

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

Case No. 5985
 Date Filed 3/13/23
 Hearing Date _____
 Receipt _____
 Fee \$450.00
 Type Var

Shaded areas for Office Use Only

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.

Nature of Request and Section(s) of Code

CASE 5985 MAP 63 TYPE Variance
ELECTION DISTRICT 02 TAX ID 02-068109
LOCATION 2020 Park Beach Drive, Aberdeen 21001
BY George L. Werneke, 407 Moores Mill Road, Bel Air 21014
Appealed because a variance pursuant to Sec. 267-27C(1)
of the Harford County Code to permit a garage to exceed the
height requirement in the R1 district requires approval
by the Board.

Owner (please print or type)

Name George L. Werneke Phone Number 410-937-4078

Address 407 Moores Mill Road Bel Air MD 21014
Street Number Street City State Zip Code

Co-Applicant _____ Phone Number _____

Address _____
Street Number Street City State Zip Code

Contract Purchaser _____ Phone Number _____

Address _____
Street Number Street City State Zip Code

Attorney/Representative _____ Phone Number _____

Address _____
Street Number Street City State Zip Code

Land Description

Address and Location of Property 2020 Park Beach Dr
Aberdeen Md 21001

Subdivision Forest Green Lot Number 41

Acreage/Lot Size 62 X 276 Election District _____ Zoning R1 Tax ID # 02068109

Tax Map No. 0063 Grid No. 0004A Parcel 0107 Water/Sewer: Private Water Public Sewer

List ALL structures on property and current use: House - living, Garage - Storage, Shed - garden

Estimated time required to present case: _____

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

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: Bush River

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

Our goal is to raise garage (existing) roof line to accommodate a second floor. Plan for second floor is storage and art studio. To accomplish, we need to extend existing roofline 3 feet.

Justification

After several consults with contractors, we have been advised that building up and not modifying the footprint would have less environmental impact. We have provided pictures, as you can see, neighboring structures are significantly taller. Please contact if questioning.
Thanks for your consideration. gwerneke@gmail.com

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.)

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)

