

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

March 12, 2024

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

**RE: Duffy/Chushing Property, Parcel 246
1420 Woodland Beach Road, Pasadena, MD 21122**

Dear Planner:

Please accept this submittal of a variance for the above referenced project. We are proposing to construction of a new single-family detached dwelling and associated site improvements on the above referenced property. The proposed dwelling is a 2-story dwelling with a height of 35'. The structure has a footprint of 26.08'x 29' and is setback 44.40' from the front property line, 23.32' from the northern side property line, 12.55' from the southern side property line and 7' from the rear property line. This proposal will require a zoning variance to allow development within the read lot line setback.

Please note this is an undersized R2 zoned property and therefore we are holding setbacks as noted in 18-2-301(f) "Dwelling on nonconforming lots". The setbacks that are required per this section of the code is 25' front and rear lot lines and 7' from the side lot lines.

Pre-File comments:

Engineering:

The applicant is proposing to contract a new single-family detached dwelling with a total proposed impervious of 1,517 square feet. The total disturbed area is shown as 5,152 square feet. The applicant is proposing to disconnect the non-rooftop surface (driveway) via an area next to the driveway that is equal to the area of the driveway. This area must be shown to be down gradient of the impervious cover and must be vegetated. Soil borings and photographs are required to document the status of this area and the need of soil amendments. A 1-2 feet wide transition strip should be provided from the disconnected area to the vegetated area. The plan also needs to show that the disconnection is at least 10 ft from the nearest impervious surface of similar or lower elevation to prevent reconnection. This was not demonstrated. The proposed rooftop disconnect as proposed does not meet the intent of the MDE criteria for non-rooftop disconnect credit and is not acceptable as shown. The downspouts should be disconnected via sheet flow, where no more than 500 SF of impervious is allowed to sheet flow over a vegetated area that is at least 75 feet of length. Installing a retaining wall and berms as shown for the sole purpose of carrying the water to the public road right of way is not considered "nonstructural" and creates a concentrated flow. This design does not meet the non-rooftop disconnection criteria intent or purpose. No public storm conveyance system appears to be in the public right of way to intercept and convey the flow. A downstream investigation of the drainage patterns along with cross-sections to demonstrate the outfall is adequate and to show the existing and proposed flooding limits for the 10-year storm and their encroachment levels to private properties will need to be submitted. A more detailed certified survey with spot elevations along with cross-sections will be required and a right to discharge permit may be required to address any drainage to private properties.

Zoning:

Advised site plan appears to be complete.

Our response:

Engineering:

The pre-file comments will be addressed with the grading permit application that is required for this project.

Zoning:

No response required.

The required zoning variance is stated below.

WE REQUEST A 18' VARIANCE TO ARTICLE 18-2-301(f) THAT REQUIRES A REAR LOT LINE SETBACK OF 25' SETBACK TO ALLOW FOR THE CONSTRUCTION OF THE NEW DWELLING. THIS PROPOSED DWELLING WILL BE CONSTRUCTED AT 7.00' TO THE REAR LOT LINE SETBACK.

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 undersized legal lot. The lot is only 62' wide and 80.61' deep. This site requires a septic system for the new dwelling. This septic will sit in the front yard. There are septic setbacks that are required by the Anne Arundel County Health Department. We are required to hold the house foundation 20' from the septic trenches. We will request a variance of 10' from the Health Department to allow the septic tank 10' from the foundation. With the size of the site and required Health Department setbacks, there is no way of building a house without the need for this 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 of a variance. If a variance is not granted, we would only be able to construct a house that is 11' deep. This would not be in keeping with the community nor would it be a feasible structure to construct.

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 footprint is the similar size as the existing dwelling within the community. We are holding the same rear setback as the neighboring property that was granted a similar variance. 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. The proposed dwelling is similar in size to other homes in the community. This is a similar request to other properties in this community.

(ii) substantially impair the appropriate use or development of adjacent property: This proposed development would not impair the appropriate use or development of these properties.

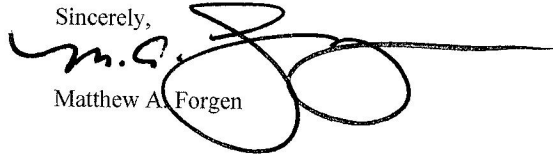
(iii) reduce forest cover in the limited development and resource conservation areas of the critical area: The property is located within the LDA portion of the critical area will not reduce forest cover. We will be required to provide 15% afforestation for this site.

(iv) be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area: The property is located within the LDA portion of the critical area but not 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. The site will have an onsite sewage disposal system and be connected to the community water supply system. Storm water management will be addressed with the development of this property.

