



December 5, 2023

Planning and Zoning
Zoning Division
2664 Riva Rd. 3rd Floor
Annapolis, MD 21401

Re: 8251 Brauns Ave.
Severn, MD 21144
T.A. 0400-90069853

To Whom It May Concern:

In order to recognize the Site Development as proposed, a Variance to Allow Existing Structures to Remain in a Front Yard will be necessary.

The Site is zoned R1 and therefore Minimum Setbacks for Accessory Structures are, front – 50ft., rear and side – 15ft. There are two (2) Existing Accessory Structures located on the Lot which will be considered the front yard. In accordance with Article 18-2-204(b), an Accessory Structure is not permitted in the Front Yard of a Non-Waterfront Lot.

The two (2) Existing Structures are an Existing Garage, to remain which has a front setback of 101.9 ft. and a side setback of 44 ft. The second structure is an Existing Storage Building with a front setback of 136.6 ft. and a side setback of 25.7 ft. Both structures meet the Required Setbacks of 50 ft. Front and 15 ft. Side for an Accessory Structure, except that they are located in the front yard due to house placement.

When reviewing the Development Plan, you will note that the proposed house is located to the rear of the Lot. Site Planning Alternatives were considered, however, due to the Existing Floodplain Area in the northwest corner of the Site and the Septic System in the northeast corner of the Site, the proposed house could not be constructed in the remaining confined area. There were five (5) Perc Tests completed. Numbers 1 and 4 were considered Failed Tests and required a 25ft. setback. Perc Number 5 required a Mound System which was not practical for the Site due to the proximity of failed Perc Number 4 and the Existing Garage to be removed. Therefore, the area to the rear of the Storage Building was most suitable to place a new structure. (See attached Health Department Results.)

In accordance with Article 18-16-305; Variances:

The Site meets the requirements for Zoning Variances because Practical Difficulties and Hardships are created as follows:

1. The Site exhibits unique physical conditions because the structures are existing and useful. As previously stated, the house has been located in the most practical location on the Site which is behind the existing structures.
2. An unnecessary hardship exists because the buildings are existing, are in excellent condition and are purposeful.

Requirements for all Variances:

1. The Variance is the minimum necessary to avoid relief due to the location of two (2) existing structures.
2. The granting of a Variance will not:
 - (i). Alter the essential character of the neighborhood as the referenced structures are existing and the Site Planning maintains the character of the neighborhood.
 - (ii). The adjacent property to the left when viewed from Brauns Ave remains largely

- undeveloped and will not be impacted because the structures which are the subject of this Variance Request are existing. The property to the right is developed and will not be impacted because it currently exists and with the structures on the adjacent Lots.
- (iii). The development is not located in the Critical Area and is exempt from Forest Conservation Requirements because clearing is less than 20,000 SF. Clearing for this project has been minimized and is less than 20%.
 - (iv). The Site is not located in a Bog Protection Area or Critical Area Designation.
 - (v). The Site is being developed in accordance with County Regulations and will not be detrimental to Public Welfare.

The requested Variance allows orderly development of the Site and will not detrimental to surrounding properties. Therefore, we believe support of this Request is consistent with County Policy.

If you should have any questions or comments or need additional information, please do not hesitate to call our office at (410) 266-1160 or email terrain@terrainmd.com.

Sincerely,
TERRAIN



Roy C. Little, P.E.
Director of Engineering
RCL/II.3232