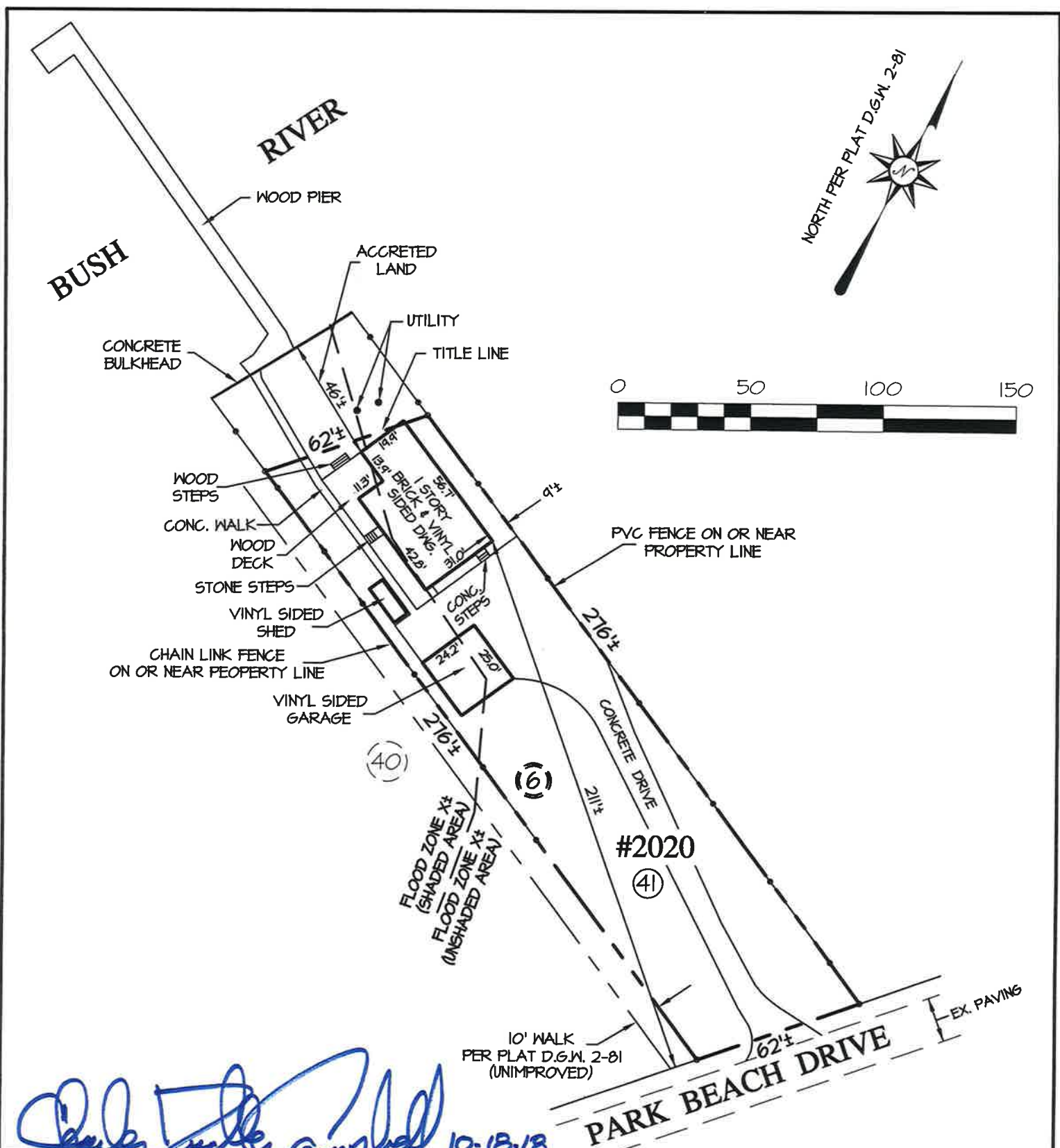
(E) Natural Resources District

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:

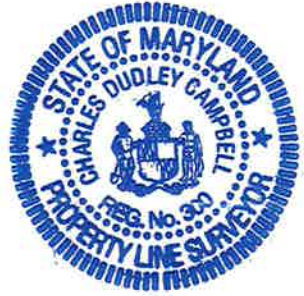
- (a) That special conditions or circumstances exist that are peculiar to the land or structure within the County's Critical Area, and a literal enforcement of the Critical Area Program would result in an unwarranted hardship.
 - (b) That a literal interpretation of the provisions of this section will 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.



Charles Dudley Campbell
 CHARLES DUDLEY CAMPBELL
 PROPERTY LINE SURVEYOR #300
 LICENSE EXPIRATION: AUGUST 27, 2020
 DATE: 10-18-18