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 horizontal line extending to the right.

Matthew A. Forgen

HYDROLOGIC SOILS GROUP ACREAGE
ALL SOILS FOR THIS SITE ARE SOIL GROUP 'A' SOILS.

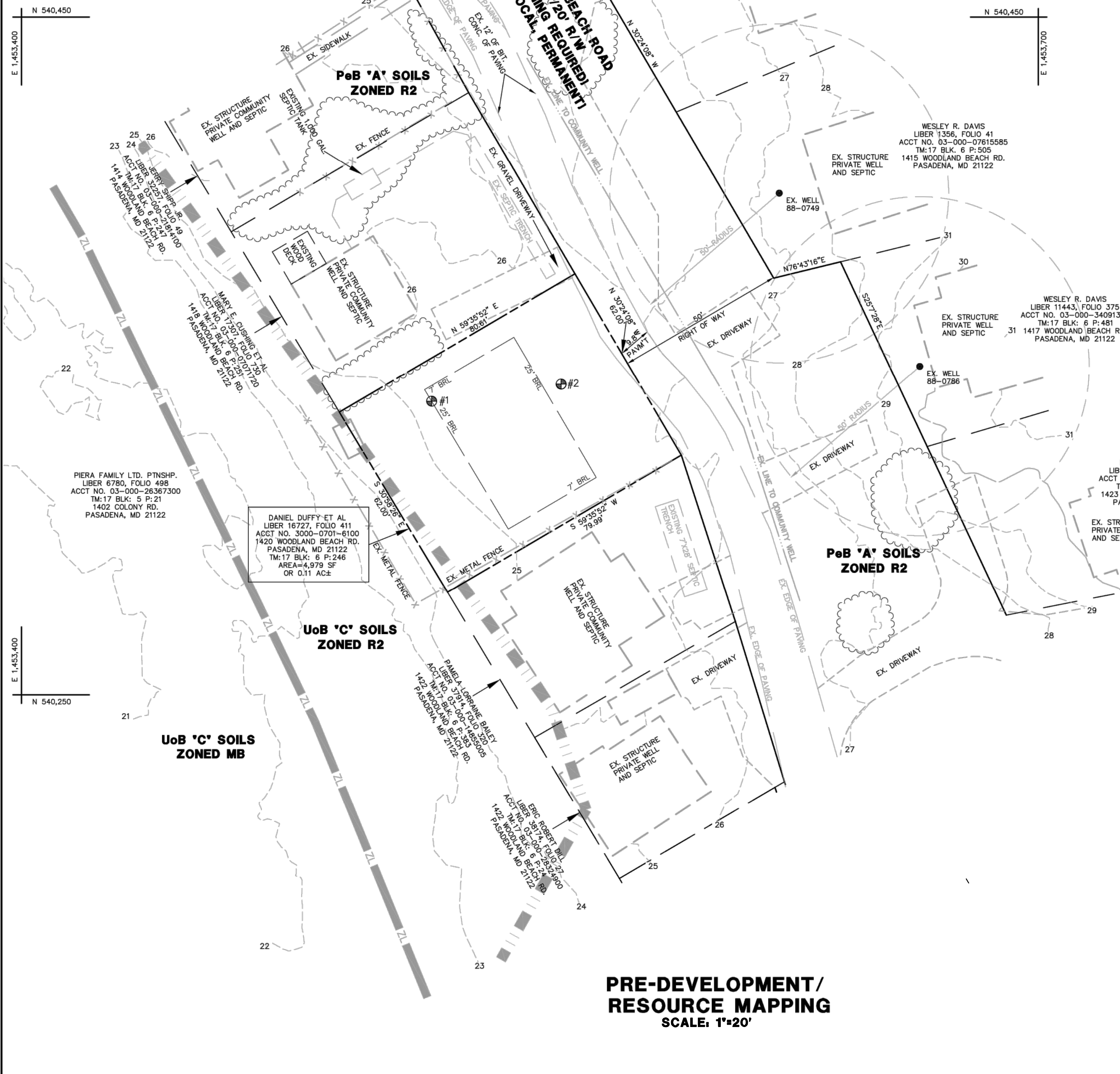
ZONING NOTE:
ALL PROPERTIES SHOWN ON THIS MAP LIE WITHIN THE R2 ZONING DISTRICT.

CRITICAL AREA NOTE:
ALL PROPERTIES SHOWN ON THIS MAP LIE WITHIN THE LDA CRITICAL AREA.

