

WILLIAM MCWHIRTER AND ANGELA RYAN – 2025-0005-V (AD 2, CD 7)

1 message

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Mon, Mar 3, 2025 at 11:33 AM

Memorandum to: the Office of Administrative Hearings

Attn: Douglas Clark Hollmann, Administrative Hearing Officer

From: Richard Trebelhorn, abutter

Re: WILLIAM MCWHIRTER AND ANGELA RYAN – 2025-0005-V (AD 2, CD 7)

This memorandum expresses an abutter's objection to the proposed variance and urges rejection of the requested variance to allow a dwelling addition (sunroom) with less setbacks than required.

I am a resident of Crofton, Maryland, and owner of and resident at 1518 Crofton Parkway, the property immediately abutting the property at 1515 Farlow Avenue, the subject of the proposed variance. I take exception to the proposed variance because the proposal is inconsistent with other uses immediately proximate, potentially detrimentally to the immediate environment, and negatively impactful on the value and lawful use and enjoyment of my home.

Inconsistent: When the proposed Planned Unit Development for Crofton was considered more than sixty years ago, there was a trade-off permitting relatively small individual lots offset by the open space provided by the golf course. Then and now, that trade-off works well for properties where the back yards open to the golf course, and property values reflect that favorable configuration. But non-"golf course properties" then were smaller (and, then and now, relatively less valuable). The spreadsheet appended to this memorandum shows the size of about two dozen properties near the subject address. This data is taken (mostly) from the Realtors.com website, and "nearby" is not defined there, but the data seems to comprehend a radius of about 200 yards from the site of the proposed addition at 1515 Farlow. The lines for 1515 and the five immediate abutters are printed in ALL CAPS. As can be seen, the lots at 1515 and 1517 are unusually small. Most of the homes identified on this spreadsheet are two-story buildings; 1515 is a one story "Ranch". As a result, the "footprint" at 1515 is about 21.7% coverage of the lot, whereas in the case of most of other nearby properties, the coverage is approximately 10% -- these are two-story buildings. For example, my home at 1518 Crofton Parkway is on a 960 square footprint (24'x40', 9.6%); the house at 1517 Farlow is the same model as 1518 but with an addition sits on a smaller lot and an approx. 1620' footprint, 15% coverage; and the house at 1520 Crofton Parkway is the same model as 1518 with a slightly expanded first floor and a 1040' footprint, 9.9%. The house at 1515 is already disproportionately large in relation to its lot size, and with the proposed addition, the larger 2144' footprint would cover 23.3% of the lot. For this reason alone, the proposed setback variance and change in the configuration should be disallowed.

Inconsistent: The screenshots appended to this memorandum, taken from Zillow.com, show an aerial photo and a schematic of the area immediately adjacent to 1515. It's hard to see in the photo, due to the tree cover, but the schematic clearly shows that the set-backs, both front and rear, are pretty uniform up and down both Farlow and Crofton Parkway. Even on the properties that include backside additions, there are no encroachments on the rear set-backs. Even at 1521 Farlow – same model as 1518 and 1520 Crofton Parkway but with a 1000' (approx.) addition, the

rear set-back is uniform in relation to the rest of the neighborhood. "Non-conforming Use" is a Term of Art in the world for Planning and Zoning I know, and "out-of-step" is a value-laden expression, so I won't use either phrase, but the schematic and the data illustrate that the proposed waiver and the proposed construction are inconsistent with neighboring properties. No other house in the immediate area is sited to butt up against the setback line or to encroach on the rear property line of the adjacent house. For this reason alone, the proposed waiver should be disallowed.

Environmental: When the P.U.D was platted, planners were careful to preserve many existing trees, wisely and successfully in most cases, although for a large oak on the lot line between 1516 and 1518 Crofton Parkway, the builders didn't have enough space between the houses, and both the root structure and the tree trunk were damaged. I had to have the tree taken down in the early '80s. In defining the lot line at the rear(s) of 1515 and 1518, planners drew a line right through another big oak; the issue was compromised by building a dog-leg in the fence separating the back yards. The fence is identified in the plat accompanying the waiver request, but the tree is ignored. When the houses were built in the late '60s someone decided that there was enough space between the tree and the corner of the house at 1515 that the roots would not be affected. As planned, then. Obviously, the tree has continued to grow over the last 60 years, and in 2025, the proposed addition to 1515 is sited on an area where an arborist from the University of Maryland expressly advised a former owner against locating a children's swing set in this location because of potential impacts on the oak tree's root structure. Granting the proposed waiver to facilitate construction of an addition in this immediate area threatens the integrity of the root structure which in turn threatens the safety of residents at 1515 and at surrounding properties. There was an incident in this block a few years ago when an oak tree, its roots comprised by nearby construction, fell on a house and killed a homeowner in her bedroom. Protection of this oak tree is reason enough to disallow the proposed waiver of setback.