DEED REF.: J.J.R. 9678/326
 PLAT REF.: D.G.W. 2-81

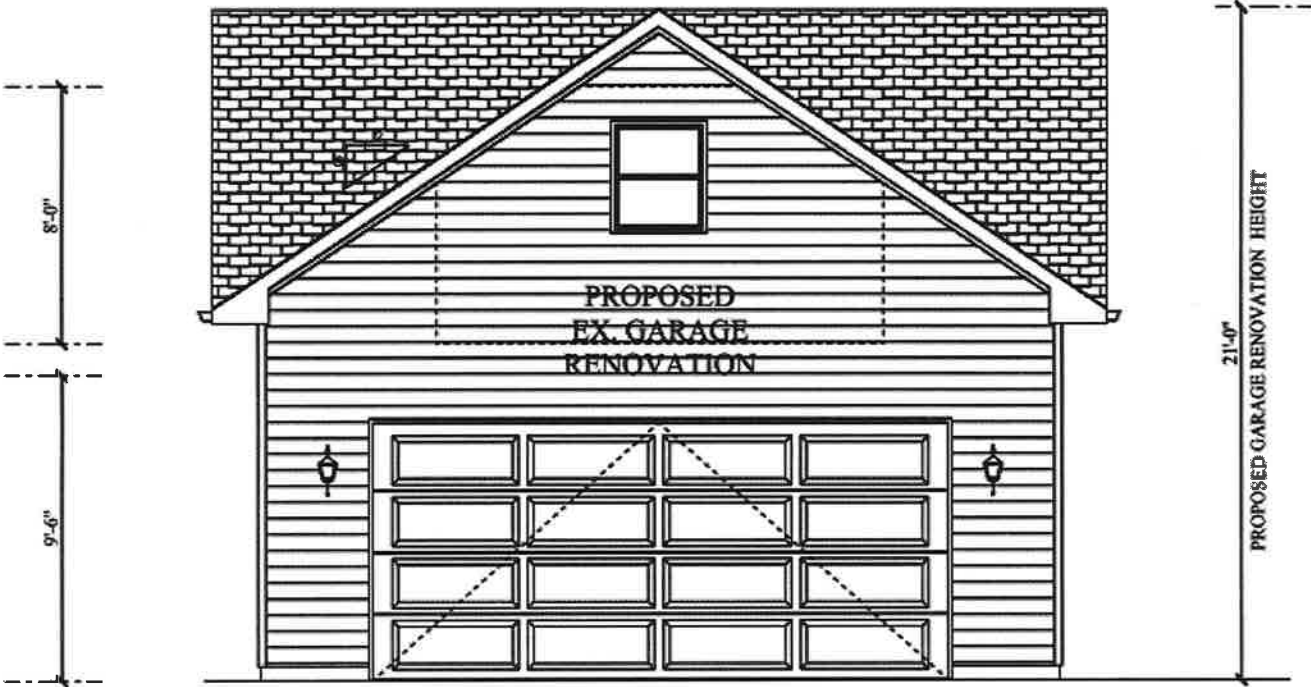
THIS LOCATION DRAWING HAS BEEN PREPARED IN ACCORDANCE WITH MARYLAND BOARD OF PROFESSIONAL LAND SURVEYORS MINIMUM STANDARDS OF PRACTICE. THIS LOCATION DRAWING IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING OR REFINANCING; IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OR LOCATION OF FENCES, GARAGES, BUILDINGS, OR OTHER EXISTING OR FUTURE IMPROVEMENTS; IT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING; THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THERE ARE NO ENCROACHMENTS ON ANY ADJOINING PREMISES, STREETS, OR ALLEYS AND NO ENCROACHMENTS OF ANY BUILDINGS, STRUCTURES, OR ANY OTHER IMPROVEMENTS SITUATED ON ADJOINING PROPERTIES, EXCEPT AS SHOWN OR NOTED HEREON; THAT THE LOT SHOWN HEREON IS WITHIN ZONE(S) X AS SHOWN ON THE F.I.R.M. MAP 24025C0278 E DATED 4-19-2016 ; THAT NO TITLE SEARCH WAS PROVIDED FOR THIS CERTIFICATION; THAT THIS SURVEY IS VOID UNLESS ORIGINAL SEAL, SIGNATURE, AND DATE APPEAR HEREON. DIMENSIONS AS SHOWN, ARE WITHIN A TOLERANCE OF 3 FEET.