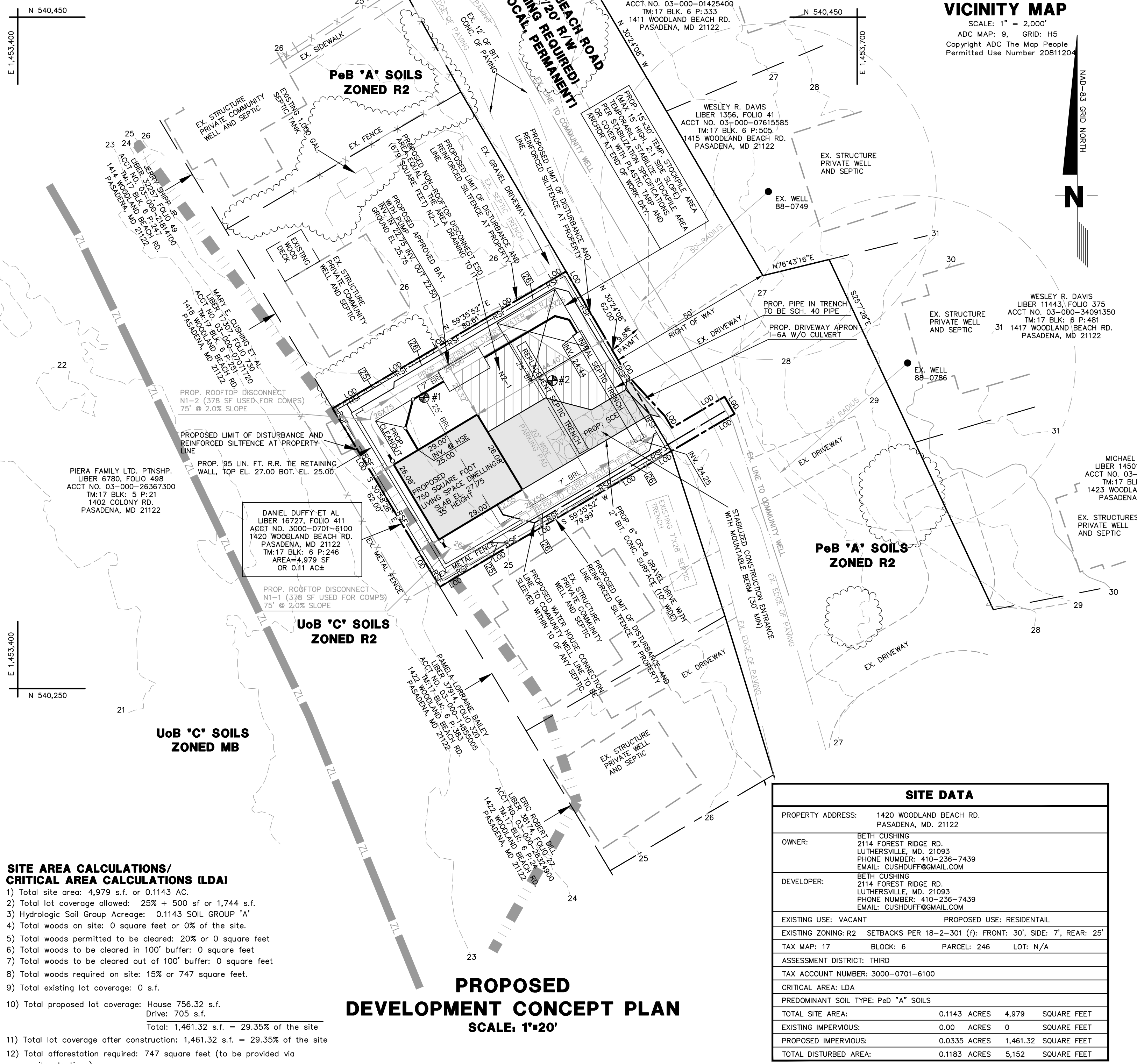
UTILITY NOTE:
ALL PROPERTIES SHOWN ON THIS MAP LIE WITHIN THE RURAL SERVICE AREA (NO PUBLIC SERVICE-ON SITE WASTEWATER MANAGEMENT PROBLEM AREA) ON WATER MAP: W-3 AND RURAL SERVICE AREA (NO PUBLIC SERVICE) ON SEWER MAP: S-3.

WATERSHED NOTE:
THIS SITE LIES ENTIRELY WITHIN THE PATAPSCO RIVER WATERSHED.