Environmental: The lot at 1515 is approximately two feet lower than the sidewalk level at Crofton Parkway. Therefore, almost all the runoff from the roofs and downspouts at 1516, 1518, and 1520 Crofton Parkway runs downhill and settles in the back yard of 1515, particularly the S/W corner, precisely where the proposed sunroom would be built. Waiver of setback requirements would facilitate construction in a hydrologically questionable area, and should not be allowed.

Impact on Neighbor(s) – me, in particular:

The application for variance avers that ". . . there is no detrimental affect [should be 'effect'] to the adjacent neighbor". By the application's own measure, the current setback at 1515 is compliant with the 25' requirement but requests waiver of that requirement to reduce the distance between the proposed addition and the lot line by 13 feet – more than half the existing distance. Again, using the application's own measure, if the current distance between the houses is sixty feet (approx. – I haven't paced it off), reducing the back yard by 13 feet cuts that distance by 20%. Twenty percent is not a negligible alteration, and I feel "impacted." From my family room, and from my backdeck, (and from my upstairs bathrooms, by the way) I already have a too-clear view of the family room at 1515, and in the interests of my privacy and especially that of anyone using the proposed sun room, I ask that the reviewers deny the proposed waiver.

The application calls the proposed construction "a modest addition." 180 square feet is not what I would call "modest" – it's a 10% increase in the size of the house -- and neither is a 20% reduction in the buffer between houses. As was previously stated, most of the building lots in Crofton are already relatively small, and houses that don't back on the golf course are valued less advantageously than "golf-course lots." Unnecessary reductions in spacing between houses can reasonably be expected to have an adverse impact on property values.

The application notes that ". . . adjacent property directly to the rear of [1515] is a much smaller house." It isn't. 1515 measures 1961 sq. ft., 1518 is 2000' even. The relative square footage of the

two buildings is irrelevant to whether or not both buildings should comply with the same zoning and setback requirements. And just as an aside, 1518 is a two-story building, resulting in a smaller footprint and more open space, less coverage of the lot, and less overall density.

The application states that the proposed sunroom answers a desperate need for additional living space and that denial of the requested variance would constitute an undue hardship, but there is nothing in the proposal that addresses either attestation. If the additional space were needed to accommodate an elderly mother-in-law or a live-in health-care aide, such a circumstance could have been overtly stated in the request for waiver, and an abutter's reservations would have been diminished. But this request seems to be based on a property owner's wish for a bigger house than the one he bought two years ago, irrespective of adverse impacts on neighborhoods, neighbors, and abutters.

For all of the foregoing reasons, for objective reasons and for personal ones. I respectfully recommend that the requested waiver of zoning requirements be rejected.

Attachments:

Spreadsheet

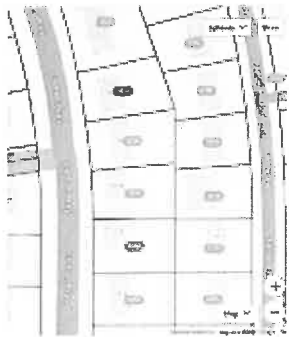
Aerial photo

Map/schematic

3 attachments

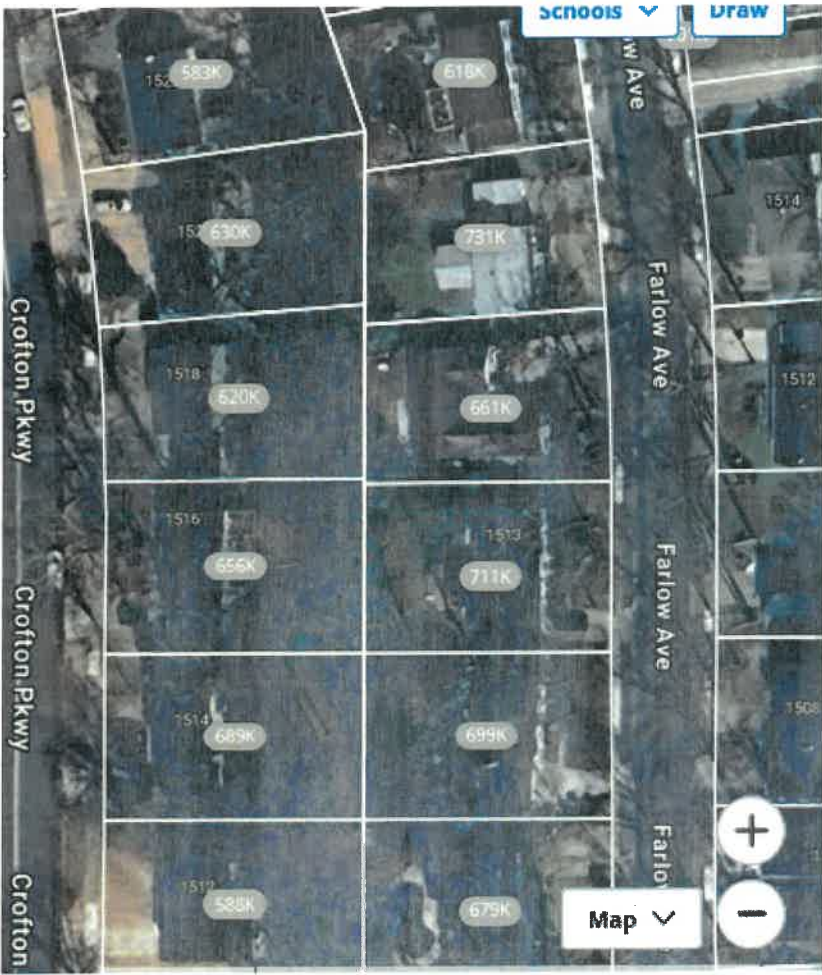


Screenshot 2025-03-01 at 15-34-39 Real Estate & Homes For Sale - 0 Homes For Sale
Zillow.png
489K



Screenshot 2025-03-01 at 15-38-07 Real Estate & Homes For Sale - 0 Homes For Sale
Zillow.png
129K

 **crofton lots.xlsx**
107K



address		BRs	BTHs	house sq ft	lot sq ft	% coverage
1520 Farlow Ave, Crofton, MD 21114	N/A	-	3.5	3,464	17,661	19.6%
1527 Crofton Pkwy, Crofton, MD 21114	\$625,000	4	3	3,087	10,237	30.2%
1521 Farlow Ave	\$731,762	4	2.5	3,026	9,468	32.0%
1530 Ellsworth Ave, Crofton, MD 21114	N/A	-	2.5+	2,984	25,148	11.9%
1525 Farlow Ave, Crofton, MD 21114	\$574,900	5	2.5	2,927	14,375	20.4%
1523 Crofton Pkwy, Crofton, MD 21114	\$410,000	4	3	2,723	12,321	22.1%
1508 Flynt Pl, Crofton, MD 21114	\$499,900	4	2.5	2,716	17,872	15.2%
1524 Farlow Ave, Crofton, MD 21114	\$499,950	4	3	2,663	10,594	25.1%
1527 Farlow Ave, Crofton, MD 21114	\$549,500	4	2.5+	2,600	9,799	26.5%
1526 Farrell St, Crofton, MD 21114	\$520,000	3	3.5	2,599	13,504	19.2%
1516 Farlow Ave, Crofton, MD 21114	N/A	-	2.5	2,516	9,818	25.6%
1510 Crofton Pkwy, Crofton, MD 21114	\$599,900	5	2.5	2,480	10,192	24.3%
1509 Farlow Ave, Crofton, MD 21114	\$699,900	4	3	2,452	9,388	26.1%
1504 Farlow Ave, Crofton, MD 21114	N/A	-	3	2,262	10,677	21.2%
1529 Farlow Ave, Crofton, MD 21114	N/A	-	3	2,200	9,210	23.9%
1516A Farlow Ave, Crofton, MD 21114	\$435,000	4	2.5	2,080	22,651	9.2%
1516 Farlow Ave, Crofton, MD 21114	N/A	-	2.5	2,080	22,817	9.1%
1513 Farlow Ave, Crofton, MD 21114	\$495,000	4	3	2,043	9,412	21.7%
1515 Crofton Pkwy, Crofton, MD 21114	\$366,000	4	2.5	2,030	11,326	17.9%
1525 Crofton Pkwy, Crofton, MD 21114	N/A	-	2.5	2,000	11,520	17.4%
1534 Ellsworth Ave, Crofton, MD 21114	\$449,900	4	3	2,200	9,543	23.1%
1506 Farlow Ave, Crofton, MD 21114	\$365,000	3	2	1,703	10,019	17.0%
1520 Crofton Pkwy, Crofton, MD 21114		4	2.5	2,080	10,550	19.7%
1517 Farlow Ave, Crofton, MD 21114	\$625,000	4	2.5	2,678	8,712	30.7%
1513 Farlow Ave, Crofton, MD 21114	\$495,000	4	3	2,043	9,412	21.7%
1516 Crofton Pkwy, Crofton,		5	3	2,263	9,964	22.7%
1518 Crofton Pkwy	\$640,500	4	2.5	2,000	10,010	20.0%
1515 Farlow Ave, Crofton, MD 21114	\$618,500	3	2	1,961	9,174	21.4%



