

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

M.A.F. & Associates, LLC

September 19, 2024

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

RE: Peacock Property
30 Aquahart Road, Glen Burnie, MD 21060
NC 13-85

Dear Planner:

Please accept this submittal of a Special exception to allow an expansion of a nonconforming as well as a combination of area for the above referenced property. The expansion is for building area. The combination is for the garage, storage and part of the office. Please see below for the area calculations and justification for the Special Exception submittal.

1. Office area within the house per decision: 1,615 square feet, 30% = 484 square feet allowed expansion. We are requesting the expansion of 25.26% or 408 square feet as well as the combination of 408 square feet of office floor area within the proposed structure.

76 square feet remaining.

2. Diesel fuel tank area per decision: 300 square feet of floor area, 30% = 90 square feet allowed expansion. No expansion requested.

90 square feet remaining.

3. Block garage measuring 36' x 25.9' per decision: 932 square feet of floor area, 30% = 279 square feet allowed expansion. We are requesting the expansion of 279 square feet as well as the combination of floor area within the proposed structure.

0 square feet remaining.

4. 11' x 15' wooden shed used as storage per decision: 170 square feet of floor area, 30% = 51 square feet allowed expansion. We are requesting the expansion of 51 square feet as well as the combination of floor area within the proposed structure.

0 square feet remaining.

5. 4,898 square feet of land used as outside storage per decision: 4,898 square feet of land area, 30% = 1,469 square feet allowed expansion. No expansion requested.

1,469 square feet remaining.

6. Paved access measuring 19' x 112' utilizing 2,128 square feet of land per decision: 2,128 square feet of land area, 30% = 638 square feet allowed expansion. No expansion requested.

638 square feet remaining.

- (1) The use will not be detrimental to the public health, safety, or welfare; *The proposed combination is to consolidate the non-conforming uses within one structure. The expansion is to allow for more storage within the structure as well as more garage space for work. A small office area will be part of the new structure. This will not increase the flow of traffic to this location. The proposed structure and expansion in the area will not have an impact on storm water. The property owner will need to address storm water management with the building permit application if the Special Exception is approved.*
- (2) The location, nature, and height of each building, wall, and fence, the nature and extent of landscaping on the site, and the location, size, nature, and intensity of each phase of the use and its access roads will be compatible with the appropriate and orderly development of the district in which it is located; *The proposed expansion and combination of floor area within the new structure will be compatible with the appropriate and orderly development of the district in which it is located.*
- (3) Operations related to the use will be no more objectionable with regard to noise, fumes, vibration, or light to nearby properties than operations in other uses allowed under this article; *The proposed expansion and combination of floor area within the new structure does not have an adverse impact on the neighboring properties. The proposed use will be no more objectionable with regards to noise, fumes, vibrations, or light to nearby properties than operations in permitted uses in an industrial zone.*
- (4) The use at the location proposed would not have any adverse effects above and beyond those inherently associated with the use irrespective of its location within the zoning district; *This is a modest expansion of the approved uses. This proposal does not have an adverse effect above and beyond those inherently associated with the use irrespective of its location within the zoning district.*
- (5) The proposed use will not conflict with an existing or programmed public facility, public service, school, or road; *This property has a non-conforming administrative decision that notes the use since 1947. There has been continual use since 1947 and there is a need for the expansion and combination of floor area. This property has and does serve the community as it has for the last 76 years.*
- (6) The proposed use has the written recommendations and comments of the Health Department and the Office of Planning and Zoning; *This request will be sent to the Health Department for review. This property is connected to both public water and sewer.*
- (7) The proposed use is consistent with the County General Development Plan; *This property has been used for commercial use with an apartment continually to today.*
- (8) The applicant has presented sufficient evidence of public need for the use; *This property has been continually used for a garage, outside storage, office space and an apartment. This structure has and does serve the community as it has for many years as the non-conforming (13-85) acknowledged. This is sufficient evidence of public need.*
- (9) The applicant has presented sufficient evidence that the use will meet and be able to maintain adherence to the criteria for the specific use; *The combination of floor area will make the use more functional. Expansion is needed to make the garage space better utilized.*
- (10) The application will conform to the critical area criteria for sites located in the critical area; and *This property is entirely outside of the Chesapeake Bay Critical Area*

- (11) The administrative site plan demonstrates the applicant's ability to comply with the requirements of the Landscape Manual. *We will be able to meet any landscape requirements through the building permit process.*

18-15-103

- (1) a proposed expansion of floor area, not exceed 30% of the area authorized under the nonconforming status of the property, except that each type of area is to be considered separately and no area may be substituted for another area; *This request does not exceed 30% of the authorized floor area.*
- (2) existing and proposed facilities shall meet the lot area, screening, land-to-water ratio, height, parking, lot coverage, and, to the extent feasible, setbacks for the use specified in the zoning district in which the use is allowed; *The building addition meets all zoning requirements.*
- (3) construction shall be designed to be as inoffensive as practicable in appearance and location to other properties in the area and, whenever practical, similarity in design to other buildings in the area and appropriate landscaping shall be provided; and *The building is similar in design to the existing building as well as being similar to other structures in the area. The appropriate landscaping will be addressed with the building permit review.*
- (4) construction shall be undertaken in accordance with the requirements of this section and of the Administrative Hearing Officer concurrently so that each change or improvement is completed at or near the same time. *The construction will be undertaken in accordance with the requirements of this section and of the Administrative Hearing Officer concurrently so that each change or improvement will be completed at or near the same time.*

