

AA 96-99  
VAR

Parker, William  
99-0071

MSA-51829-40

*Patterson*  
2-24-99

The lot is well below the minimum area for the district. The house very nearly abuts the front property line. In the circumstances, he supported the application. Mr. Parker testified that other portions of the dwelling are almost as close to the street. The application has the approval of the building committee as well as adjacent neighbors. There was no opposition to the request.

Upon review of the facts and circumstances, I find and conclude that the applicants are entitled to relief from the case. This case easily satisfies the test of unique physical conditions, consisting of a small lot with a nonconforming dwelling, such that there is no reasonable possibility of developing the lot in strict conformance with the code. I further find that the variance is the minimum necessary to afford relief. The subject of this application is a very small entrance porch. There is nothing to suggest that the granting of the variance will alter the essential character of the neighborhood, substantially impair the appropriate use or development of adjacent property, or be detrimental to the public welfare.

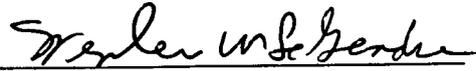
### **ORDER**

PURSUANT to the application of William and Claire Parker, petitioning for a variance to permit a dwelling addition with less setbacks and buffer than required; and

PURSUANT to the advertising, posting of the property, and public hearing and in accordance with the provisions of law, it is this 6<sup>th</sup> day of April, 1999,

ORDERED, by the Administrative Hearing Officer of Anne Arundel

County, that the applicants' request for a variance of 29 feet to the required 30-foot setback is hereby **granted** to permit a 5' X 7' entrance porch.)

  
Stephen M. LeGendre  
Administrative Hearing Officer

### **NOTICE TO APPLICANT**

Within thirty (30) days from the date of this Decision, any person, firm, corporation, or governmental agency having an interest therein and aggrieved thereby may file a Notice of Appeal with the County Board of Appeals.

Further, Section 11-102.2 of the Anne Arundel County Code states:

A variance granted under the provisions of this Article shall become void unless a building permit conforming to the plans for which the variance was granted is obtained within one year of the grant and construction is completed within two years of the grant.

If this case is not appealed, exhibits must be claimed within 60 days of the date of this order, otherwise they will be discarded.



Judge John C. North, II  
Chairman

Ren Serey  
Executive Director

**STATE OF MARYLAND  
CHESAPEAKE BAY CRITICAL AREA COMMISSION**

45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401  
(410) 260-7516 Fax: (410) 974-5338

February 24, 1999

Mr. Kevin Dooley  
Anne Arundel County Dept. of Planning and Code Enforcement  
2664 Riva Rd., MS 6301  
Annapolis, Maryland 21401

**RE: Variance 1999-0071-V, William and Claire Parker**

Dear Mr. Dooley:

Thank you for providing information on the above referenced variance application. The property owner has applied for a variance to permit a dwelling addition with less setbacks and Buffer than required. The property is designated LDA and is currently developed with a single family dwelling.

Because no habitat protection areas will be affected and because the proposed addition will be placed over existing impervious surface, this office does not object to the requested variance.

Thank you for the opportunity to comment. Please include this letter in your file and submit it as part of the record for this variance. Also, please notify the Commission in writing of the decision made in this case.

Sincerely,

A handwritten signature in cursive script that reads 'LeeAnne Chandler'.

LeeAnne Chandler  
Natural Resources Planner

cc: AA96-99

Branch Office: 31 Creamery Lane, Easton, MD 21601  
(410) 822-9047 Fax: (410) 820-5093

TTY FOR DEAF ANNAPOLIS-974-2609 D.C. METRO-586-0450

CHESAPEAKE BAY CRITICAL AREA COMMISSION  
45 CALVERT STREET, 2ND FLOOR  
ANNAPOLIS, MD 21401

AA96-99

NOTIFICATION OF PROJECT APPLICATION

Jurisdiction: A.A.Co. Date: 2-12-99  
Name of Project (site name, subdivision name, or other): WILLIAM & CLAIRE PARKER  
Local case number: 1999-0071-U  
Project location/Address: 723 ROBIN HOOD HILL, SNIGWOOD FOREST  
Tax map# 39 Block# 19 Lot# 723 Parcel# 295

