

### **Letter of Justification**

The owner of the residence located at 1165 Wharf Drive, Pasadena Maryland 21122, received comments for permit B02435018. The permit was to construct a 12' x 12' open deck with two 4' x 4' landings and steps to grade, on the side of an existing single family dwelling. The comments on the permit application have called for a variance to allow this deck to result in a 2' setback from the side property line in lieu of the required 7' setback; thus, a 5' variance is needed.

The lot in question is peculiar in terms of its narrowness with respect to the existing dwelling placement. The existing house is positioned at 14' from the side property line now, thus it would only allow a 7' deck that would lead from the existing egress door on that side of the house. Furthermore, there is an existing stoop with steps to grade on the side of the house in the same location. The proposed deck will not impact on any adjacent property as the neighboring dwellings are a considerable distance behind the subject dwelling, as can be seen by the submitted photo.

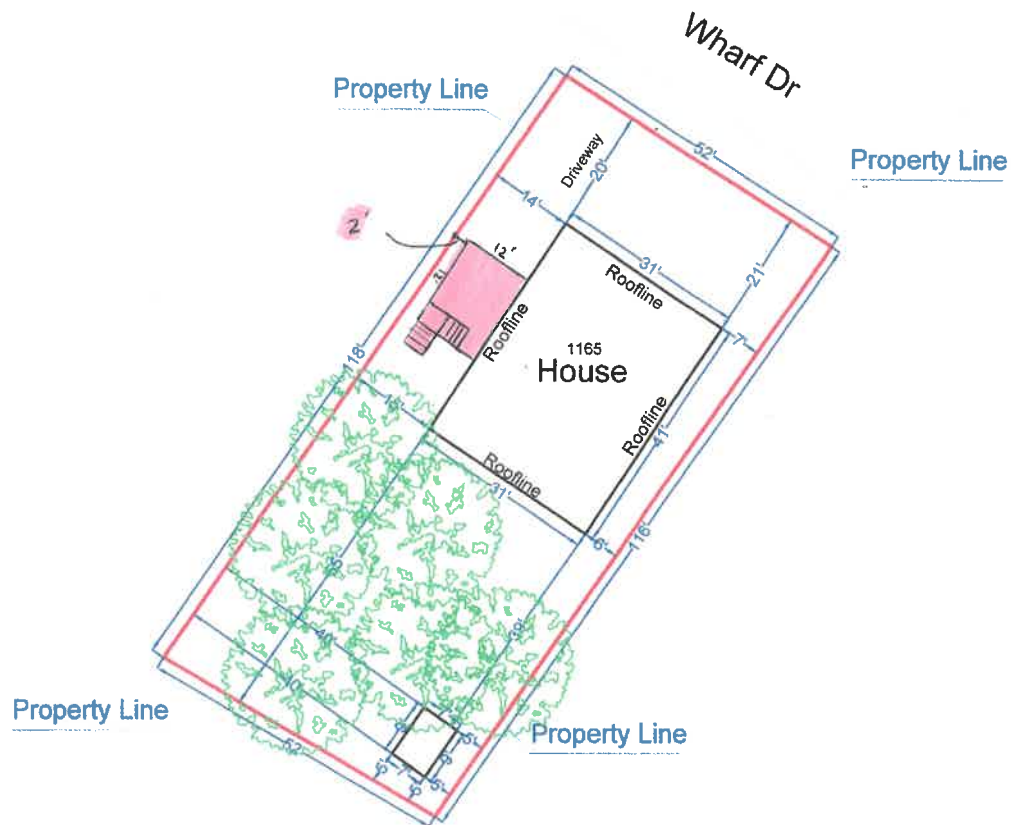
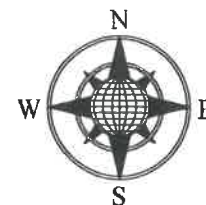
A common residential amenity such as a deck on the side of the dwellings are typical in this neighborhood. Here the applicant wishes to use that area and only proposes an open deck, with no roof. This property is NOT in the critical area and does meet the front and rear setback requirements. The only variance needed is for the side.

The variance request is not based on conditions or circumstances that are the result of actions by the applicant, nor from any condition relating to land or building use on any neighboring property. The house was constructed well before this owner took ownership. The owner has chosen to construct the deck on the side of the house with the most room between the house and the property line. Again, this is also where a door already exists.

As has been shown, this variance request is the minimum necessary to afford relief and is actually being proposed in the most feasible location possible. The granting of the variance will not alter the essential character of the neighborhood or district in which the lot is located because decks are ubiquitous on dwellings such as this one, making it more in character with the neighborhood.

The variance will not substantially impair the appropriate use or development of adjacent property because the deck is small, and the neighbors already have similar structures. Furthermore, adjacent dwellings sit a considerable distance further back from this property.

The variance will not reduce forest cover in the limited development and resource conservation areas of the critical area as this property is not in the critical area, and no forest cover will be removed for these structures. Finally, this variance in no way would be detrimental to the public welfare as this is a residential structure on a residential lot, and will have no affect on the public in any way.



Parcel No. (APN) 03-560-90050071  
Lot Area 0.13 ACRES

ADDRESS: 1165 Wharf Dr  
Pasadena, MD 21122  
Scale: 1"=20'

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This work product represents only generalized locations of  
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Google Maps

1162 Wharf Dr



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