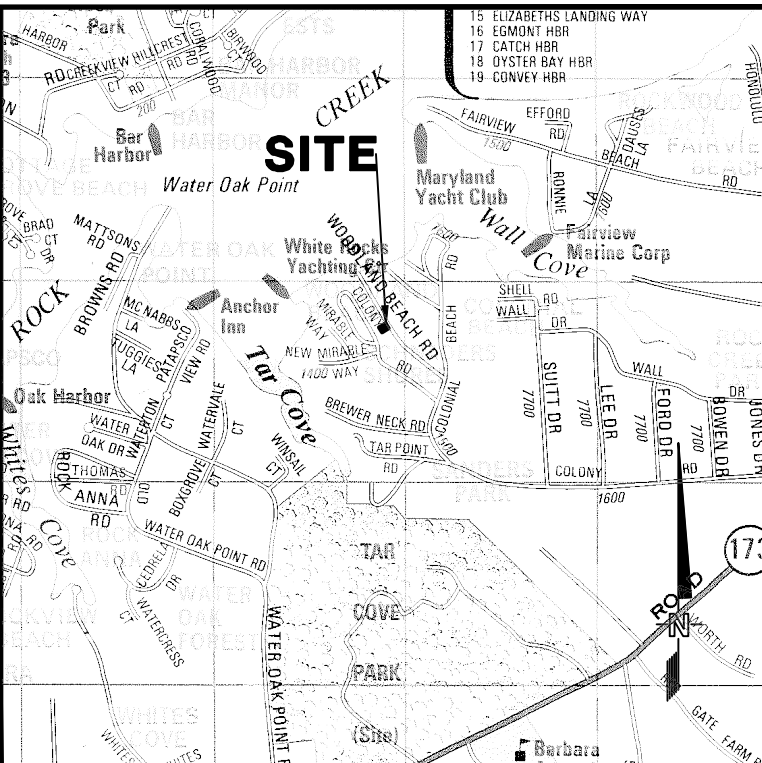
FEMA MAP NOTE:
THIS SITE LIES ON PANEL NUMBER 2400800000 AND IS NOT WITHIN A FLOOD PLAIN.



**PRE-DEVELOPMENT/
RESOURCE MAPPING**
SCALE: 1"=20'



**PROPOSED
DEVELOPMENT CONCEPT PLAN**
SCALE: 1"=20'



VICINITY MAP
SCALE: 1" = 2,000'
ADC MAPS 9, GRID: H5
Copyright ADC The Map People
Permitted Use Number 20811204

- SITE AREA CALCULATIONS/
CRITICAL AREA CALCULATIONS (LDA)**
- Total site area: 4,979 s.f. or 0.1143 AC.
 - Total lot coverage allowed: 25% + 500 of or 1,744 s.f.
 - Hydrologic Soil Group Acreage: 0.1143 SOIL GROUP 'A'
 - Total woods on site: 0 square feet or 0% of the site.
 - Total woods permitted to be cleared: 20% or 0 square feet
 - Total woods to be cleared in 100' buffer: 0 square feet
 - Total woods to be cleared out of 100' buffer: 0 square feet
 - Total woods required on site: 15% or 747 square feet.
 - Total existing lot coverage: 0 s.f.
 - Total proposed lot coverage: House 756.32 s.f.
Drive: 705 s.f.
Total: 1,461.32 s.f. = 29.35% of the site
 - Total lot coverage after construction: 1,461.32 s.f. = 29.35% of the site
 - Total afforestation required: 747 square feet (to be provided via onsite plantings)

SITE DATA	
PROPERTY ADDRESS:	1420 WOODLAND BEACH RD. PASADENA, MD. 21122
OWNER:	BETH CUSHING 2114 FOREST RIDGE RD. LUTHERSVILLE, MD. 21093 PHONE NUMBER: 410-236-7439 EMAIL: CUSHDUFF@GMAIL.COM
DEVELOPER:	BETH CUSHING 2114 FOREST RIDGE RD. LUTHERSVILLE, MD. 21093 PHONE NUMBER: 410-236-7439 EMAIL: CUSHDUFF@GMAIL.COM
EXISTING USE:	PROPOSED USE: RESIDENTIAL
EXISTING ZONING: R2	SETBACKS PER 18-2-301 (f): FRONT: 30', SIDE: 7', REAR: 25'
TAX MAP: 17	BLOCK: 6 PARCEL: 246 LOT: N/A
ASSESSMENT DISTRICT: THIRD	TAX ACCOUNT NUMBER: 3000-0701-6100
CRITICAL AREA: LDA	PREDOMINANT SOIL TYPE: PeB "A" SOILS
TOTAL SITE AREA:	0.1143 ACRES 4,979 SQUARE FEET
EXISTING IMPERVIOUS:	0.00 ACRES 0 SQUARE FEET
PROPOSED IMPERVIOUS:	0.0335 ACRES 1,461.32 SQUARE FEET
TOTAL DISTURBED AREA:	0.1183 ACRES 5,152 SQUARE FEET

