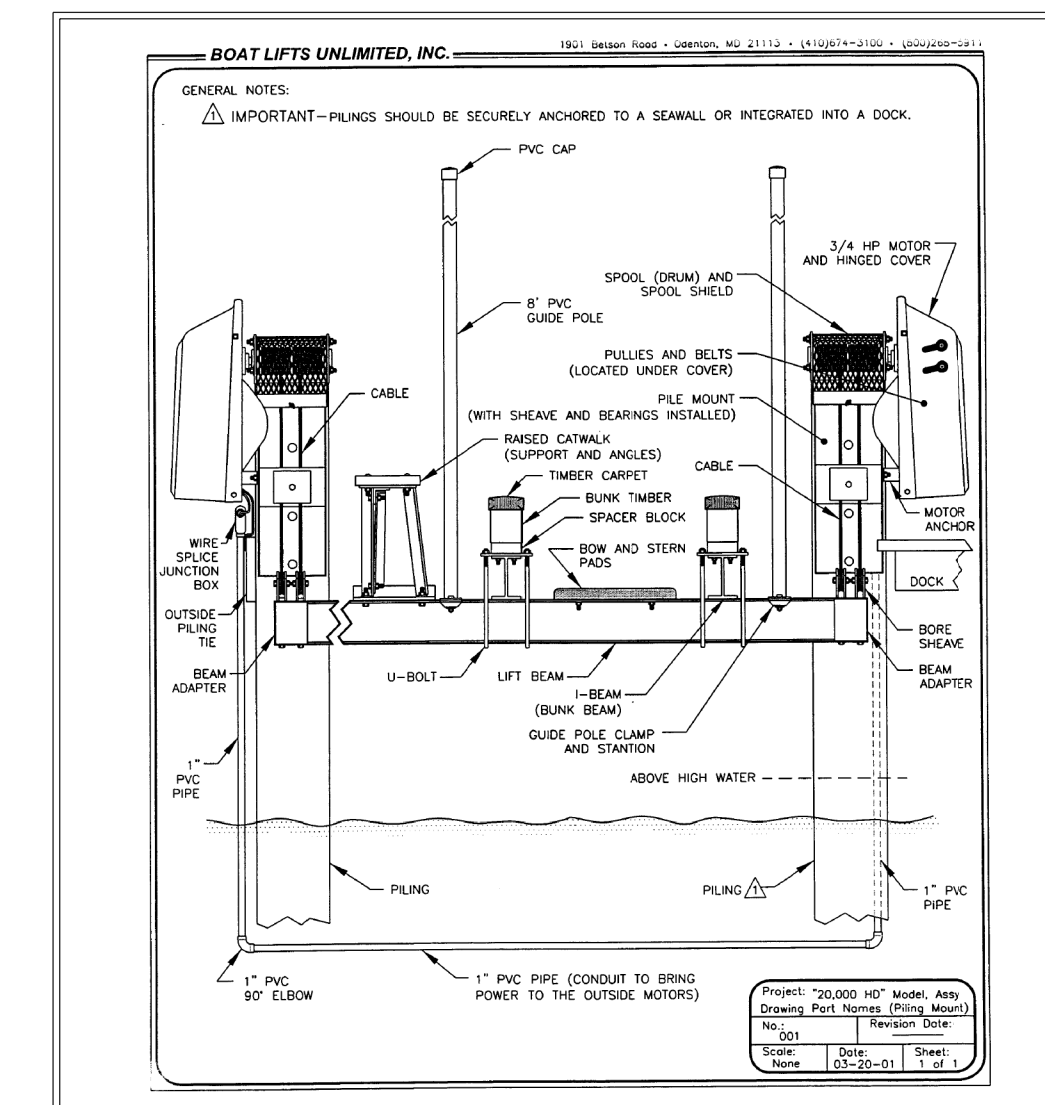
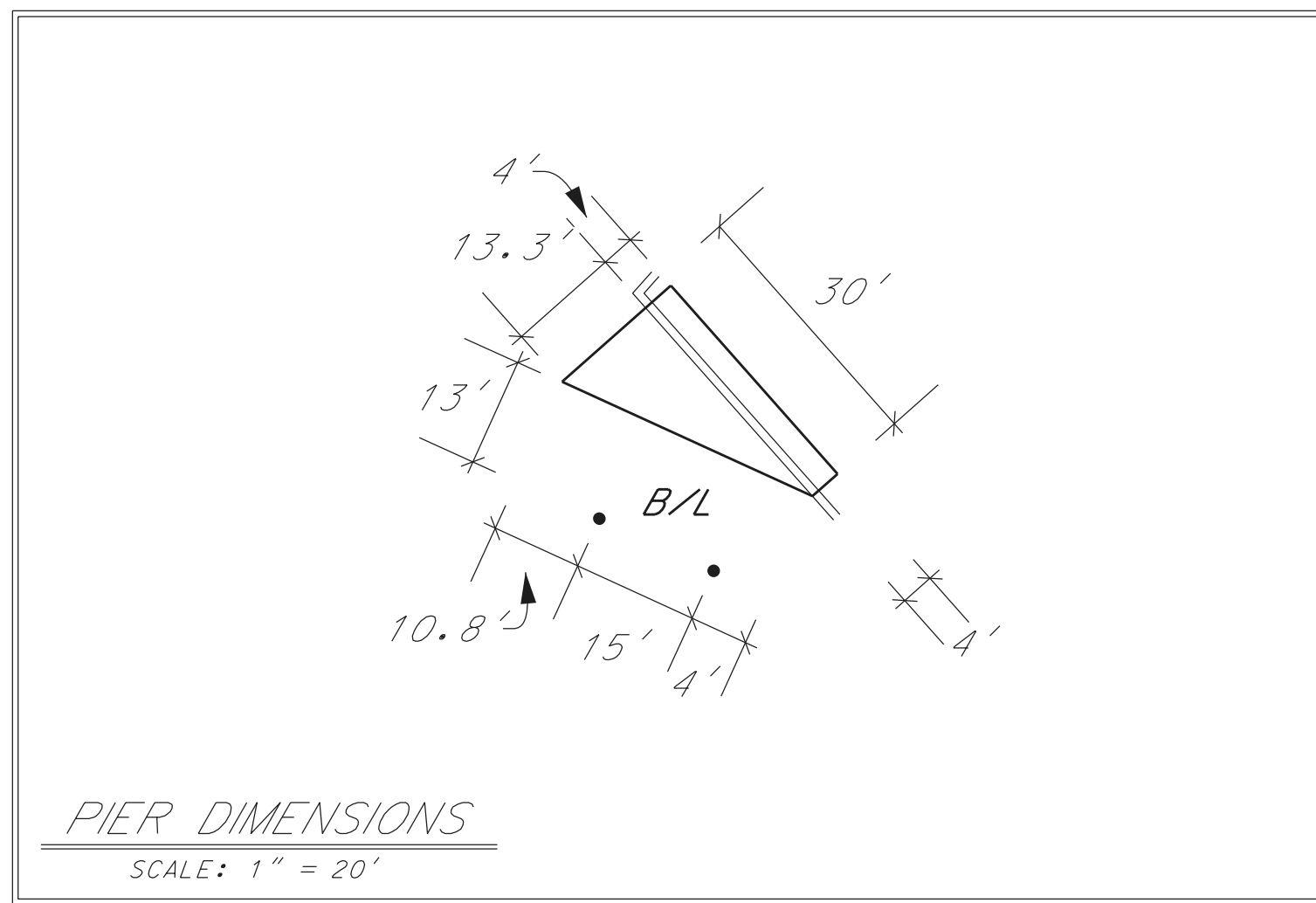
The variances requested by the Applicants will have no impact on the forest cover in the Critical Area, and there will not be any clearing or replanting in the Critical Area or bog protection area.