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

Sincerely,


Matthew A. Forgen

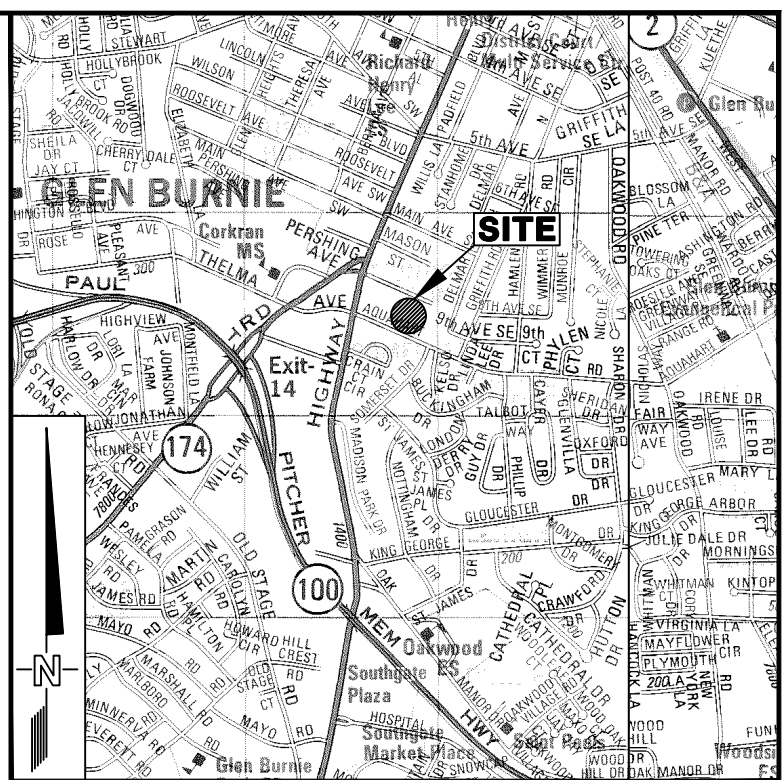
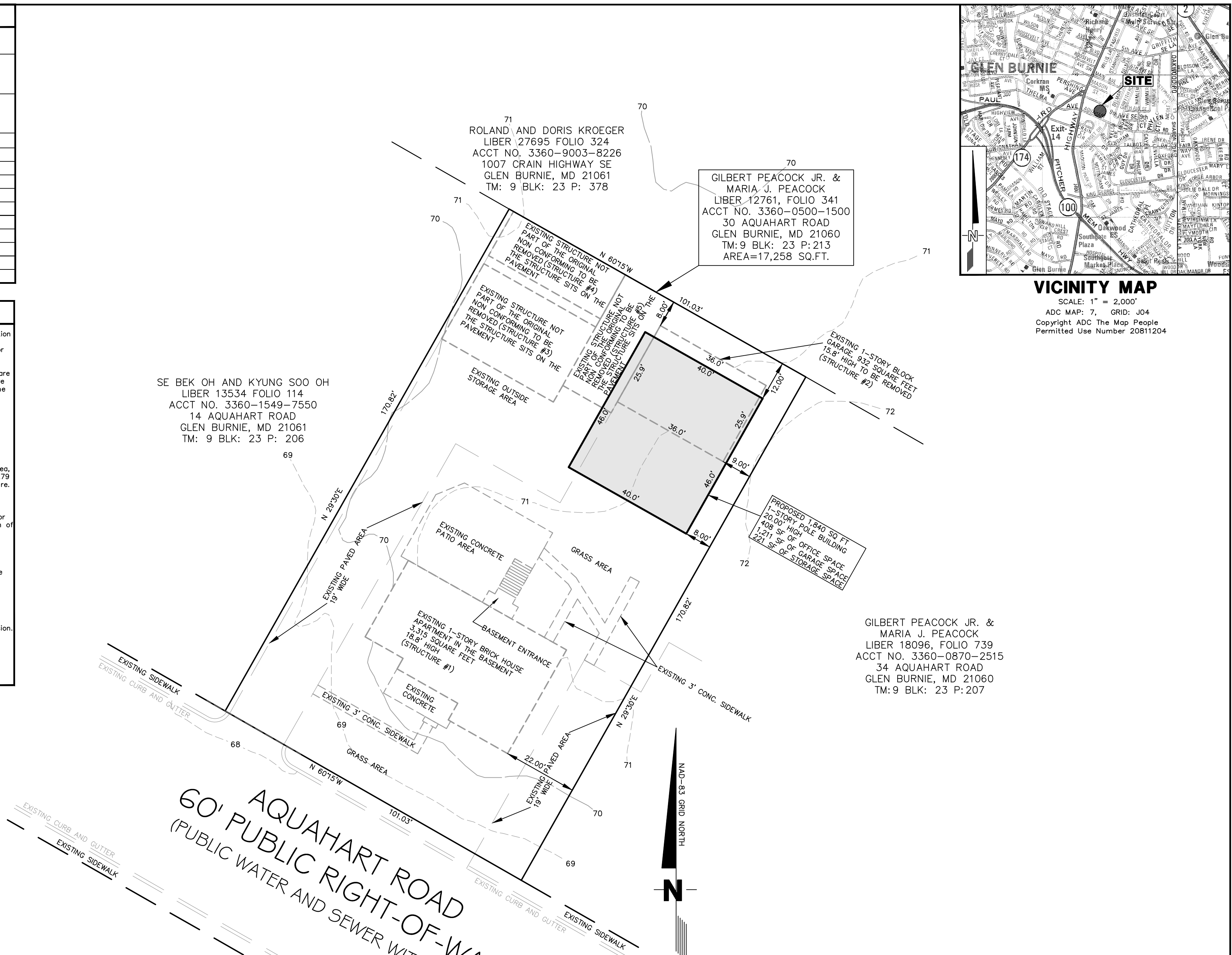
SITE DATA	
PROPERTY ADDRESS:	30 AQUAHART ROAD GLEN BURNIE, MD 21061
OWNER:	GILBERT PEACOCK JR. MARIA PEACOCK 30 AQUAHART ROAD GLEN BURNIE, MD 21061
DEVELOPER:	GILBERT PEACOCK JR. MARIA PEACOCK 30 AQUAHART ROAD GLEN BURNIE, MD 21061
EXISTING USE:	COMMERCIAL
PROPOSED USE:	COMMERCIAL
EXISTING ZONING:	R5 (C4 NON-CONFORMING)
TAX MAP:	09 BLOCK: 23 PARCEL: 213
ASSESSMENT DISTRICT:	3RD
TAX ACCOUNT NUMBER:	3360-0500-1500
CRITICAL AREA:	N/A
TOTAL SITE AREA:	0.3962 ACRES 17,258 SQUARE FEET
EXISTING IMPERVIOUS:	0.2453 ACRES 10,687 SQUARE FEET
PROPOSED IMPERVIOUS:	0.0422 ACRES 1,840 SQUARE FEET
PROPOSED STRUCTURE HEIGHT:	20.00 FEET
PROPOSED STRUCTURE COVERAGE:	1,840 SQUARE FEET = 10.66%

