

M.A.F. & Associates, LLC  
Matthew A. Forgen  
55 Jones Station Road, W.  
Severna Park, MD 21146  
Phone: 443-864-8589

June 13, 2025

Planner  
Department of Planning & Zoning  
2664 Riva Road  
Annapolis MD 21401

RE: Silver Sands/Castruccio Property, Lot 2R, B02433939  
804 N. Shore Drive, Glen Burnie, MD 21060  
TM 10 BLK 24 P 129, R-2 Zoning, Council District 3

Dear Planner:

On behalf of the property owner, I am submitting a variance application for the above-referenced project. The property owner is proposing to demolish an existing wood deck to allow for the construction of a new larger wood within a similar location. This proposal will require a variance to allow development within the expanded buffer to tidal waters as well as steep slope disturbance. The location of steep slopes and the expansion of the 100' buffer pushes the buffer to encompass most of the property. Since this is the case there is no way to develop the property without the need for a variance to slope disturbance as well as development within the expanded buffer.

This proposal will cause disturbance to 15% steep slopes and therefore a variance is needed for this as well as the expanded buffer variance.

The proposed wood deck is setback 7.05' from the eastern side property line, 30.18' from the western property line, and 141.68' from the northern property line at tidal waters.

Please note this is a waterfront R2 zoned property located within the RCA portion of the Chesapeake Bay Critical Area.

#### **The Anne Arundel County Code**

§ 18-13-104(a) requires that there shall be a minimum 100-foot buffer landward from the mean high-water line of tidal waters, tributary streams, and tidal wetlands. Specific development criteria apply as set forth in Article 17 of this Code and COMAR.

Subsection (b) - expanded buffer - provides that, except as provided in subsection (c), the 100-foot buffer shall be expanded beyond 100 feet to include slopes of 15% or greater, nontidal wetlands, nontidal wetlands of special State concern, and hydric soils or highly erodible soils.

The buffer shall be expanded as follows:

(1) If there are contiguous slopes of 15% or greater, the buffer shall be expanded by the greater of four feet for every 1% of slope or to the top of the slope and shall include all land within 50 feet of the top of the slopes.

(2) If there are nontidal wetlands, nontidal wetlands of special State concern, hydric soils or highly erodible soils, the buffer shall be expanded in accordance with COMAR, Title 27. § 17-8-201 provides that development in the limited development area (LDA) or in the resource conservation area (RCA) may not occur within slopes of 15% or greater unless development will facilitate stabilization of the slope; is to allow connection to a public utility; or is to provide direct access to the shoreline. All disturbance shall be limited to the minimum necessary.

### **The Variance Requested**

Please note that development within the expanded buffer is prohibited per 17-8-301(b) of the County Code. We are proposing 2,647 square feet of disturbance for development within the expanded buffer to allow for the demolition of an existing wood deck to allow for the construction of a new larger wood within a similar location. The wood deck square footage is 939 square feet which includes the steps to grade.

Please note that development on slopes 15% or greater is prohibited per 17-8-201(a) of the County Code. We are proposing 2,155 square feet of disturbance for development within 15% steep slopes and 492 square feet of disturbance with the steep slope buffer to allow for the demolition of an existing wood deck to allow for the construction of a new larger wood within a similar location. The wood deck square footage is 939 square feet which includes the steps to grade.

Profile Comments:

### **Critical Area Team:**

Critical Area Team: There have been two prior variances approved on this site to allow for the location of the current dwelling and deck and to allow for the addition of an attached garage. In order for those variances to have been approved, the AHO would have had to make the finding that these requests were the minimum necessary to afford the applicant relief. While this Office could support a request to reconstruct the existing deck, we cannot support a request for further expansion.

Our response:

The garage approved under 2017-0107-V was never built.

We feel this request is the minimum necessary to afford relief in that there is no way to improve the deck without the need for these variances. The entire waterfront side of the house is steep slopes the water's edge. With much of the lot being steep slopes the expanded buffer is at the road edge. There is no way to improve the deck without the variances being requested.

### **Zoning Administration Section:**

Prior variances: 2003-072-V for a dwelling and associated facilities with less setbacks and buffer than required and with disturbance to steep slopes & 2017-0107-V for a garage with less setbacks and buffer than required and disturbance to steep slopes. The proposed deck and stairs meet the setback requirements. The applicant must show that they meet the critical area criteria as well as the general variance criteria.

