

June 3, 2024

Anne Arundel County Zoning Administration  
2664 Riva Road, Suite #3  
Annapolis, MD 21401

**Letter of Explanation for Variance**

1043 Deep Creek Avenue, Arnold, MD 21012

To Whom it may Concern,

I am writing to you to request a variance associated with permit application #B02426046 for our home renovation at our property at 1043 Deep Creek Avenue in Arnold, MD. During the review of the building permit application process, the existing structure on our Zoned R1, non-conforming lot does not meet the minimum 7-foot setback from the side lot line required of the zoning of the property per Section 18-2-301(f). The existing structure is approximately 4-feet off the side property line and therefore falls within the 7-foot setback.

In November 2023, we purchased this existing structure which was built in 1946 and was reaching the end of its expected 75-year lifespan. We are submitting for a building permit that includes a complete rehabilitation and vertical expansion of the existing structure to extend the life of the house another 50 years, improve the condition of the structure and property, and most importantly, this project does not expand the footprint of this home. We are building completely within the footprint of the existing structure, at its original location, maintaining all critical area considerations for a waterfront property.

The scope of the renovation project includes the complete rehabilitation of the first floor and basement levels. On the second-floor, we are staying within the existing building footprint but we are adding square footage by expanding to the first floor footprint. Additionally, we will be adding new mechanical, septic, HVAC, plumbing, and electrical systems to improve the property. Importantly, the expansion does not encroach on any neighbor's property beyond the inherited site conditions.

Please consider that the non-conforming Shore Acres property (lot #71 in Shore Acres, parcel no. 03-749-09921800) is very thin, only roughly 60-70 feet wide. The waterfront lot is approximately 32,944 sq ft or 0.7563 acres with an existing 26.5' wide by 45.5' long (or 1,225 sq ft footprint) by approximately 16' high existing structure. As you can see from the included site improvement plan, the existing structure is located anywhere from approximately 6' down to 4' away from the east side property line.

Please note that the variance will meet all requirements included in Article 18-16-305c. We have attached the latest site improvement plan and renovation drawings to support the request for this variance.

Sincerely,

**Josh and Emma Progar**  
1043 Deep Creek Avenue

Arnold, MD 21012



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

**PROJECT NOTIFICATION APPLICATION**

**GENERAL PROJECT INFORMATION**

Jurisdiction: Shore Acres

Date: 6/5/24

Tax Map #	Parcel #	Block #	Lot #	Section
	<u>233861</u>		<u>70</u>	

Tax ID: 3749 099 23200

**FOR RESUBMITTAL ONLY**

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

\*Complete Only Page 1  
General Project Information

Project Name (site name, subdivision name, or other) \_\_\_\_\_

Project location/Address 1093 Deep Creek ave

City Arnold MD 21012 Zip \_\_\_\_\_

Local case number \_\_\_\_\_

Applicant: Last name Whentley First name Steve

Company SO East LLC.

**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 Progar First name Joshua

Phone # 814-470-6407 Response from Commission Required By \_\_\_\_\_

Fax # \_\_\_\_\_ Hearing date \_\_\_\_\_

**SPECIFIC PROJECT INFORMATION**

Describe Proposed use of project site:

2nd Floor expansion within existing Foot Print of home.

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		
LDA Area		
RCA Area		
Total Area		

Total Disturbed Area  Acres  Sq Ft

# of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	/	/	Existing Lot Coverage		7719
Created Forest/Woodland/Trees	/	/	New Lot Coverage		/
Removed Forest/Woodland/Trees	/	/	Removed Lot Coverage		/
			Total Lot Coverage		7719

**VARIANCE INFORMATION (Check all that apply)**

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance			Buffer Forest Clearing	/	/
Non-Buffer Disturbance			Mitigation		

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

June 6, 2024

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**Critical Area Report - Narrative Statement**  
1043 Deep Creek Avenue, Arnold, MD 21012

To Whom it may Concern,

The Owners, Joshua and Emma Progar, intend to use their 1043 Deep Creek Avenue property in Arnold, MD for residential purposes, rehabilitating an existing 1940's single family dwelling on the property.

The waterfront property is on Deep Creek, with roughly 0.75 total acres of land (or 32,944 sq ft) including 7,719 sq ft of impervious surface due to a nearly 0.08-mile-long existing, paved driveway (roughly 70% of the impervious surface) on the narrow non-conforming property. The existing home footprint accounts for roughly 1,250 sq ft of impervious surface, includes a 187 sq. ft shed, and nearly 1,000 sq ft of paver sidewalks. The property does include a steep slope (greater than 15% grade) with existing retaining walls, dropping roughly 15 feet down to the dock and waterway. Please reference the attached site improvement plan which includes topographic details for the property.

The property has an estimated 2,000 – 3,000 sq ft of existing vegetation (within flower beds) consisting mostly of local Maryland shrubs, trees, and annual plants. Renovation of the existing structure will be contained within the existing 1,250 sq ft. footprint with no planned expansion of the building footprint or added impervious surfaces. Therefore, we do not intent to disturb more than the existing 1,250 sq ft. within the building footprint during the renovation of the house.

The contractor plans to install a silt fence for erosion, water quality, and environmental controls across the entirety of the property on the water side of the house to protect the Chesapeake Bay. Additionally, no native trees or plants on the existing retaining walls on the steep sloped surface will be removed during construction to protect against erosion or habitat disruption. There are no special considerations required for this property for habitat protection although measures described above will be taken to ensure that there is minimal disruption to the property.