OWNER, DEVELOPER AND APPLICANT INFORMATION

OWNER:
BETH CUSHING
2114 FOREST RIDGE RD.
LUTHERSVILLE, MD. 21093
PHONE NUMBER: 410-236-7439
EMAIL: CUSHDUFF@GMAIL.COM

DEVELOPER/APPLICANT:
BETH CUSHING
2114 FOREST RIDGE RD.
LUTHERSVILLE, MD. 21093
PHONE NUMBER: 410-236-7439
EMAIL: CUSHDUFF@GMAIL.COM

LEGEND

	Existing Grade		Temporary Stockpile Area		Drainage area
	Proposed Grade		Existing Structure		Proposed Rooftop Disconnect
	Limit of Disturbance		Existing Impervious To Be Removed		Area of Non-rooftop Disconnect
	Reinforced Silt Fence		Existing Fence		Zoning boundary line
	Existing Lot Line		Existing Tree		Soil boundary line
	Existing Impervious		Existing BGE Pole		PeB 'A' SOILS
	Proposed Impervious				PgB 'A' SOILS
	Stabilized Construction Entrance				Zoned OS
	PROPOSED SCE FOR SEDIMENT CONTROL				Zoned R2
					UoB 'C' SOILS
					PeB 'A' SOILS
					PgB 'A' SOILS
					Zoned R5

M.A.F. & ASSOCIATES, LLC

55 JONES STATION ROAD, W.
SEVERNA PARK, MD 21146
PHONE: 443-864-8589
EMAIL: MFORGEN@AOL.COM

ADMINISTRATIVE SITE PLAN

DUFFY/CUSHING PROPERTY
PARCEL 246
1420 WOODLAND BEACH RD. PASADENA, MD. 21122
TAX MAP 17 BLOCK 6 PARCEL 246 TAX ACCOUNT #3000-0701-6100 ZONING: R2
DATE: MARCH 12, 2023
THIRD ASSESSMENT DISTRICT ANNE ARUNDEL COUNTY, MARYLAND
SHEET 1 of 1

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: 6-28-2023

Tax Map #	Parcel #	Block #	Lot #	Section
17	346	6		

FOR RESUBMITTAL ONLY

Corrections

Redesign

No Change

Non-Critical Area

**Complete Only Page 1
General Project Information*

Tax ID: 3000-0701-6100

Project Name (site name, subdivision name, or other) DUFFY / CUSHING PROPERTY

Project location/Address 420 WOODLAND BEACH ROAD

City PASADENA MD. Zip 21122

Local case number _____

Applicant: Last name CUSHING First name BETH

Company _____

Application Type (check all that apply):

- | | |
|---|--|
| Building Permit <input checked="" type="checkbox"/> | Variance <input checked="" type="checkbox"/> |
| Buffer Management Plan <input type="checkbox"/> | Rezoning <input type="checkbox"/> |
| Conditional Use <input type="checkbox"/> | Site Plan <input type="checkbox"/> |
| Consistency Report <input type="checkbox"/> | Special Exception <input type="checkbox"/> |
| Disturbance > 5,000 sq ft <input checked="" type="checkbox"/> | Subdivision <input type="checkbox"/> |
| Grading Permit <input checked="" type="checkbox"/> | Other <input type="checkbox"/> |

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 SINGLE-FAMILY DWELLING
WITHIN A REAR LOT SETBACK

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		4979
RCA Area		0
Total Area		4979

Total Disturbed Area Acres Sq Ft 5152

of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		0	Existing Lot Coverage		0
Created Forest/Woodland/Trees		0	New Lot Coverage		1,461.32
Removed Forest/Woodland/Trees		0	Removed Lot Coverage		0
			Total Lot Coverage		1,461.32

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		0	Buffer Forest Clearing		0
Non-Buffer Disturbance		5152	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

Duffy/Cushing Property
1420 Woodland Beach Road, Pasadena, MD 21122

CRITICAL AREA REPORT

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

443-864-8589

March 12, 2024

INTRODUCTION

The lot is located at 1420 Woodland Beach Road, Pasadena, MD 21122. This is a legal lot as defined by Article 17-1-101 (63). The property owner is proposing a new single-family dwelling that falls within the rear yard setbacks within a R2 zoning area. The lot is an undersized lot for an R2 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 unimproved single-family dwelling lot. The lot is an undersized R2 zoned lot. The lot is clear of trees or woody vegetation. The property slopes slightly towards the western side of the property. The slope is approximately 1.5%+ to the western 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.