Site plan: provide dimensions of the proposed structures.

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Our response:

The garage approved under 2017-0107-V was never built.

We feel this request is the minimum necessary to afford relief in that there is no way to improve the deck without the need for these variances. The entire waterfront side of the house is steep slopes the water's edge. With much of the lot being steep slopes the expanded buffer is at the road edge. There is no way to improve the deck without the variances being requested.

We feel that this application meets the critical area criteria as well as the general variance criteria for the granting of a variance.

The site plan has a detail showing the proposed deck dimensions.

We feel this zoning variance request meets the requirements of Article 18-16-305 (a) (b) & (c) and therefore the variances should be granted. Below is the justification for granting the above noted variances.

***18-16-305(a)(1) Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article; or:***

This site is an existing, legally platted, R2 lot. The lot is developed with a single-family dwelling with wood deck, patio and sidewalk. Steep slopes cover most of the lot. The existing wood deck is located on the waterfront side of the house within the expanded buffer and steep slopes greater than 15%. The proposal is to demolish the existing wood deck to allow for the construction of a new wood deck. Most of the property falls within the expanded buffer. There are no areas of the house and existing wood deck that do not lie within the expanded buffer or steep slopes. Since this is the case, there is no way of rebuilding the wood deck without the need for this critical area variances. These are the unique characteristics of the lot.

***18-16-305(a)(2) Because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot:***

The county requires a minimum amount of disturbance from the structure. We are required to show a 10' disturbed area around the proposed wood deck for construction. This and the location of the buffer and steep slopes, this restricts the owner's ability to construct the new wood deck without steep slope and expanded buffer disturbance. This slope disturbance is very minor and is temporary for the deck construction.

***18-16-305(b) (1) Because of certain unique physical conditions, such as exceptional topographical conditions peculiar to and inherent in the particular lot or irregularity, narrowness, or shallowness of lot size and shape, strict implementation of the County's critical area program or bog protection program would result in an unwarranted hardship,***

***as that term is defined in the Natural Resources Article, § 8-1808, of the State Code, to the applicant;***

This site is an existing, legally platted, R2 lot. The lot is developed with a single-family dwelling with wood deck, patio and sidewalk. Steep slopes cover most of the lot. The existing wood deck is located on the waterfront side of the house within the expanded buffer and steep slopes greater than 15%. The proposal is to demolish the existing wood deck to allow for the construction of a new wood deck. Most of the property falls within the expanded buffer. There are no areas of the house and existing wood deck that do not lie within the expanded buffer or steep slopes. Since this is the case, there is no way of rebuilding the wood deck without the need for this critical area variances. These are the unique characteristics of the lot.

These are the unique characteristics of the lot.

***18-16-305(b) (2) (i) A literal interpretation of COMAR, Title 27, Criteria for Local Critical Area Program Development or the County's critical area program and related ordinances will deprive the applicant of rights commonly enjoyed by other properties in similar areas as permitted in accordance with the provisions of the critical area program within the critical area of the County; or***

The applicant would not be able to improve their property if these variances are not approved. The application should have the right to rebuild the wood deck since these rights are commonly enjoyed by other properties in the area.

***18-16-305(b) (ii) The County's bog protection program will deprive the applicant of rights commonly enjoyed by other properties in similar areas within the bog protection area of the County;***

This property is not within the County's bog protection area.

***18-16-305(b) (3) The granting of a variance will not confer on an applicant any special privilege that would be denied by COMAR, Title 27, the County's critical area program to other lands or structures within the County critical area, or the County's bog protection program to other lands or structures within a bog protection area;***

The proposal is to replace the existing wood deck with a slightly larger wood deck within a similar location as the existing wood deck. The granting of a variance will not confer on an applicant any special privilege that would be denied by COMAR, Title 27, the County's critical area program to other lands or structures within the County critical area.

***18-16-305(b) (4) The variance request is not based on conditions or circumstances that are the result of actions by the applicant, including the commencement of development before an application for a variance was filed, and does not arise from any condition relating to land or building use on any neighboring property;***

With the location of the existing wood deck within the expanded buffer and the location of the steep slopes, there is no way to build the new wood deck without the need for these requested variances. This variance request is not based on conditions or circumstances that are the result of actions by the applicant, including the commencement of development before

an application for a variance was filed, and does not arise from any condition relating to land or building use on any neighboring property.

