

STANDARD APPLICATION
Harford County
Board of Appeals
 Bel Air, Maryland 21014

RECEIVED
 HARFORD COUNTY COUNCIL
 JUN - 1 2021
 ZONING BOARD OF APPEALS
 HARFORD COUNTY, MD

Case No. 5947
 Date Filed 6/1/21
 Hearing Date _____
 Receipt _____
 Fee 450.00
 Type Var

Information to be Submitted with Application

1. A plot plan drawn to scale indicating all pertinent data
2. A list of all adjoining property owners with mailing addresses
3. Names and addresses of all persons having legal or equitable interest in the property.
4. All required supporting documentation or additional studies as may be required; including traffic and environmental studies, etc.

NOTE:

All applicants MUST schedule a pre-application meeting with the Department of Planning and Zoning prior to filing any application to the Board of Appeals.

To schedule please call 410-638-3119.

Shaded areas for Office Use Only

Nature of Request and Section(s) of Code

CASE 5947 MAP 57 TYPE Variance
 ELECTION DISTRICT 01 TAX ID 01-252054
 LOCATION 1321 Riverside Parkway, Belcamp 21017
 BY Riverside Parkway Limited Partnership LLLP
 Appealed because a variance pursuant to Sec. 267-59B(1) Table 59-3 of the Harford County Code to permit a charging stations and associated apparatus within the front yard setback (25' required) in the B3 district requires approval by the Board.

Owner (please print or type)

Name: RIVERSIDE PARKWAY LIMITED PARTNERSHIP LLLP Phone Number: 443-632-1343
 Address: 70 KLENS WEST RD BALTIMORE, MD 21204 (PROPERTY LEASING and MANAGER)

LOCATION: 1321 RIVERSIDE PKWY BELCAMP, MD 21017

Co-Applicant: Rivian, LLC Phone Number: 717-903-5334

Address: 13250 N Haggerty Rd, Plymouth, MI 48170

Contract Purchaser: _____ Phone Number: _____

Address: _____

Attorney/Representative: _____ Phone Number: _____

Address: _____

Land Description

Address and Location of Property 1321 Riverside Parkway, Belcamp, MD 21017

Subdivision 1062 **Lot Number** 5

Acreage/Lot Size 10.2 AC **Election District** 01 **Zoning** Commercial **Tax ID #** 01-252054

Tax Map No. 0057 **Grid No.** 0004E **Parcel** 0336 ^{B3} **Water/Sewer: Private** **Public**

List ALL structures on property and current use: Shopping center buildings and neighboring pad sites.
Please note that the site location is within the parking lot.

Estimated time required to present case: 1 night (30 minutes)

If this Appeal is in reference to a Building Permit, state number n/a

Would approval of this petition violate the covenants and restrictions for your property? Yes No

Is this property located within the County's Chesapeake Bay Critical Area? Yes No

If so, what is the Critical Area Land Use designations: _____

Is this request the result of a zoning enforcement investigation? Yes No

Is this request within one (1) mile of any incorporated town limits? Yes No

Request

See attached document

Justification

See attached document

If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)

Rivian, LLC
Harford County Board of Appeals application addendum

Request:

- Rivian, LLC requests a variance from the requirements of the Harford County zoning code. Specifically, Rivian is seeking hardship relief from the Harford County zoning code to allow Rivian to install support structures for its electric vehicle supply equipment (EVSE) within Harford County's 20' building setback along Maryland Route 7 (MD-7).