PROPOSED DEVELOPMENT

We are proposing a new single-family dwelling that falls within the rear yard setbacks within a R2 zoning district on an undersized property.

STORMWATER MANAGEMENT

During construction, sediment and erosion control measures will be employed. Storm water management will be provided with the required Grading and Sediment Control Permit application.

IMPACT MINIMIZATION

Due to the unique lot characteristics and need for a septic system, we feel that this development plan demonstrates a minimal impact on the environment.

HABITAT PROTECTION AREAS

There is no habitat protection areas on this property.

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	4,979 sf
Existing woodland	0 sf
Proposed clearing	0 sf
Proposed planting	to be determined
Existing impervious coverage prior to the proposed lot coverage	0 sf
Allowed lot coverage	1,744 sf
Proposed lot coverage	1,461.32 sf
Proposed lot coverage reduction	0 sf
Existing and proposed lot coverage	1,461.32 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 without the need for the requested zoning variance based on the size of the lot and the need to install a septic system.

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 and site improvements will not adversely impact adjacent properties.

PLANS

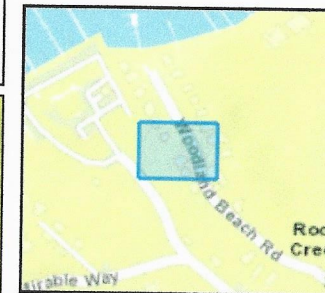
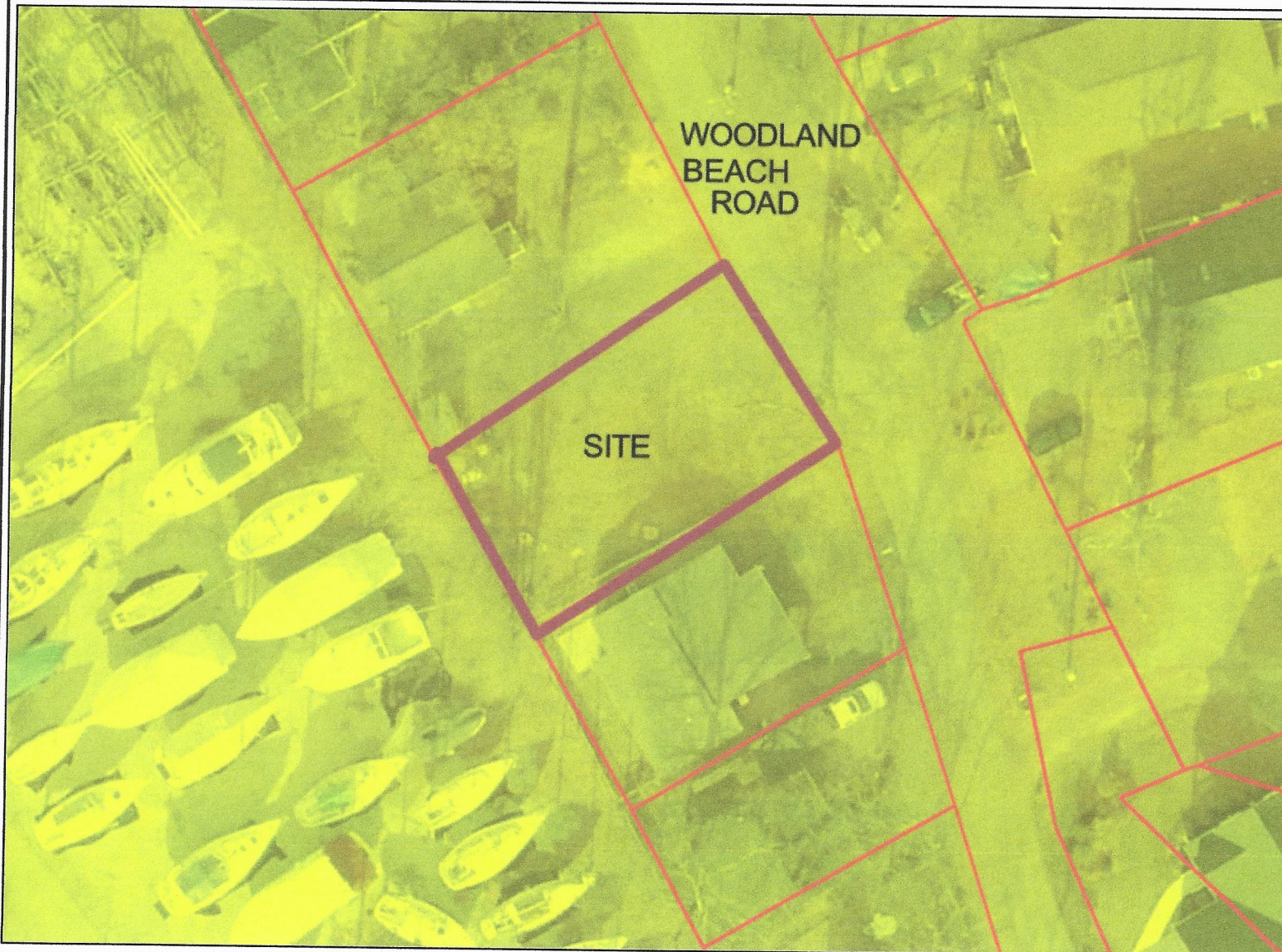
A plan showing the site and its improvements is attached to this report.

