

Applicant Exhibit 1 2024-0193-V

Paul and Alexa Bryan
1080 Broadview Dr.
Annapolis, MD 21409

January 3, 2025

Office of Administrative Hearings
Anne Arundel County
2664 Riva Road
Annapolis, MD 21401

Subject: 2024-0193-V – Justification for Variance Approval – 1080 Broadview Dr.

Dear Administrative Hearing Officer,

We, Paul and Alexa Bryan, respectfully submit this more detailed request for a variance to the side yard setback requirement to construct a covered carport at our residence located at 1080 Broadview Dr., Annapolis, MD. This is in response to the recent letter that we have received from Joan A. Jenkins, planner III from the Office of Planning and Zoning. We thought that we should go into more detail before the zoom meeting. Thank you for your consideration about our request for a variance.

We believe this variance is necessary and justified based on the unique physical conditions of our property, environmental stewardship, safety, and alignment with county sustainability goals. This request adheres to the requirements outlined in Anne Arundel County Code § 18-16-305 for variance approval, and we respectfully request your consideration based on the following:

1. Unique Physical Conditions and Practical Design Constraints

Our property presents exceptional conditions due to its narrow width (60 feet) and steep slopes in both the front and rear yards, making construction elsewhere on the lot impractical. The house occupies 28 feet, leaving only 16 feet of usable space on each side of the house.

A 12-foot-wide carport (with a 4-foot setback variance) is the minimum width required for safe parking and access to vehicles. Placing the carport at the end of the existing driveway avoids the need for extensive excavation or grading and minimizes environmental disruption. Maintenance of the proposed structure entirely within the property is accomplishable via the minimalistic long (34 feet), but narrow design, parking 2 cars lengthwise instead of side-by-side.

Additionally, the Cape St. Claire Improvement Association (CSCIA), which enforces community standards and has stricter setbacks (10 feet) than the county's setbacks, has approved the proposed project, and our neighbor provided written support. These approvals reflect the compatibility of our design with the neighborhood character and compliance with community values.

2. Unwarranted Hardship

Strict enforcement of the setback requirement would result in practical difficulties and an unwarranted hardship due to the physical limitations of the lot and the need for a covered structure to meet modern safety standards for electric vehicle charging.

We own two electric vehicles (EVs), and a covered charging station is essential for safety. While EV chargers are weather-resistant, exposure to rain, snow, ice, and UV rays accelerates wear, creating electrical hazards over time. A covered carport mitigates these risks, ensuring safe handling of high-voltage connections and providing protection from the elements.

Moreover, covered access allows for our safer mobility as senior citizens during inclement weather, minimizing risk of slips, trips, and falls, and supporting the aging-in-place strategies emphasized in Anne Arundel County Plan2040.

3. No Special Privilege

The requested variance does not grant a special privilege, but instead enables us to enjoy reasonable property use consistent with other properties in the area.

The CSCIA's approval of the project and neighbor support demonstrate that the design is consistent with neighborhood character. Unlike the 2005-0087-V case, which was denied due to excessive impervious surface coverage, our project complies with impervious surface regulations and incorporates storm water management measures.

4. Not Self-Created

The need for the variance is not self-created, but arises from pre-existing physical constraints on the property. The narrow lot width and steep slopes existed prior to our ownership, making it impossible to construct a compliant carport without a variance.

This distinguishes our case from 2005-0087-V, where the applicant's hardship was deemed self-created due to prior non-compliance with impervious surface limits.

5. No Adverse Impact

The proposed design will have no adverse environmental impact.

- ŀ Tree and Vegetation Preservation: The project does not disturb existing trees or vegetation, aside from grass removal.
- ŀ Storm water Management: Gutters and drainage systems will direct runoff to gardens, minimizing erosion and enhancing water quality in compliance with the Anne Arundel County Green Infrastructure Master Plan.
- ŀ Environmental Compliance: Unlike 2005-0087-V, which failed to mitigate impervious surfaces, our project maintains compliance with Critical Area regulations and incorporates storm water controls to protect the Chesapeake Bay.

6. Harmony with County Goals

The variance supports Anne Arundel County's long-term development goals by promoting:

- Ź Sustainability: The carport aligns with Section 8-2-122 of the County Code, which promotes the adoption of electric vehicles (EVs) and their infrastructure development.
- Ź Accessibility: It supports Plan2040 goals for aging-in-place, providing safe and convenient access for senior residents.
- Ź Modernization and Energy Efficiency: The project reflects efforts to modernize residential infrastructure in support of energy-efficient practices and renewable technologies.

Conclusion

Our proposal satisfies all criteria for variance approval under Anne Arundel County Code § 18-16-305 by addressing:

- Ź Unique physical conditions (narrow lot and slopes).
- Ź Unwarranted hardship due to practical constraints and modern safety requirements.
- Ź No special privileges, as demonstrated by community and neighbor support.
- Ź Environmental compliance, preserving natural resources, and managing storm water effectively.
- Ź Alignment with county sustainability goals for clean energy adoption and accessibility improvements.

We respectfully request that our variance be approved based on this justification and in light of the fundamental differences between this case and the 2005-0087-V decision, which involved impervious surface violations not applicable here.

Thank you for your consideration. We welcome the opportunity to address any additional questions or provide further clarifications during the hearing.

Sincerely,
Paul and Alexa Bryan
1080 Broadview Dr.
Annapolis, MD 21409