***18-16-305(b) (5) The granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area or a bog protection area and will be in harmony with the general spirit and intent of the County's critical area program or bog protection program;***

This proposal will not increase the total site, lot coverage. The granting of a variance will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area or a bog protection area and will be in harmony with the general spirit and intent of the County's critical area program or bog protection program as addition site planting is beneficial to the environment.

***18-16-305(b) (6) The applicant for a variance to allow development in the 100-foot upland buffer has maximized the distance between the bog and each structure, taking into account natural features and the replacement of utilities, and has met the requirements of § 17-9-208 of this Code;***

This site is not within a bog protection area.

***18-16-305(b) (7) The applicant, by competent and substantial evidence, has overcome the presumption contained in the Natural Resources Article, § 8-1808, of the State Code; and***

We feel that the applicant, by competent and substantial evidence, has overcome the presumption contained in the Natural Resources Article, § 8-1808, of the State Code.

***18-16-305(b) (8) The applicant has evaluated and implemented site planning alternatives in accordance with § 18-16-201(c).***

The applicant is proposing to demolish the existing wood deck to allow for the construction of a new wood deck in a similar location. Minimal earthwork is required for deck footers. Any site planning alternative would increase the site disturbance.

***18-16-305(c)(1): the variance is the minimum variance necessary to afford relief:***

This variance is the minimum variance necessary to afford relief in that the proposed wood deck will be constructed in a similar location to the existing wood deck. The wood deck will require 15 footers for the deck support posts. This required minimum ground disturbance. We feel this proposal has a minimal impact on steep slopes and the expanded buffer. We feel this request is the minimum variance necessary to afford relief

***18-16-305(c)(2) the granting of the variance will not:***

***(i) alter the essential character of the neighborhood or district in which the lot is located;***

The approval of these variances will not alter the essential character of the neighborhood. The proposed wood deck is similar to the existing wood deck. We feel this house is in keeping with other homes in the neighborhood.

*(ii) substantially impair the appropriate use or development of adjacent property:*

This proposed development would not impair the appropriate use or development of adjacent properties. The neighboring properties are currently developed with a single-family dwelling. This proposal does not have an impact on these dwellings nor the ability of the owner to improve or further develop their property.

*(iii) reduce forest cover in the limited development and resource conservation areas of the critical area:*

The proposed development will not decrease forest cover within Chesapeake Bay Critical Area. There is no forest clearing required for this improvement.

*(iv) be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area:*

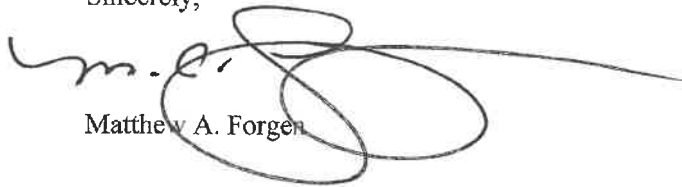
The property is not located within a bog protection area and is not contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area.

*(v) be detrimental to the public welfare:*

This development is not detrimental to the health and welfare of the community. This proposal does not increase the total lot coverage within the Chesapeake Bay Critical Area.

If you should have any questions regarding this submittal, please feel free to contact me at the number above.

Sincerely,

A handwritten signature in black ink, appearing to read 'm. a. forger', with a large, stylized flourish extending to the right.

Matthew A. Forger



CRITICAL AREA COMMISSION  
CHESAPEAKE AND ATLANTIC COASTAL BAYS  
1804 WEST STREET, SUITE 100  
ANNAPOLIS, MD 21401

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction: Anne Arundel County

Date: 5-20-2025

| Tax Map # | Parcel # | Block # | Lot # | Section |
|-----------|----------|---------|-------|---------|
| 10        | 129      | 24      | 2B    | L       |
|           |          |         |       |         |
|           |          |         |       |         |

FOR RESUBMITTAL ONLY

Corrections ☐  
Redesign ☐  
No Change ☐  
Non-Critical Area ☐

\*Complete Only Page 1  
General Project Information

Tax ID: 3750-1165-4985

Project Name (site name, subdivision name, or other) SILVER SAILS / CASTRUCCIO PROPERTY