ADDITIONAL INFORMATION

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

The fieldwork was conducted on March 1, 2023

CRITICAL AREA MAP



Legend

Parcels



Critical Areas

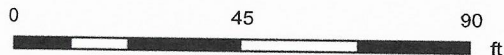
-  IDA - Intensely Developed Area
-  LDA - Limited Development Area
-  RCA - Resource Conservation Area

Labels

- State Road Label
- Interstate US Road Label
- Local Road Label
- Fire Police Label
- Streams Label

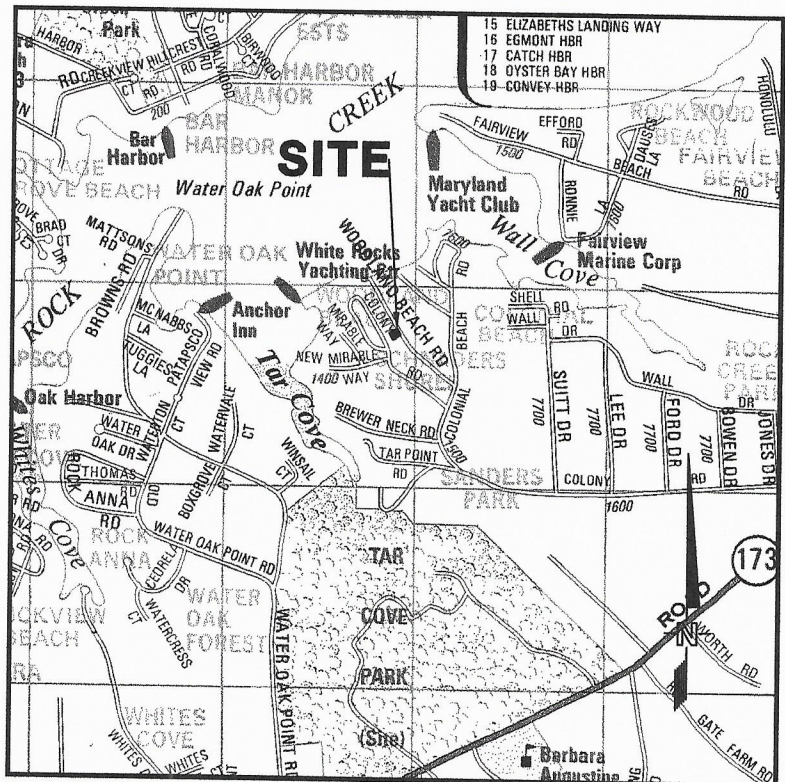
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Esri, NASA, NGA, USGS, FEMA



THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes THIS LOT LIES ENTIRELY WITHIN THE LDA



VICINITY MAP

SCALE: 1" = 2,000'

ADC MAP: 9, GRID: H5

Copyright ADC The Map People

Permitted Use Number 20811204

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: 6-28-2023

Tax Map #	Parcel #	Block #	Lot #	Section
17	346	6		

FOR RESUBMITTAL ONLY

Corrections

Redesign

No Change

Non-Critical Area

**Complete Only Page 1
General Project Information*

Tax ID: 3000-0701-6100

Project Name (site name, subdivision name, or other) DUFFY / CUSHING PROPERTY

Project location/Address 420 WOODLAND BEACH ROAD

City PASADENA MD. Zip 21122

Local case number _____

Applicant: Last name CUSHING First name BETH

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 SINGLE-FAMILY DWELLING
WITHIN A REAR LOT SETBACK

Intra-Family Transfer Yes
 Grandfathered Lot

Growth Allocation Yes
 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		4979
RCA Area		0
Total Area		4979

Total Disturbed Area Acres Sq Ft
 5152

of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
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Created Forest/Woodland/Trees		0	New Lot Coverage		1,461.32
Removed Forest/Woodland/Trees		0	Removed Lot Coverage		0
			Total Lot Coverage		1,461.32