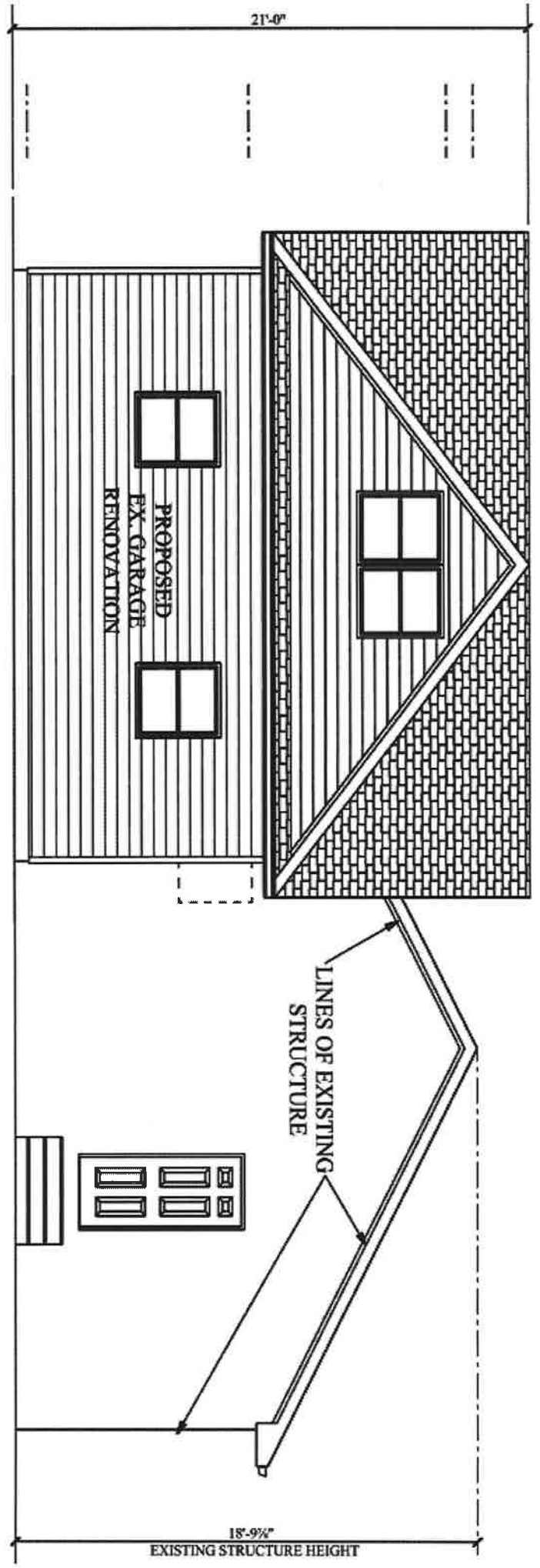
BAY STATE LAND SERVICES
 ENGINEERS * SURVEYORS
 LAND PLANNERS
 ENVIRONMENTAL CONSULTANTS
 P.O. BOX 853
 BEL AIR, MARYLAND 21014-0853
 PHONE: 410-879-4747-FAX: 410-420-3949

LOCATION DRAWING
 LOT 41
 BLOCK 6 - SECTION 2
FOREST GREENS
 SECOND ELECTION DISTRICT
 HARFORD COUNTY, MARYLAND
 SCALE: 1"=50' DATE: 10-18-18 DRAWN BY: CTMC JOB NO.: G.P. 18113

