

CA 626-99
VAR

Stanbery, Charles
00-2605

MSA-S-1829-358

Comments LC
1/3/00
2nd letter LC
4/4/2000

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

April 4, 2000

Mr. Michael J. Reber, Chairman
Calvert County Board of Appeals
150 Main Street
Prince Frederick, Maryland 20678

RE: Variance Case #00-2605, Charles Stanbery - ADDITIONAL COMMENTS

Dear Mr. Reber:

This office would like to submit additional comments on the case referenced above. It is our understanding that the case has been continued from previous months. After a visit to the site, Commission staff feels compelled to emphasize our concerns and object to the extent of the variance requested. The applicant is requesting a variance from the impervious surface and cliff setback requirements in order to construct a detached garage. As we discussed, it also appears that a Buffer variance is necessary because the scale indicated on the site plan is not accurate. The property is designated LDA and is currently developed with a dwelling, septic system and driveway.

As stated previously, this office does not oppose the construction of a garage to serve the existing dwelling. However, impacts should be minimized as much as possible and it is clear after visiting the site that there is ample opportunity to reduce impacts, including eliminating the need for both the Buffer and impervious surface variances. I would like to bring the following points to the Board's attention:

- There is an alternative location for the garage in the southwestern corner of the applicants' property (on top of the existing driveway). While this would still require a cliff setback variance, it would eliminate the need for both the impervious surface and Buffer variances. Also, the proposed garage is nearly the size of the house - there is clearly an opportunity to reduce the size of the garage.
- It seems that allowing a garage to be constructed less than 20 feet from the edge of a Category 1 cliff would directly contradict all of the work and findings of the Cliff Policy Task Force.
- Other nearby properties do not have waterfront detached garages. Thus, denial of this variance would not deprive the applicants of rights commonly enjoyed.

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Mr. Michael J. Reber

April 4, 2000

Page 2

- It appears that granting of this variance would convey a special privilege to the applicants in allowing not only a waterfront dwelling but also a waterfront garage in a Category 1 cliff area.
- There is already an existing erosion problem in front of the applicants' dwelling. Additional disturbance at the top of the cliff would only exacerbate the problem and perhaps cause serious damage to the properties of others.

We recommend denial of the variance as currently proposed. The garage should be moved away from the edge of the cliff and out of the Critical Area Buffer. We recommend that stormwater from all development on this lot be directed away from the cliff to reduce the land based sources of erosion. This office recommends mitigation for all disturbance within the Buffer in accordance with the County Zoning Ordinance.

Thank you for the opportunity to provide comments. 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,



Lee Anne Chandler

Natural Resources Planner

cc: CA626-99

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

CA 626-99

NOTIFICATION OF PROJECT APPLICATION

Jurisdiction: Calvert Date: 12-6-99

Name of Project (site name, subdivision name, or other): CHARLES G. STANBERRY

Local case number: 00-2605

Project location/Address: _____

Tax map# 12 SECTION Block# 70 Lot# 249RR Parcel# -

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
- OTHERS CLIFF SETBACK

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
- OTHERS _____

Describe Proposed use of project site: GARAGE

SITE INVENTORY OF AREA ONLY IN THE CRITICAL AREA

TOTAL ACRES IN CRITICAL AREA: 0.358

IDA ACRES	_____	AREA DISTURBED:	_____
LDA ACRES	<u> ✓ </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:	_____

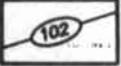
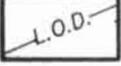
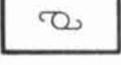
RECEIVED
DEC 8 1999

Local Jurisdiction Contact person: Roxana L. Whitt
Telephone number: 410-535-1600 Ext. 335

CHESAPEAKE BAY
CRITICAL AREA COMMISSION

Response from Commission required by: 1/05/00 Hearing Date: 1/06/00

LEGEND

-  Denotes Existing Contours
-  Denotes Proposed Contours
-  Denotes Proposed Silt Fence
-  Denotes Edge of Woods
-  Denotes Limits of Disturbance
-  Denotes Utility Pole



LOT AREA = 15,600 sq. ft.
DISTURBED AREA = 2946 sq. ft.
TOPOGRAPHY = FIED RUN
SOIL TYPE = W803 Co.
PROPOSED HOUSE ELEVATIONS
FF = NA
BSMT. = NA
GARAGE = 41' x 24'

- ZONING: R-1 (LDA)
- TOTAL SITE AREA 15600 SQ.FT.
LOT IS COMPLETELY WITHIN THE CRITICAL AREAS
- WOODED AREA/PROP CLEARING: NONE
- PROPOSED DISTURBED AREA 2946 SQ.FT.
- IMPERVIOUS AREA: EXISTING = 3669 SQ.FT.
INCREASE = 209 SQ.FT.
TOTAL = 3878 OR 24.86 % OF LOT
* PROP DRIVEWAY TO BE CONSTRUCTED USING IMPERVIOUS MATERIALS.

NOTE: THE REQUIRED CLIFF SETBACK

EXTENDS SHOREWARD BEYOND THE LIMITS OF THIS LOT



SITE PLAN LOT 249RR RANDLE CLIFF BEACH 3rd ELECTION DISTRICT SCALE 1" = 30' CALVERT COUNTY, MARYLAND DEC., 1999		WILKERSON & ASSOCIATES INC. ENGINEERS & SURVEYORS Box 17 Dunkirk, Maryland (410)257-3332, (301)855-8272	DRAWN BY: RDM SCALE: 1" = 30' DATE: DEC., 1999 JOB NO.: 99-8627 FILE: CC369.4 DWG: CC369.4A
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Judge John C. North, II
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STATE OF MARYLAND
CHESAPEAKE BAY CRITICAL AREA COMMISSION

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

January 3, 2000

Ms. Roxana Whitt
Calvert County Planning & Zoning
150 Main Street
Prince Frederick, Maryland 20678

RE: Variance Case #00-2605, Charles Stanbery

Dear Ms. Whitt:

Thank you for providing information on the above referenced variance case. The applicant is requesting a variance from the impervious surface and cliff setback requirements in order to construct a detached garage. As we discussed, it also appears that a Buffer variance is necessary because the scale indicated on the site plan is not accurate. The property is designated LDA and is currently developed with a dwelling, septic system and driveway.

This office does not oppose the construction of a garage to serve the existing dwelling. However, impacts should be minimized as much as possible. We recommend that the applicant either reduce the size of the proposed garage or remove some existing impervious surface to comply with the 25% impervious surface limit. As to the location of the proposed garage, it appears that the garage could be shifted towards the street, at least partially if not completely outside of the Buffer. This would allow the proposed use, while minimizing the impacts. With regard to the cliff setback, we recommend that stormwater from all development on this lot be directed away from the cliff to reduce the land based sources of erosion. This office recommends mitigation for all disturbance within the Buffer in accordance with the County Zoning Ordinance.

Thank you for the opportunity to provide comments. 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,

LeeAnne Chandler
Natural Resources Planner

cc: CA626-99

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