

5/14
5/14 letter, pm^c

USA_S_1829_494

QC 216-99
VAR

Strang, Ray & Anne
04-99-2



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

May 14, 1999

Ms. Vivian Swinson
Department of Planning and Zoning
Queen Anne's County
107 N. Liberty Street
Centreville, Maryland 21617

**RE: Strang Property - Buffer Variance
File # 04-99-017(c)**

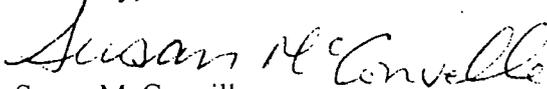
Dear Ms. Swinson:

Thank you for the opportunity to review the above referenced application for a variance in the 100 foot Buffer. The application proposed an addition to an existing house that will encroach into the 100-foot Buffer and increase the total area of impervious surfaces on the 0.34 acre site from 2378 square feet to 3091 square feet, approximately 21% of the property in the Critical Area. The property is located in a Limited Development Area.

While the Commission staff do not oppose this variance for the addition, we do recommend mitigation for the area of disturbance with the planting of native vegetation in the Buffer.

Please include this letter as part of the record for the variance request. Please notify the Commission in writing of the decision made in this application. Please call me at (410)260--7019 if you have any questions concerning these comments.

Sincerely,


Susan McConville
Natural Resources Planner

SM/jjd

cc: QC 216-99

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

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Q.A. COUNTY PLANNING & ZONING

**Queen Anne's County Critical Area
Administrative Variance Application**

04-99-2

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CHESAPEAKE BAY
CRITICAL AREA COMMISSION

Part I. Applicant / Property Owner Information

Applicant Name Ray & Anne Strang (Raymond)

Mailing Address 202 Bayside Drive
Stevensville, Md 21666

Daytime Phone 410.604.2850

If the applicant is not the property owner, please provide the following:

Property Owner Name N/A

Mailing Address _____

Daytime Phone _____

Part II. Property Description and Location

Tax Map 56 Block #16 Grid 16 Parcel 405 Lot 15

Zoning NC-20 Critical Area Designation LDA

Lot/Parcel Size 15,000 sq ft Subdivision Name (if applicable) BAY CITY

Date lot/parcel was created 1950's

Name of Adjacent Road BAYSIDE DRIVE

Private or Public Water PUBLIC Private or Public Sewer PUBLIC

Is property waterfront? Yes No

If property is waterfront, adjacent waterbody CHESAPEAKE BAY

Part III. Project Description

Please describe the proposed project or activity for which a variance is requested.

Addition to Residential structure.

Part IV. Alternatives to Variance Request

Please describe any alternatives to requesting a variance which you considered, and why these alternatives are not feasible.

- 1) EXISTING ADJACENT STRUCTURES ESTABLISH THE AVERAGE DISTANCE FROM MEAN HIGH WATER @ 95'
- 2) ADDITIONAL CONSTRUCTION STREET-WARD would protrude past existing line of Development.
- 3) Adding Second story over entire structure would block light & view from inland properties.
- 4) STREET-WARD DEVELOPMENT WOULD UNNECESSARILY INCREASE IMPERVIOUS AREA ON SITE.

Part V. Variance Provisions of Queen Anne's County Environmental Protection Code §14-166

Please describe any special conditions or circumstances that exist that are peculiar to the property or structure and how a literal enforcement of the regulations relative to these conditions or circumstances would result in unwarranted hardship.

This is a 30 year old community in which the setback norm was established prior to the 100' setback rule. Compliance w/ the rule would result in unnecessary additional impervious area & destroy the existing character of the community.
The waterfront is entirely bulkheaded along the entire Bay City Coast ^{2 of 8}. The location of the bulkhead adjacent our property was established

Please describe how a literal interpretation of the Environmental Protection Code will deprive you of rights commonly enjoyed by other properties in similar areas within the Critical Area.

~~All of them.~~
This variance request is based upon our addition being our house into line w/ the adjoining neighborhood structures, Not closer to the water than the norm & not w/in 100' of mean high water on our lot. This would be impossible if a literal interpretation is applied.
Expansion of the property street-ward would also negatively impact the character of the surrounding houses.

Please describe how granting of the variance will not confer upon you any special privilege that would be denied by the Critical Area regulations to other properties or structures within the Critical Area.

This variance allows us to build in conformity w/ the norm for houses in the community. We would be no closer to the water & as a result of this variance & would, in fact, be in keeping w/ the surrounding structures with respect to the appearance from the street.

Please describe how the variance request is not based upon conditions or circumstances which are the result of actions by you, and how the request does not arise from any condition related to property or building use, either permitted or nonconforming, on any neighboring property.

We acquired this property in June, 1997.
All existing structures & bulkheads were in place prior to our acquisition of the property, including the vast majority of houses on our street. Both adjoining properties have been in existence for at least 10 years prior to our acquiring the property.

Please describe how the granting of this variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the Critical Area, and how the granting of this variance will be in harmony with the general spirit and intent of the Critical Area regulations.