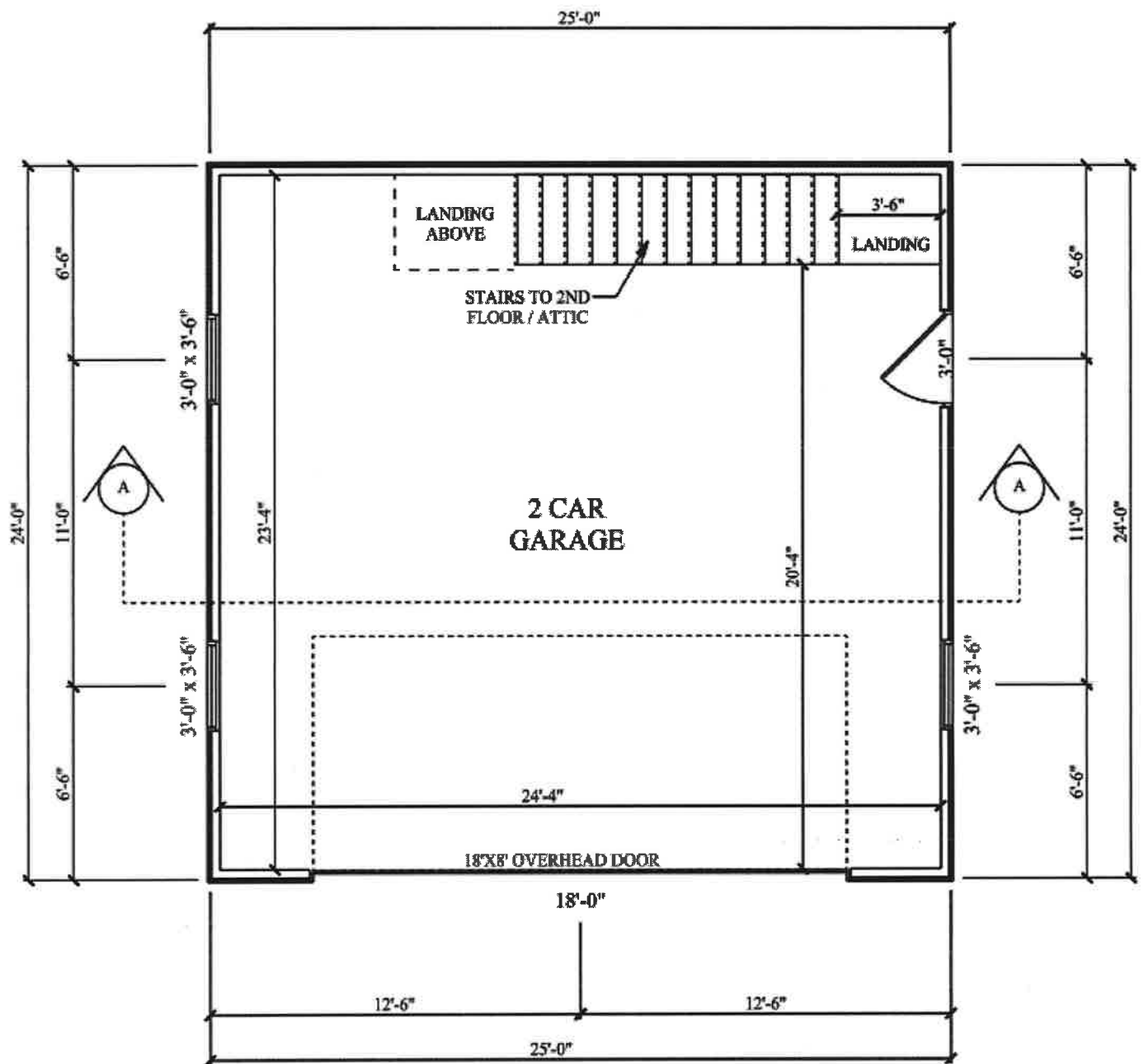
PROPERTY LINE SIDE ELEVATION



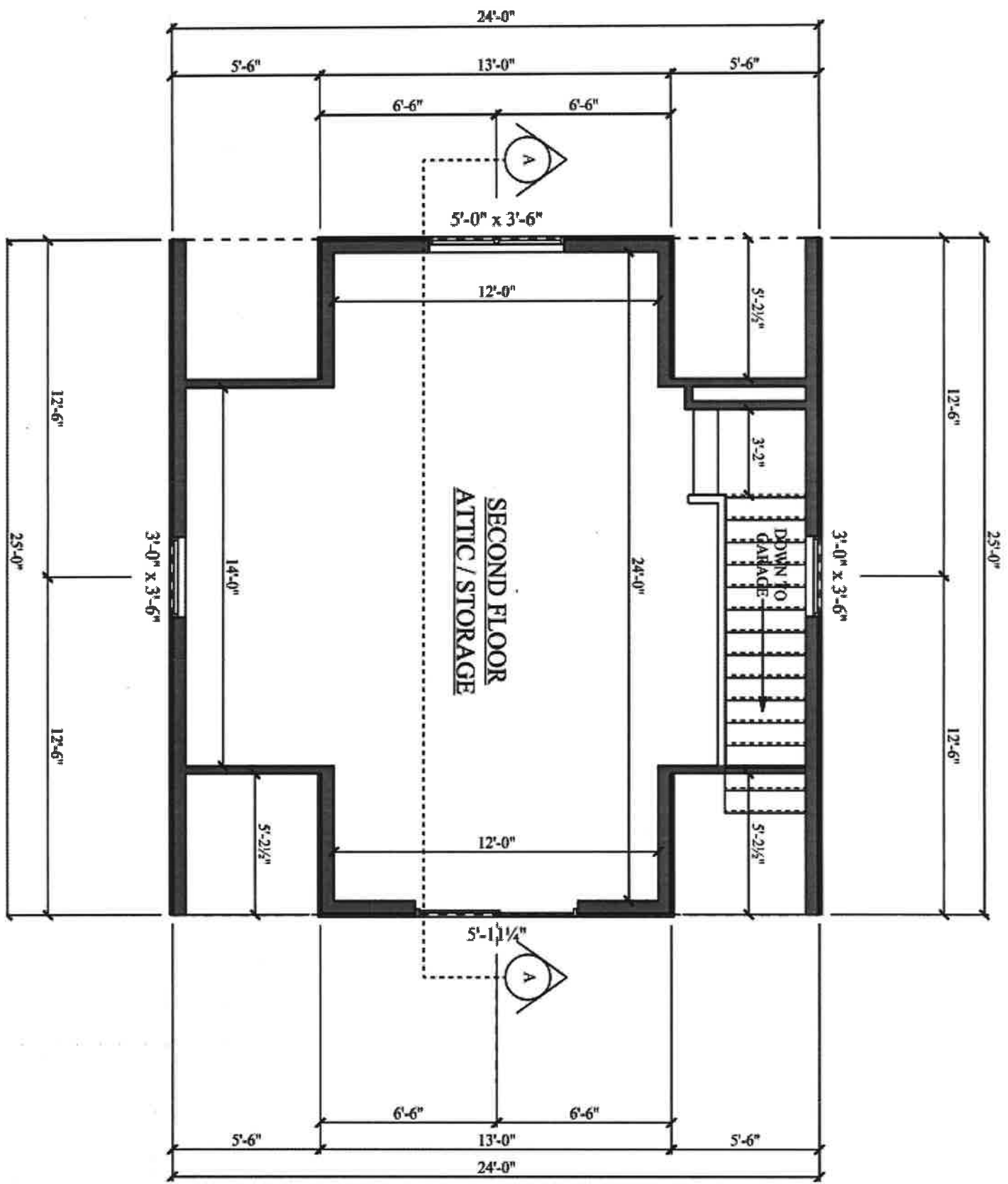
DOOR SIDE ELEVATION



ROAD SIDE ELEVATION



GARAGE FLOOR PLAN



24'-0"

5'-6"

13'-0"

5'-6"

6'-6"

6'-6"

5'-0" x 3'-6"

12'-0"

5'-2 1/2"

12'-6"

12'-6"

25'-0"

3'-0" x 3'-6"