Type of application:  
(Select all applicable)

- SUBDIVISION
- SITE PLAN
- VARIANCE:  
Buffer  Slope   
Imp.Surf.  Other
- SPECIAL EXCEPTION
- CONDITIONAL USE
- REZONING
- GRADING PERMIT
- BLDG PERMIT
- INTRAFAMILY
- GROWTH ALLOCATION

Type of Project:  
(Select all applicable)

- RESIDENTIAL
- COMMERCIAL
- WATER DEPENDENT FACILITY/PIER/MARINA
- INDUSTRIAL
- MIXED USE
- REDEVELOPMENT
- SHORE EROSION PROTEC.
- AGRICULTURE
- OTHERS \_\_\_\_\_  
e.g. PUD

Current Use:  
(Select all applicable)

- COMMERCIAL
- RESIDENTIAL
- AGRICULTURE
- FOREST/BUFFER/ WOODLAND
- INDUSTRIAL
- INSTITUTIONAL
- OPEN SPACE/RECRE.
- SURFACE MINING
- VACANT
- WATER DEPENDENT FACILITY/PIER/MARINA

Describe Proposed use of project site: DWELLING ADDITION WITH 6855  
SETBACKS & BUFFER THAN REQUIRED

SITE INVENTORY OF AREA ONLY IN THE CRITICAL AREA

TOTAL ACRES IN CRITICAL AREA: 6,949<sup>+</sup>

IDA ACRES	_____	AREA DISTURBED:	_____
LDA ACRES	<u>6,949<sup>+</sup></u>	# LOTS CREATED:	_____
RCA ACRES	_____	# DWELLING UNITS:	_____

AGRICULTURAL LAND: \_\_\_\_\_

EXISTING FOREST/WOODLAND/TREES: \_\_\_\_\_ FOREST/WOODLAND/TREES REMOVED: \_\_\_\_\_

FOREST/WOODLAND/TREES CREATED: \_\_\_\_\_

EXISTING IMPERVIOUS SURFACE: \_\_\_\_\_ PROPOSED IMPERVIOUS SURFACE: \_\_\_\_\_

TOTAL IMPERVIOUS SURFACE: \_\_\_\_\_

GROWTH ALLOCATION DEDUCTED: \_\_\_\_\_

RCA to LDA: \_\_\_\_\_ RCA to IDA: \_\_\_\_\_ LDA to IDA: \_\_\_\_\_

Local Jurisdiction Contact person: \_\_\_\_\_  
Telephone number: \_\_\_\_\_  
Response from Commission required by: \_\_\_\_\_ Hearing Date: \_\_\_\_\_

SOUTH/NORTH  
EAST/WEST

## CHESAPEAKE BAY CRITICAL AREA REPORT CHECK LIST

1. Proposed addition with less setback and buffer than required.
2. See attached vicinity map
3.
  - a) Predominant trees include: oak, dogwood, maple.
  - b) Rainwater is routed away from house via swale in front yard and dispersed down the slope.
  - c) Since no earth will be moved to accommodate construction (proposed structure will go over existing impermeable pad), water quality and habitat will not be impacted.
  - d)
    1. The square footage of wooded/shrubbed area is approximately 11,000 SF.
    2. Since proposed structure will be over an existing pad no square footage will be disturbed.
    3. Lot is 1/4-1/2 acre.
    4. Impervious coverage is approximately 2,300 SF both before and after work.
    5. All habitat protection areas, buffers, expanded buffers, wetlands, etc. will remain unchanged.
4.
  - a) See topographical map.
  - b) See attached site plan which describes existing tree line. There is no clearing of any trees proposed.

12896bp