Project location/Address 804 N. SHORE DRIVE

City GLEN BURIE MD Zip 21060

Local case number

Applicant: Last name PIROGA JR. First name DANIEL

Company

Application Type (check all that apply):

Building Permit ☒  
Buffer Management Plan ☐  
Conditional Use ☐  
Consistency Report ☐  
Disturbance > 5,000 sq ft ☐  
Grading Permit ☐

Variance ☒  
Rezoning ☐  
Site Plan ☐  
Special Exception ☐  
Subdivision ☐  
Other ☐

Local Jurisdiction Contact Information:

Last name AACo Zoning Administration Section First name

Phone # 410-222-7437 Response from Commission Required By TBD

Fax # Hearing date TBD

## SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

DEMO EXISTING WOOD DECK FOR THE CONSTRUCTION  
OF A NEW WOOD DECK AND STEPS TO GRADE

Intra-Family Transfer ☐  
Grandfathered Lot ☒

Growth Allocation ☐  
Buffer Exemption Area ☐

### Project Type (check all that apply)

Commercial ☐  
Consistency Report ☐  
Industrial ☐  
Institutional ☐  
Mixed Use ☐  
Other ☐

Recreational ☐  
Redevelopment ☐  
Residential ☒  
Shore Erosion Control ☐  
Water-Dependent Facility ☐

## SITE INVENTORY (Enter acres or square feet)

|            | Acres | Sq Ft  |
|------------|-------|--------|
| IDA Area   |       | 0      |
| LDA Area   |       | 24,725 |
| RCA Area   |       | 0      |
| Total Area |       |        |

Total Disturbed Area 

|       |      |
|-------|------|
| Acres |      |
| Sq Ft | 2647 |

# of Lots Created

|                                | Acres | Sq Ft  |                       | Acres | Sq Ft |
|--------------------------------|-------|--------|-----------------------|-------|-------|
| Existing Forest/Woodland/Trees |       | 11,500 | Existing Lot Coverage |       | 1789  |
| Created Forest/Woodland/Trees  |       | 0      | New Lot Coverage      |       | 0     |
| Removed Forest/Woodland/Trees  |       | 0      | Removed Lot Coverage  |       | 0     |
|                                |       |        | Total Lot Coverage    |       | 1789  |

## VARIANCE INFORMATION (Check all that apply)

|                        | Acres | Sq Ft |                        | Acres | Sq Ft |
|------------------------|-------|-------|------------------------|-------|-------|
| Buffer Disturbance     |       | 2647  | Buffer Forest Clearing |       | 0     |
| Non-Buffer Disturbance |       | 0     | Mitigation             |       | 0     |

### Variance Type

Buffer ☒  
Forest Clearing ☐  
HPA Impact ☐  
Lot Coverage ☐  
Expanded Buffer ☐  
Nontidal Wetlands ☐  
Setback ☐  
Steep Slopes ☒  
Other ☐

### Structure

Acc. Structure Addition ☐  
Barn ☐  
Deck ☒  
Dwelling ☐  
Dwelling Addition ☐  
Garage ☐  
Gazebo ☐  
Patio ☐  
Pool ☐  
Shed ☐  
Other ☐

**SILVER SAND, CASTRUCCIO  
PROPERTY, LOT 2R  
804 NORTH SHORE ROAD, GLEN BURNIE, MD. 21060  
  
CRITICAL AREA REPORT**

**PREPARED BY:  
M.A.F. & ASSOCIATES, LLC  
55 JONES STATION ROAD, W.  
SEVERNA PARK, MD 21146**

**443-864-8589**

**MAY 10, 2025**

# **SILVER SAND, CASTRUCCIO PROPERTY, LOT 2R**

**804 NORTH SHORE ROAD, GLEN BURNIE, MD. 21060**

## **CRITICAL AREA REPORT**

### **INTRODUCTION**

The lot located at 804 N. Shore Road, Glen Burnie, MD. 21060 in the community of Silver Sands and is currently improved with a single-family dwelling and drive. The owner of the property is proposing to construct a 600 square foot garage within the expanded buffer. This construction will disturb 15% or greater steep slopes.