14'-0"

SECOND FLOOR
ATTIC / STORAGE

24'-0"

3'-2"

3'-0" x 3'-6"

25'-0"

12'-6"

12'-6"

5'-2 1/2"

12'-0"

5'-2 1/2"

5'-1 1/2"

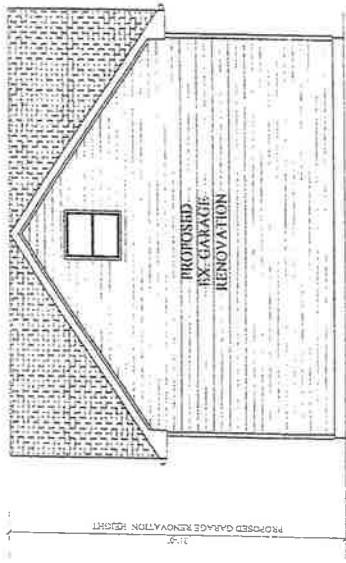
5'-6"

6'-6"

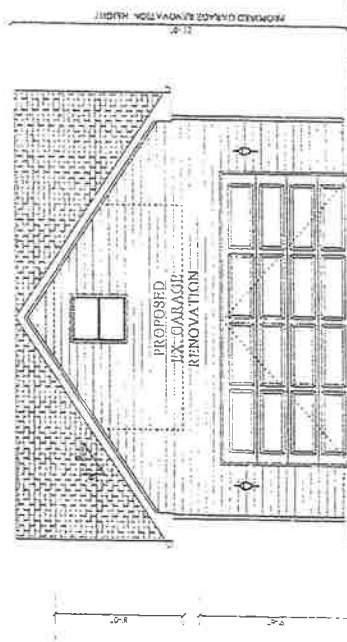
13'-0"

5'-6"

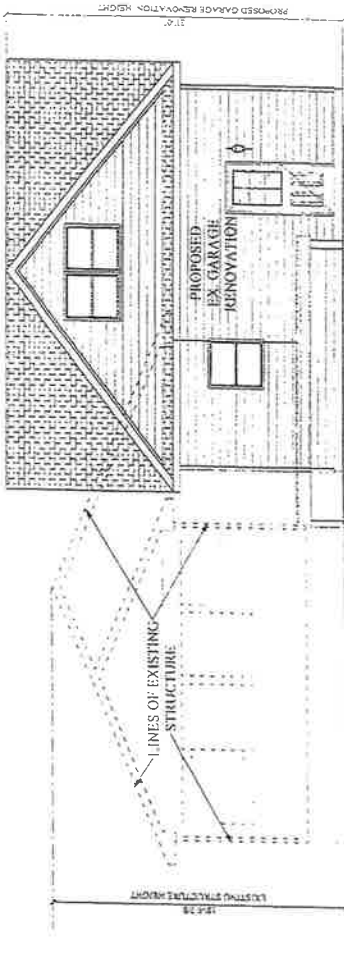
24'-0"