We have, unlike the majority of property owner - in bay City, committed to encouraging existing vegetation in the buffer & adding additional planting of native species.

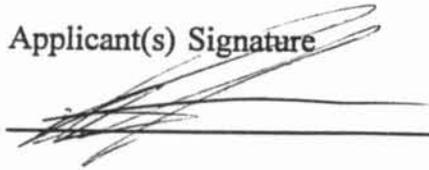
This variance allows us to minimize impermeable area on the site. Our total development is well under the ~~25%~~ allowable impermeable area, including all paved areas.

Part VI. Additional Information

Use this space to provide any other information about the project or site which is pertinent to this variance request. Attach additional sheets if necessary.

SEE ATTACHED

Applicant(s) Signature



Date

4/7/1999

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

NOTIFICATION OF PROJECT APPLICATION

Jurisdiction: Queen Anne's County, MD

Date: 4/7/1999

Name of Project (site name, subdivision name or other): 902 Bayside Drive, BAY CITY

Local Case Number: _____

Project Location/Address: 902 BAYSIDE DRIVE, STEVENSVILLE, MD 21666

Tax Map 56

Block 16

Parcel 405

Lot 15

Type of application:
(Select all applicable)

- SUBDIVISION
- SITE PLAN
- VARIANCE: 6100' setback
- Buffer Slope
- Imp. Surf. Other
- CONDITIONAL USE
- REZONING
- GRADING PERMIT
- BLDG PERMIT
- SPECIAL EXCEPTION
- INTRAFAMILY
- GROWTH ALLOCATION
- OTHERS _____

Type of Project:
(Select all applicable)

- RESIDENTIAL
- COMMERCIAL
- WATER DEPENDENT FACILITY/PIER/MARINA
- INDUSTRIAL
- MIXED USE
- REDEVELOPMENT
- SHORE EROSION PROTEC.
- AGRICULTURE
- OTHERS _____
ex. PUD

Current Use:
(Select all applicable)

- COMMERCIAL
- RESIDENTIAL
- FARMLAND
- FOREST/BUFFER/WOODLAND
- INDUSTRIAL
- INSTITUTIONAL
- OPEN SPACE/RECRE.
- SURFACE MINING
- VACANT
- WATER DEPENDENT FACILITY/PIER/MARINA
- ACCESSORY STRUCTURE
- OTHERS _____

Describe Proposed Use of Project Site: ADDITION TO EXISTING RESIDENCE

Site Inventory of Area Only in the Critical Area

IDA ACRES _____	AREA DISTURBED: _____
LDA ACRES <u> </u> ✓	# LOTS CREATED: _____
RCA ACRES _____	LOT SIZE RANGE FROM: _____ TO: _____
TOTAL ACRES IN CRITICAL AREA: <u>.34</u>	AVERAGE LOT SIZE: _____
AGRICULTURAL LAND: _____	# DWELLING UNITS: _____
EXISTING FOREST/WOODLAND/TREES: _____	FOREST/WOODLAND/TREES REMOVED: _____
EXISTING IMPERVIOUS SURFACE: <u>2378</u>	PROPOSED IMPERVIOUS SURFACE: <u>714</u>
GROWTH ALLOCATION DEDUCTED: _____	TOTAL IMPERVIOUS SURFACE: <u>3091</u>
RCA to LDA: _____	
RCA to IDA: _____	HEARING DATE: <u>N/A</u>
LDA to IDA: _____	

.34 = 14,810
x .15 = 2,221.5
= 4,591.1

Local Jurisdiction Contact Person: Vivian J. Swinson Telephone No: (410)

758-4088 Response from CAC Required by: 5-14-99

Part VIII. Administrative Variance Application Checklist

Part IX. To be Completed by Planning Office Staff

Tax Account # 101233

Existing Impervious Surfaces 2377 square feet .16 percent of property

Proposed Impervious Surfaces 714 square feet .05 percent of property

Proposed Impervious Surfaces within the 100 foot Buffer 714 square feet

Is the proposed activity within the limits of Habitat Protection Areas, tidal wetlands, or nontidal wetlands and associated nontidal wetland buffers? Yes No

If yes, list impacts _____

Does the proposed activity impact forest or developed woodland? Yes No
Area of forest or developed woodland to be cleared _____ square feet

Required Buffer Area Offsetting

714 of new I.S. in the 100 foot Buffer X 2 = 1428 required offsetting area (ROA)