### **VICINITY MAP**

Included in this report and shown on the attached plan is a vicinity map designating the location of the subject site. Also included in the report are a vicinity map and a portion of the Critical Area Map with the site located.

### **NARRATIVE**

#### **EXISTING CONDITIONS**

The lot is currently improved with a single-family dwelling and drive. The lot is partially wooded at this time. The majority of the property consists of 15 and 25% steep slopes. These environmental features expand the 100' buffer from the shoreline to encompass the entire property.

The wooded area is 11,500 square feet. The wooded area consists of pitch pine overstory and mixed hardwood understory, including southern red oak, bigtooth aspen, dogwood, holly, black cherry, sweetgum and river birch. No rare, threatened or endangered species were noted.

The site slopes steeply from the road to the waters edge. There is no way of developing the site without disturbing the steep slopes. The only wildlife seen was small birds. It is likely that small mammals and birds use the site for a food source. The wildlife use of the property will not be diminished with this proposed garage addition.

## **PROPOSED DEVELOPMENT**

The owner of the property is proposing to remove an existing wood deck to allow for the construction of a new wood deck and steps to grade. This construction falls within steep slopes of 15% as well as being within the expanded buffer. The site is 0.6365 acre, consisting of mostly steep slopes (15% or greater) and the expanded buffer. The proposed deck construction will require a total disturbance of 2,647 square feet.

## **STORMWATER MANAGEMENT**

There is stormwater management on the property for the existing house. If storm water management is required for this application, it will address stormwater as part of the building permit application. During construction, sediment and erosion control measures will be employed.

## **IMPACT MINIMIZATION**

Due to the limited improvement, we feel that this development demonstrates a minimal impact on the environment.

## **HABITAT PROTECTION AREAS**

The Habitat Protection Areas onsite include the shallow water habitat, the expanded buffer to the shoreline, as well as the buffer to the steep slopes. The expanded buffer to the shoreline prohibits this construction without a variance being granted.

## **AFTER CONSTRUCTION CONDITIONS AND SITE CALCULATIONS**

The proposed conditions of the site include the construction of a garage addition. The site calculations are as follows:

|   |           |
|---|-----------|
| Total site area   | 24,725 sf |
| Existing woodland                                       | 11,500 sf |
| Proposed clearing                                       | 0 sf      |
| Proposed planting                                       | 0 sf      |
| Existing lot coverage prior<br>to the proposed addition | 1,789 sf  |
| Allowed lot coverage coverage                           | 3,708 sf  |
| Additional lot coverage after construction with the LDA | 0 sf      |

Reforestation, stormwater management and impervious coverage in the buffer will be addressed with the building permit.

## **CONCLUSIONS**

The lot in question is a legal lot located in an established community. It is not possible to remove the existing wood deck and for the construction of a new wood deck without being in the expanded buffer or disturbing steep slopes.

As constructed, the development of the lot does not have an adverse impact on the plant or wildlife habitat of the Critical Area. This wood deck will be constructed with 1/8" gaps and there considered pervious. This proposal will not adversely impact adjacent properties.