Justification:

- Nascency/uniqueness of this proposed use
 - EV charging as a proposed zoning use has gained favorability within federal, state, and local regulatory bodies
- EV charging stations typically exist on perimeter of parcels to
 - Utilize greenspace (unused, vast amount) versus parking lot area (used, limited amount)
 - Reduce hazards imposed by additional structures within walking/driving areas
 - Reduce seasonal maintenance costs e.g. snow removal
 - Allow for easier integration of equipment screening/landscaping
 - Reduce disturbances to parking lot flow of traffic during construction
 - Temporary chain link fencing, extended electric conduit runs from utility primary connection point to Rivian hardware
- Zoning restrictions exist along entire perimeter of parcel, so only other option is to pivot site location towards the inside of the parking lot, which would result in additional drawbacks
 - Reduced stall counts due to equipment footprint
 - Increased hazards within lot
 - Increased seasonal maintenance costs

Zoning Code Requirements

Appeal from Administrative Decision/Interpretation Requirements (Article 267-7A)

- (6) Render a final written determination, within 45 calendar days of the written request, of whether a proposed use is permitted in a particular zoning district, or whether a proposed use is a legal nonconforming use upon written request of any person. The Director of Planning may determine a materially similar use exists, based on the North American Industrial Classification System (NAICS). The final written determination of the Director of Planning shall be subject to appeal to the Board by the applicant within 20 calendar days of the date of the decision.

Variance Requirements (Article 267-11)

- (A) Variances from the provisions or requirements of this Code may be granted if the Board finds that:
- (1) By reason of the uniqueness of the property or topographical conditions, the literal enforcement of the Code would result in practical difficulty or unreasonable hardship; and
 - (2) The variance will not be substantially detrimental to adjacent properties, or will not materially impair the purpose of this Code or the public interest.

(The Board may impose such conditions as it deems necessary in each particular case. No variance shall exceed the minimum adjustment necessary to relieve the hardship imposed by literal enforcement of this Code.)

Special Overlay District Requirements (Article 267-62)

(E) Natural Resources District

Variances. The Board may grant a variance to Subsection C or D upon a finding by the Board that the proposed development has been designed to minimize adverse impacts to the Natural Resources District to the greatest extent possible. Prior to rendering approval, the Board shall request advisory comments from the Director of Planning, the Soil Conservation District and the Maryland Department of the Environment.

Chesapeake Bay Critical Area Overlay District (Article 267-63)

- (1) Variances from the provisions of this section may only be granted if, due to special features of a site or other circumstances, implementation of this section or a literal enforcement of its provisions would result in unwarranted hardship to an applicant.
- (2) All applications for variances shall be reviewed by the Director of Planning for conformance with applicable provisions of this section, and a written report shall be provided to the Board of Appeals.
- (3) In granting a variance, the Board shall issue written findings demonstrating that the requested approval complies with each of the following conditions:

- (a) That special conditions or circumstances exist that are peculiar to the land or structure within the County's Critical Area, and a literal enforcement of the Critical Area Program would result in an unwarranted hardship.
 - (b) That a literal interpretation of the provisions of this section will deprive the applicant of rights commonly enjoyed by other properties in similar geographic and land use management areas within the Critical Area.
 - (c) That the granting of a variance will not confer upon the applicant any special privilege that would be denied by this section to other lands or structures within the Critical Area.
 - (d) That the variance request is not based upon conditions or circumstances which are the result of actions by the applicant, nor does the request arise from any condition relating to land or building use, either permitted or nonconforming, on any neighboring property.
 - (e) That the granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the Critical Area, and the granting of the variance will be in harmony with the purpose and intent of this section.
 - (f) That all identified habitat protection areas on or adjacent to the site have been protected by the proposed development and implementation of either on-site or off-site programs.
 - (g) That the growth allocation for the County will not be exceeded by the granting of the variance.
 - (h) That the variance will not be substantially detrimental to adjacent properties or will not materially impair the purpose of the Code or the public interest.
- i. Special exceptions. All projects requiring approval as special exceptions within the Critical Area must meet the standards of this section. The Director of Planning may require such additional information, studies or documentation deemed necessary to ensure that applicable requirements of this district are met. Applications will not be considered complete for processing until all information as required by the Director of Planning has been received.

Change/Extension of Non-Conforming Use Requirements

267-20(3) - When authorized by the Board, one nonconforming use may be substituted for another nonconforming use.