1428 (ROA) / 43,560 sq. ft. X 70 = 3 4' - 6' high container grown, native trees

Staff Comments _____

Nancy J. Jensen
Planning Director Signature

4-10-99
Date

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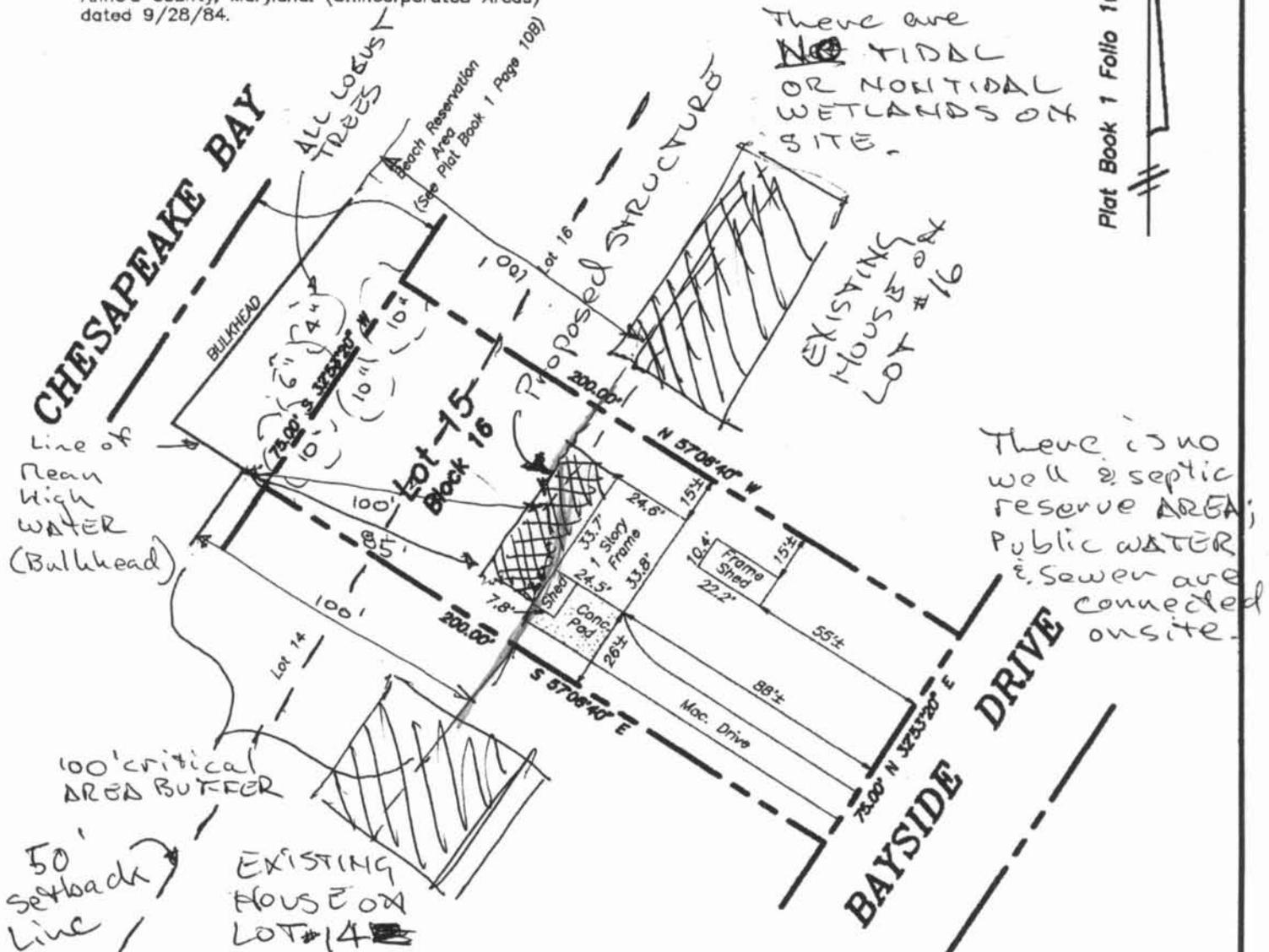
APR 29 1999

CHESAPEAKE BAY
CRITICAL AREA COMMISSION

Plat Book 1 Folio 10B North

- NOTE: 1. This plat is of benefit to a consumer only insofar as it may be required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing;
2. This plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements; and
3. This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for transfer of title or securing financing or refinancing.
4. The level of accuracy and accuracy of apparent setback distances is one foot, more or less.

NOTE: The Dwelling shown hereon is located within Zone C as shown on F.E.M.A. Flood Insurance Rate Map, Community Panel No. 240054-0045 B of Queen Anne's County, Maryland. (Unincorporated Areas) dated 9/28/84.



Location Drawing
Lot 15 Block 16
Bay City Section One

Deed Liber 261 Folio 81
 Scale: 1" = 50' March 16, 1999

BOYD & DOWGIALLO, P.A.

ENGINEERS-SURVEYORS-PLANNERS
 STEVENSVILLE

Suite 103 * 102 East Main Street
 Stevensville, MD 21666
 Ph: 410 604-3855

CERTIFICATION:

This is to certify that I have surveyed the property shown hereon for the purpose of locating the improvements and the improvements are located as shown.

Boyd & Dowgiallo, P.A., Reg. No. 171

Michael E. Turner 3/16/99

By: Michael E. Turner Date
 MD Property Line Surveyor #379