VARIANCE INFORMATION (Check all that apply)

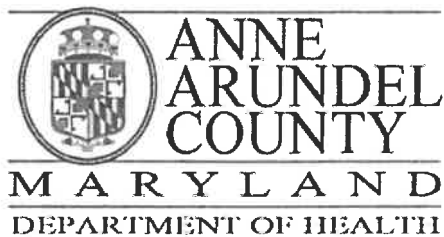
	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		0	Buffer Forest Clearing		0
Non-Buffer Disturbance		5152	Mitigation		0

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



J. Howard Beard Health Services Building
3 Harry S. Truman Parkway
Annapolis, Maryland 21401
Phone: 410-222-7095 Fax: 410-222-7294
Maryland Relay (TTY): 711
www.aahealth.org

Tonii Gedin, RN, DNP
Acting Health Officer

MEMORANDUM

TO: Sadé Medina, Zoning Applications
Planning and Zoning Department, MS-6301

FROM: Brian Chew, Program Manager *BC*
Bureau of Environmental Health

DATE: July 3, 2023

RE: Daniel Duffy
1420 Woodland Beach Road
Pasadena, Md 21122

NUMBER: 2023-0109-V

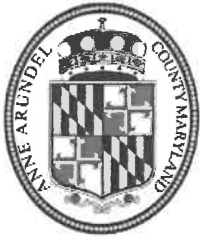
SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling with less setbacks than required.

The Health Department has reviewed the on-site sewage disposal. The Health Department has determined that the proposed request does not adversely affect the on-site sewage disposal. The Health department has no objection to the above referenced request.

If you have further questions or comments, please contact Brian Chew at 410-222-7413.

cc: Sterling Seay



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE MEETING

DATE OF MEETING February 27, 2023

P&Z STAFF Rob Konowal, Hala Flores

APPLICANT/REPRESENTATIVE Matt Forgen EMAIL _____

SITE LOCATION 1420 Woodland Beach Road LOT SIZE 4,979 sf ZONING R2

CA DESIGNATION LDA BMA n/a or BUFFER n/a APPLICATION TYPE Variance

Variance to allow a new dwelling with less (rear lot line) setbacks than required.

Prefile for SWM comments.

COMMENTS

Zoning advised site plan appears to be complete

Inspection and Permits advised following comments will need to be addressed under the formal variance request application:

The applicant is proposing to construct a new single-family detached dwelling with a total proposed impervious of 1,517 square feet. The total disturbed area is shown as 5,152 square feet. The applicant is proposing to disconnect the non-rooftop surface (driveway) via an area next to the driveway that is equal to the area of the driveway. This area must be shown to be down gradient of the impervious cover and must be vegetated. Soil borings and photographs are required to document the status of this area and the need of soil amendments. A 1-2 feet wide transition strip should be provided from the disconnected area to the vegetated area. The plan also needs to show that the disconnection is at least 10 ft from the nearest impervious surface of similar or lower elevation to prevent reconnection. This was not demonstrated.

The proposed rooftop disconnect as proposed does not meet the intent of the MDE criteria for non-rooftop disconnect credit and is not acceptable as shown. The downspouts should be disconnected via sheet flow, where no more than 500 SF of impervious is allowed to sheet flow over a vegetated area that is at least 75 feet of length. Installing a retaining wall and berms as shown for the sole purpose to carry the water to the public road right of way is not considered "nonstructural" and creates a concentrated flow. This design does not meet the non-rooftop disconnection criteria intent or purpose.

No public storm conveyance system appears to be in the public right of way to intercept and convey the flow. A downstream investigation of the drainage patterns along with cross-sections to demonstrate the outfall is adequate and to show the existing and proposed flooding limits for the 10 year storm and their encroachment levels to private properties will need to be submitted. A more detailed certified survey with spot elevations along with cross-sections will be required and a right to discharge permit maybe required to address any drainage to private properties.

INFORMATION FOR THE APPLICANT

Section 18-16-201 (b) Pre-filing meeting required. Before filing an application for a variance, special exception, or to change a zoning district, to change or remove a critical area classification, or for a variance in the critical area or bog protection area, an applicant shall meet with the Office of Planning and Zoning to review a pre-file concept plan or an administrative site plan. For single lot properties, the owner shall prepare a simple site plan as a basis for determining what can be done under the provisions of this Code to avoid the need for a variance.

*** A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas OR disturbing 5,000 square feet or more. State mandates require a developer of land provide SWM to control new development runoff from the start of the development process.

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.