267-21(d) - The Board may authorize the extension or enlargement of a nonconforming use, with or without conditions, provided that:

- (A) The proposed extension or enlargement does not change to a less restricted and more intense use.
- (B) The enlargement or extension does not exceed 50% of the gross square footage in use at the time of the creation of the nonconformity.

Special Exceptions Requirements (Article 267-317)

(a) Special exceptions require the approval of the Board of Appeals in accordance with 267-9 (Board of Appeals). The Board may impose such conditions, limitations and restrictions as necessary to preserve harmony with adjacent uses, the purposes of this Code and the public health, safety and welfare.

- (b) A special exception grant or approval shall be limited to the Site Plan approved by the Board. Any substantial modification to the approved Site Plan shall require further Board approval.
- (c) Extension of any use or activity permitted as a special exception shall require further Board approval.
- (d) The Board may require a bond, irrevocable letter of credit or other appropriate guarantee as may be deemed necessary to ensure satisfactory performance with regard to all or some of the conditions.
- (e) In the event the development or use is not commenced within 2 years from date of final decision after all appeals have been exhausted, the approval for the special exception shall be void. In the event of delays, unforeseen at the time of application and approval, the Director of Planning shall have the authority to extend the approval for an additional 12 months or any portion thereof. (See Article 267-88 for specific requirements of Special Exception uses.)

I/We agree to provide additional information as requested by the Department of Planning and Zoning or the Hearing Examiner.

I/We do hereby declare that no officer or employee of Harford County, whether elected or appointed, has received prior hereto or will receive subsequent hereto any monetary or material consideration, any service or thing of value, directly or indirectly, upon more favorable terms than those granted to the public generally in connection with the submission, processing, issuance, grant or award of the within application or petition.

I/We do solemnly declare and affirm under the penalties of perjury that this petition contains names and addresses of all persons having legal or equitable interest in the property, including shareholders owning more than five percent (5%) of the stock in a corporation having any interest in the property, except those corporations listed and traded on a recognized stock exchange.

I/We do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my/our knowledge, information and belief.

I/We agree, upon final action, to comply with all requirements or conditions imposed by the Board.