The requested variances will help ensure safe boating practices to and from the Applicant's proposed platform and will not be detrimental to the public welfare.

For all the foregoing reasons, the variances requested by the Applicants are necessary to avoid practical difficulties. Granting the variances maintains the intent and spirit of the law, secures public safety, and ensures that substantial justice is done.

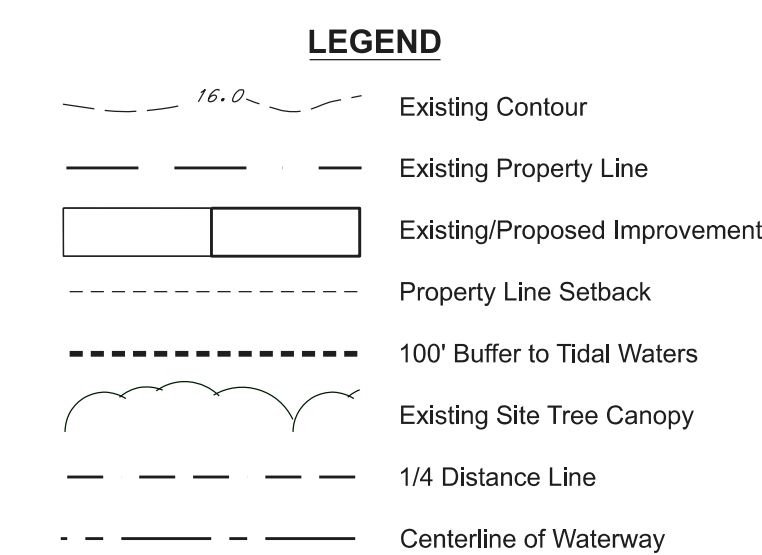
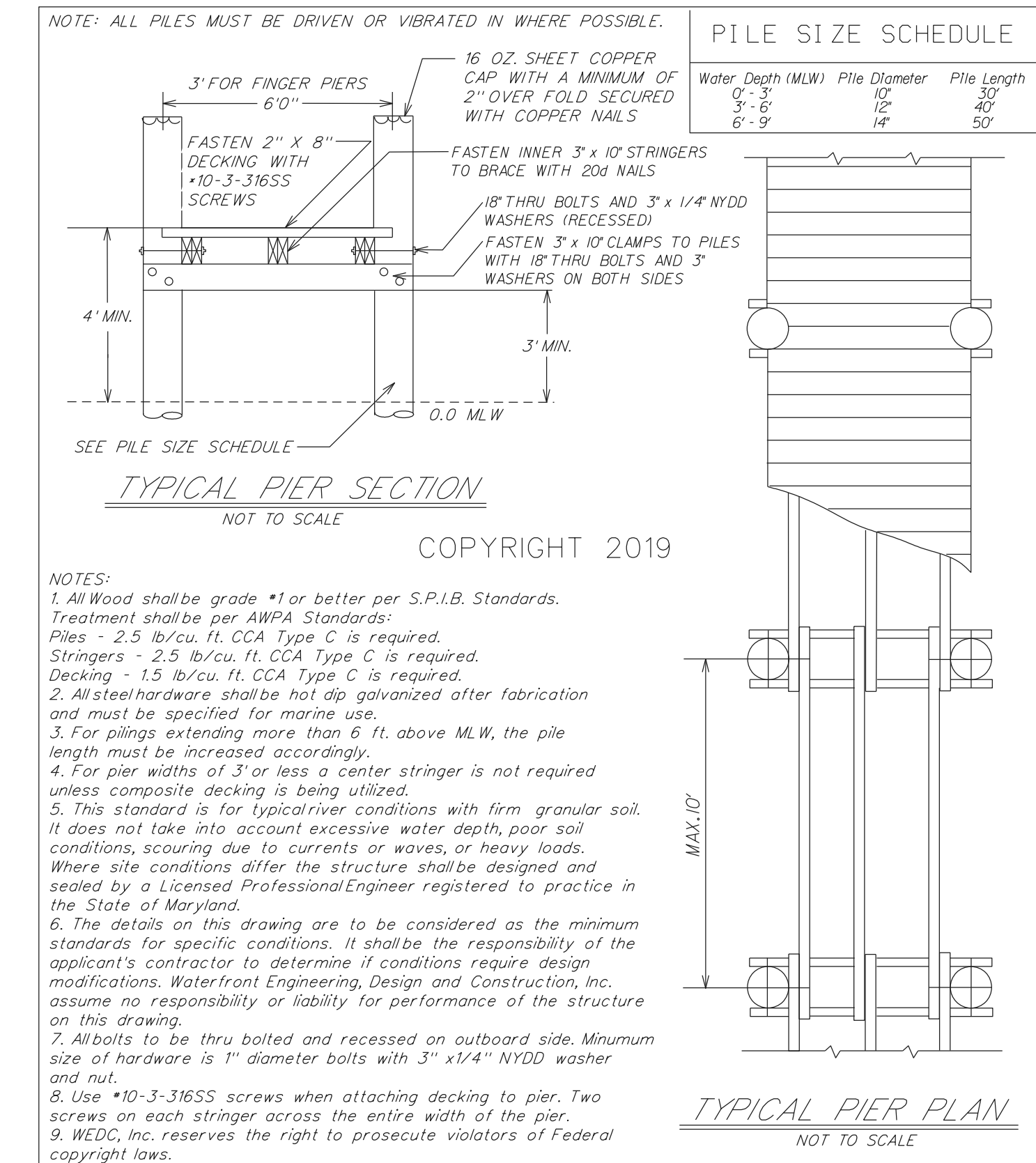
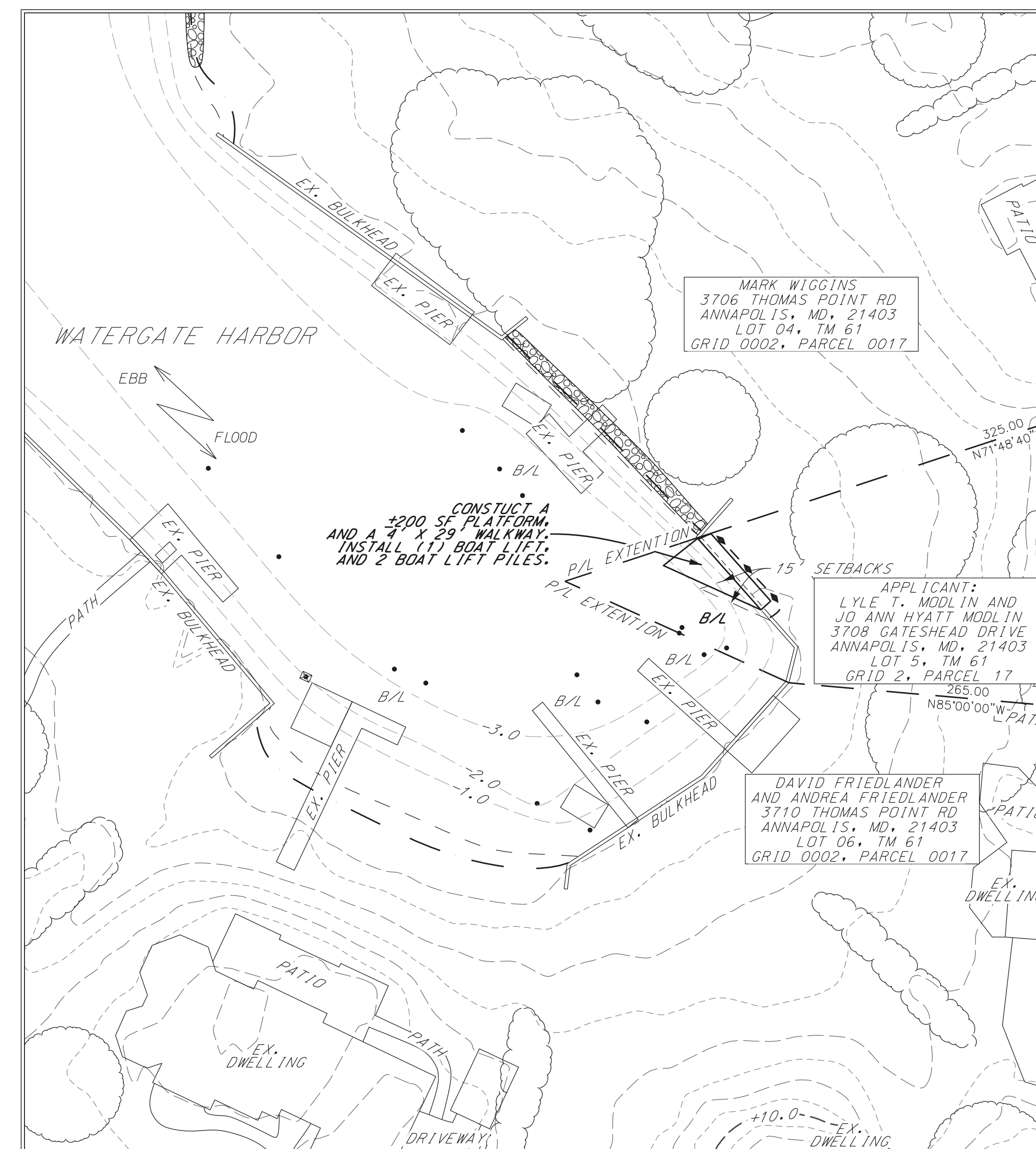
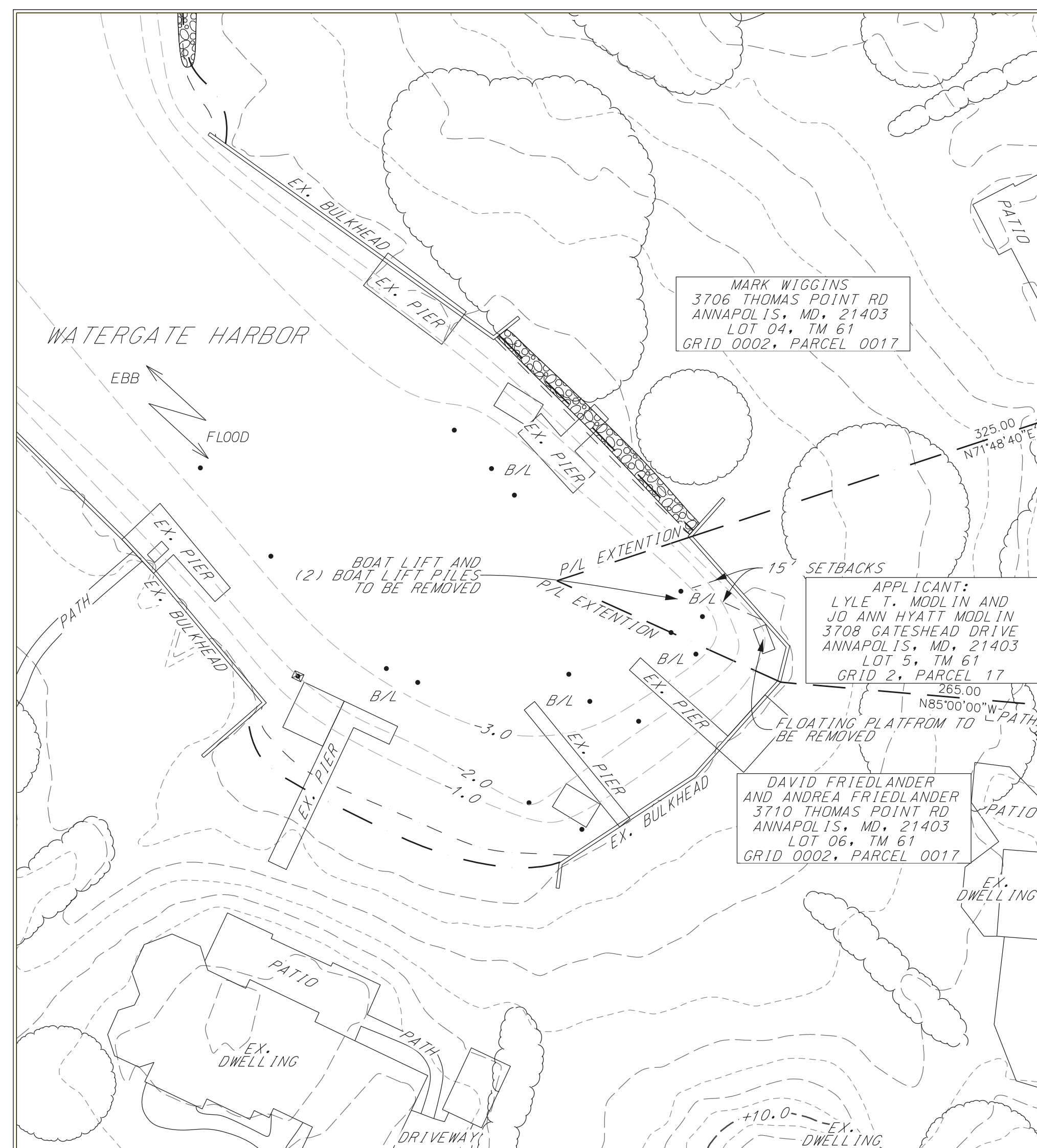
REQUESTED VARIANCES:

1. A VARIANCE OF 14.75' TO THE NORTHERN PROPERTY LINE EXTENSION TO ALLOW THE INSTALLATION OF A PIER PLATFORM.
2. A VARIANCE OF 13' TO THE SOUTHERN PROPERTY LINE EXTENSION TO ALLOW THE INSTALLATION OF TWO BOAT LIFT PILES.



NOTE:

- Entire site lies within R2 zoning
- Entire site lies within the Chesapeake Bay Critical Area (LDA)
- Entire site lies within a Public Service Area with public sewer access
- Entire site lies within a Public Service Area with public water access
- Entire site lies within the Chesapeake Bay Watershed



No.	DATE	BY	REVISIONS TO APPROVED PLANS		
			DESCRIPTION		

WEDC
Waterfront Engineering, Design and Construction, Inc.
8348 Ritchie Highway
Pasadena, Maryland 21122
Phone: (410) 798-1494
Email: Waterfrontdesign@verizon.net
www.waterfrontedc.com

'Shoreline Surveys, Engineering and Construction Management'

PROPERTY OWNER(S):
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Jajaytmodlin@gmail.com

**ADMINISTRATIVE SITE PLAN
PROPOSED PIER IMPROVEMENTS
WATERGATE ~ LOT 5**
3708 GATESHEAD DRIVE, ANNAPOLIS, MARYLAND, 21403
GRID: 2 PARCEL: 17 DISTRICT: 7
ANNE ARUNDEL COUNTY, MARYLAND