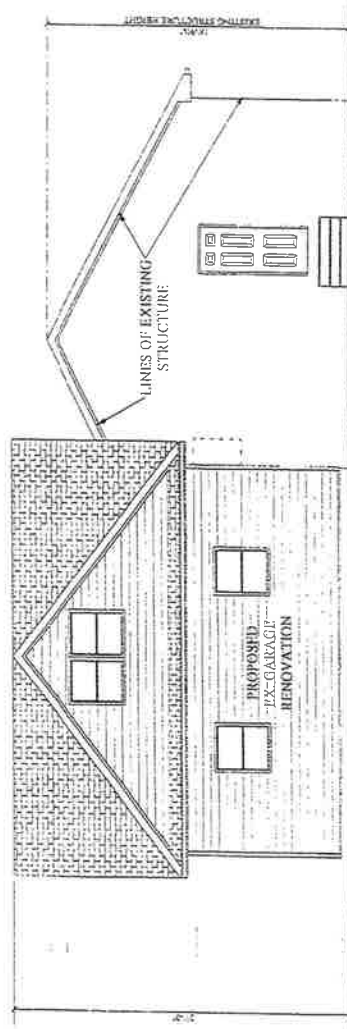
PROPERTY LINE SIDE ELEVATION



DOOR SIDE ELEVATION

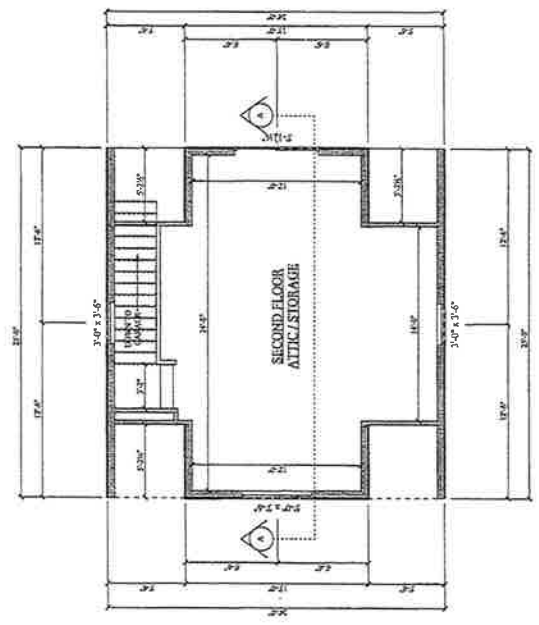


WATER FRONT ELEVATION

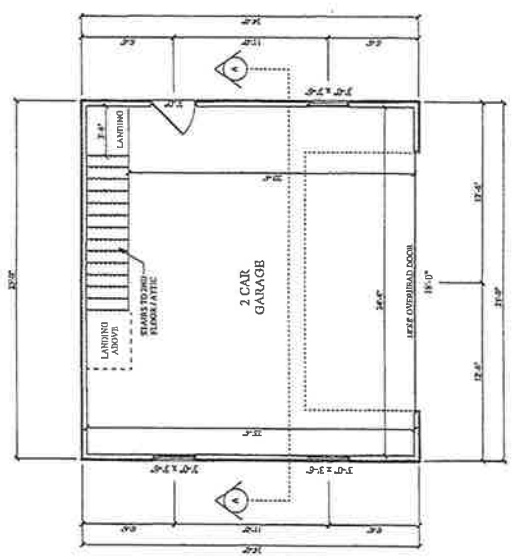


ROAD SIDE ELEVATION

PROPOSED GARAGE RENOVATION TO:
WERNERKE RESIDENCE
2020 PARK BEACH DRIVE
ABERDEEN, MARYLAND 21001



2ND FLOOR / ATTIC FLOOR PLAN



GARAGE FLOOR PLAN