 _____ 5/5/2021
 Signature of Owner Date

 _____ 5/5/21
 Witness Date


Ankur Doshi  _____ 05/05/2021
 Signature of Co-Applicant Date

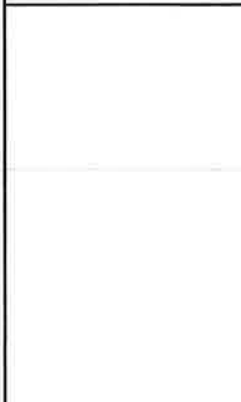
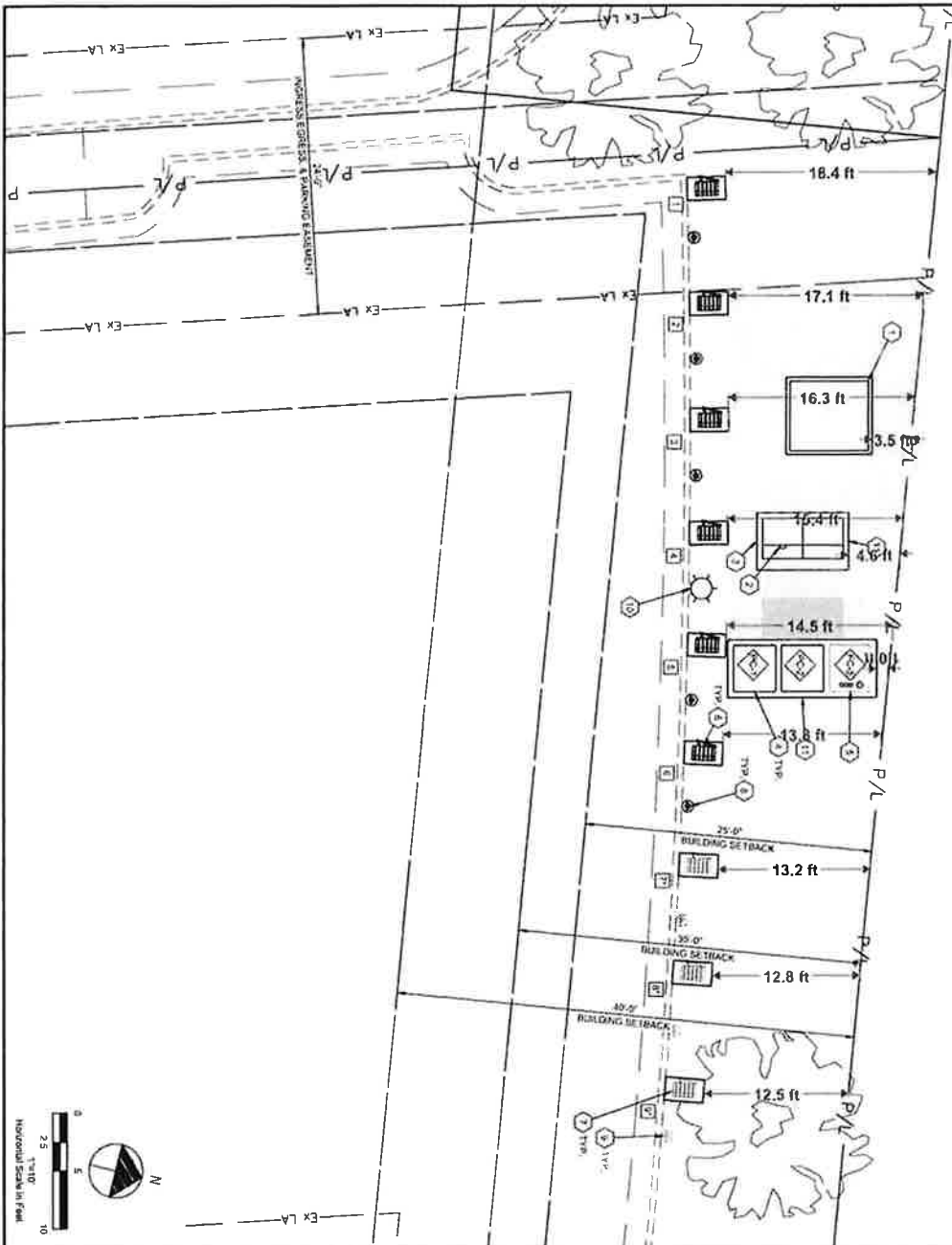
 Witness Date

 Signature of Attorney/Representative Date

 Witness Date

 Director of Planning and Zoning Date

 _____ 6-1-21
 Zoning Staff Date



CHARGING CABINET	CHARGING POST	DEDICATED	ENABLED
DC-1	1	DECOMMISSIONED	DECOMMISSIONED
DC-2	2	DECOMMISSIONED	DECOMMISSIONED
DC-3	3	DECOMMISSIONED	DECOMMISSIONED
DC-4	4	ENABLED	ENABLED
DC-5	5	ENABLED	ENABLED
DC-6	6	ENABLED	ENABLED
DC-7	7	DECOMMISSIONED	DECOMMISSIONED
DC-8	8	DECOMMISSIONED	DECOMMISSIONED

EXISTING STALLING SPALLS USE AS A RESULT OF THIS PROJECT	PROPOSED BIWAY STALLS	PROPOSED STANDING STALLS	NET STALL COUNT
9	3	0	0