SPECIAL EXCEPTION NOTE

Special exception to allow an expansion of a nonconforming as well as a combination of area for the above referenced property. The expansion is for building area. The combination is for the garage, storage and part of the office. Please see below for the area calculations and justification for the Special Exception submittal.

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0 square feet remaining.
- 11' x 15' wooden shed used as storage per decision: 170 square feet of floor area, 30% = 221 square feet allowed expansion. We are requesting the expansion of 221 square feet as well as the combination of floor area within the proposed structure.
0 square feet remaining.
- 4,898 square feet of land used as outside storage per decision: 4,898 square feet of land area, 30% = 1,469 square feet allowed expansion. No expansion requested.
1,469 square feet remaining.
- Paved access measuring 19' x 112' utilizing 2,128 square feet of land per decision: 2,128 square feet of land area, 30% = 638 square feet allowed expansion. No expansion requested.
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SEVERNA PARK, MD 21146
PHONE: 443-864-8589
EMAIL: MFORGEN@AOL.COM



VICINITY MAP
SCALE: 1" = 2,000'
ADC MAP: 7, GRID: J04
Copyright ADC The Map People
Permitted Use Number 20811204

AQUAHART ROAD
60' PUBLIC RIGHT-OF-WAY
(PUBLIC WATER AND SEWER WITHIN RW)

PLAN
SCALE: 1"=20'

ADMINISTRATIVE SITE PLAN

PEACOCK PROPERTY
30 AQUAHART ROAD
GLEN BURNIE, MD 21060

TAX MAP 11 BLOCK 01 PARCEL 268 TAX ACCOUNT #: 3000-0180-0235
ZONING: R5 (C4 NON-CONFORMING)
DATE: JULY 16, 2024
3RD ASSESSMENT DISTRICT ANNE ARUNDEL COUNTY, MARYLAND
SHEET 1 of 1



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE MEETING

DATE OF MEETING July 2024

P&Z STAFF Rob Konowal

APPLICANT/REPRESENTATIVE Matt Forgen EMAIL mforgen@aol.com

SITE LOCATION 30 Aquahart Road (2024-0016-P) LOT SIZE 16,988 sf ZONING R5/R15

CA DESIGNATION n/a BMA or BUFFER APPLICATION TYPE Special Exception

Special Exception for the expansion of a nonconforming use and the combining of floor area when more than one structure on the same property is used for the nonconforming use.

Previous NCU approval – 1985-0013-N.

See Letter of Explanation for details of existing use, expansion and combining of floor area.

COMMENTS

Zoning – Revised site plan and letter appears to be complete as well as proposed expansion of and combining of floor areas accounted for. Applicant advised < 5,000 sf disturbance

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.