LEGEND
 (SEE SHEET C-002 FOR GENERAL LEGEND)
 PROPOSED BIWAY OPTIC DISPENSER
 CONSTRUCTION KEYNOTE

- GENERAL SHEET NOTES**
- EXISTING PROPERTY LINES, RIGHT-OF-WAY BOUNDARIES, EXISTING BOUNDARIES, SETBACKS, AND UTILITIES ARE SHOWN FOR REFERENCE ONLY.
 - THE CONTRACTOR SHALL REMOVE EXISTING CURBING AND PAVEMENT IS NOT TO BE DAMAGED. ACCESSING WORK AT THE SITE, THE CONTRACTOR SHALL BE RESPONSIBLE TO REFACE CURBING AND PAVEMENT IF DAMAGED.
 - CONTRACTOR SHALL REMOVE EXISTING PAVEMENT AND/OR CURB USING EXISTING CURBING AND PAVEMENT AS A GUIDE. SEE SHEET C-001 AND AFTER CONDUITS HAVE BEEN INSTALLED. SEE ELECTRICAL SHEETS FOR CONDUIT ROUTING, APPROXIMATE CONDUIT RUN LENGTHS AND TRENCH DETAIL. CONTRACTOR SHALL MEET OR EXCEED EXISTING PAVEMENT SPECIFICATIONS. NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO PERFORMING WORK.
 - APPLY LIQUID ASPHALT AT ALL JOINTS BETWEEN CONCRETE AND ASPHALT AND WHERE PROPOSED ASPHALT MEETS EXISTING, INCLUDING SAW CUT JOINTS.

- PLAN KEYNOTES**
- PROPOSED PAD MOUNTED ELECTRICAL UTILITY TRANSFORMER (BY UTILITY). CONTRACTOR SHALL PROVIDE CONCRETE PAD PER UTILITY SPECIFICATIONS. COORDINATE FINAL LOCATION WITH UTILITY.
 - PROPOSED ELECTRIC METERS MOUNTED ON SWITCHGEAR PER ELECTRIC COMPANY SPECIFICATIONS AND DETAILS ON ELECTRICAL SHEETS.
 - PROPOSED SWITCHGEAR PER ELECTRICAL DRAWINGS.
 - PROPOSED BIWAY POWER CABINETS (TOTAL OF 2) MOUNTED ON CONCRETE PAD.
 - FUTURE BIWAY POWER CABINET (TOTAL OF 1) MOUNTED ON CONCRETE PAD. GC TO SUPPLY, INSTALL, CAP AND BURY CONDUITS FOR FUTURE POWER CABINET. GC SHALL DOCUMENT PLACEMENT OF BURIED CONDUITS.
 - PROPOSED BIWAY OPTIC DISPENSER (TOTAL OF 6) MOUNTED ON INDIVIDUAL FOUNDATIONS.
 - REMOVE BIWAY OPTIC DISPENSER (TOTAL OF 3) MOUNTED ON INDIVIDUAL FOUNDATIONS. CONTRACTOR SHALL REMOVE DISPENSER OR FUTURE DISPENSERS. GC SHALL DOCUMENT PLACEMENT OF BURIED CONDUITS.
 - PROPOSED 2x4x1 BOLLARD/NON-ILLUMINATED BY CHARGING SIGN PER SIGN SUPPLIER SPECIFICATIONS (TOTAL OF 3). CONTRACTOR SHALL INSTALL FOUNDATION PER SIGN SUPPLIER DESIGN.
 - FUTURE 2x4x1 BOLLARD/NON-ILLUMINATED BY CHARGING SIGN PER SIGN SUPPLIER SPECIFICATIONS (TOTAL OF 3). CONTRACTOR SHALL INSTALL FOUNDATION PER SIGN SUPPLIER DESIGN.
 - PROPOSED AREA LIGHT WITH NON-ILLUMINATED BY CHARGING SIGN PER SIGN SUPPLIER SPECIFICATIONS. (TOTAL OF 1).
 - PROPOSED P.C.C. EQUIPMENT PAD.

DCFC ADVENTURE NETWORK
 1321 RIVERSIDE PKWY
 BELCAMP, MD 21017

CIVIL SITE PLAN

NOT FOR CONSTRUCTION

RIVIAN

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REV.	DATE	DESCRIPTION
A.	04/02/21	ISSUED FOR 50% REVIEW

DESIGNED BY	REVIEWED BY
DRAWN BY	CHECKED BY
IN CHARGE	DATE

C-111

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