## **PLANS**

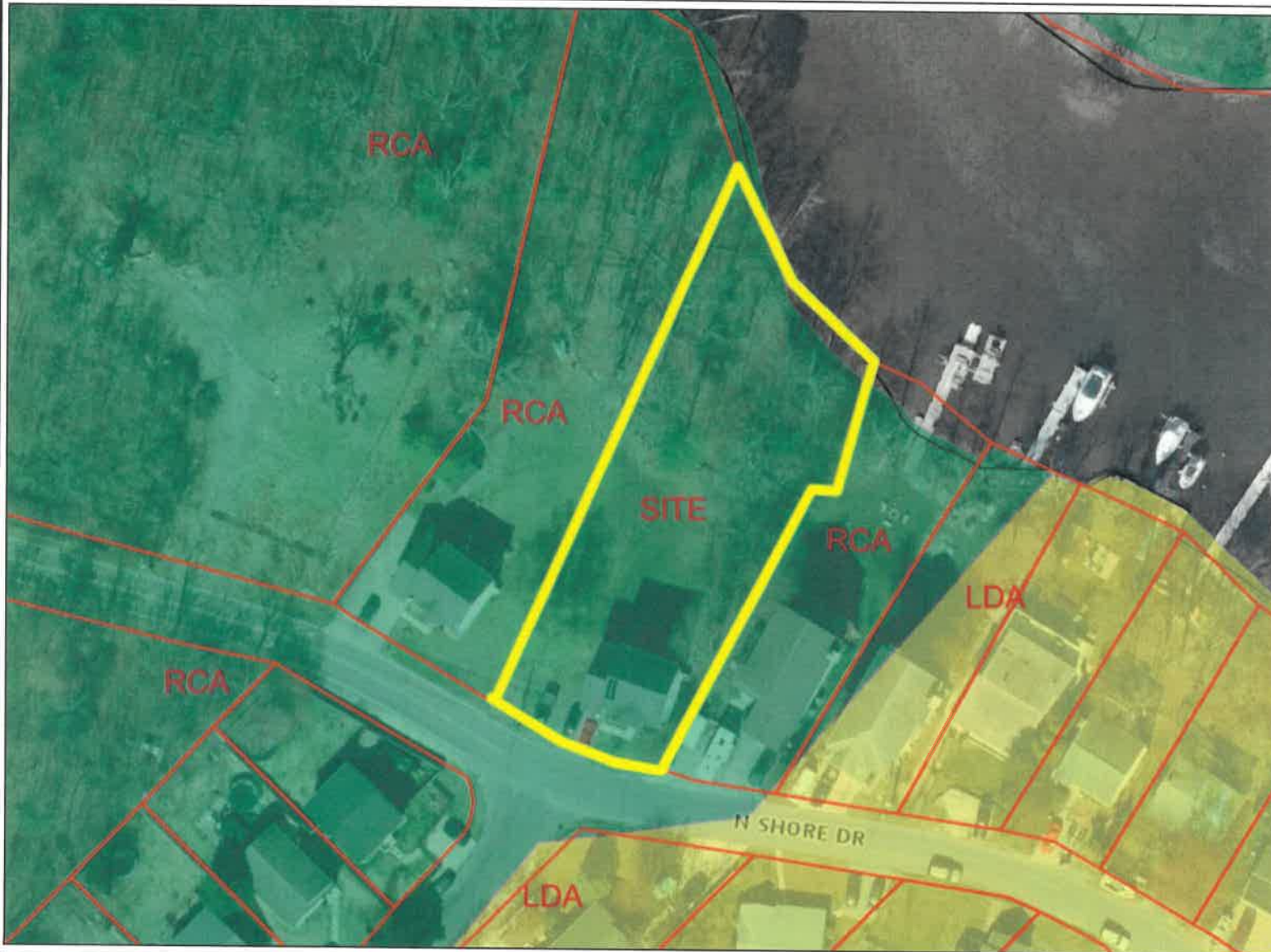
A plan showing the site and its improvements is attached to this report.

## **ADDITIONAL INFORMATION**

A Notification of Project Application for the Critical Area Commission is included in this package.

The fieldwork was conducted on May 10, 2025

# CRITICAL AREA MAP



## Legend

### Parcels



### Critical Areas

-  IDA - Intensely Developed Area
-  IDA - Intensely Developed Area
-  LDA - Limited Development Area
-  RCA - Resource Conservation Area

### Labels

- State Road Label
- Interstate US Road Label
- Local Road Label
- Fire Police Label
- Streams Label



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

0 50 100  
ft

Esri Community Maps Contributors,  
County of Anne Arundel, VGIN, ©  
OpenStreetMap, Microsoft, Esri,  
TomTom, Garmin, SafeGraph,  
GeoTechnologies, Inc, METI/NASA,



THIS MAP IS NOT TO BE  
USED FOR NAVIGATION

## Notes

CRITICAL AREA COMMISSION  
CHESAPEAKE AND ATLANTIC COASTAL BAYS  
1804 WEST STREET, SUITE 100  
ANNAPOLIS, MD 21401

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

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Date: 5-20-2025

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FOR RESUBMITTAL ONLY

Corrections ☐  
Redesign ☐  
No Change ☐  
Non-Critical Area ☐

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Local case number

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Last name AACo Zoning Administration Section First name

Phone # 410-222-7437 Response from Commission Required By TBD

Fax # Hearing date TBD

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Describe Proposed use of project site:

DEMOLISH EXISTING WOOD DECK FOR THE CONSTRUCTION  
OF A NEW WOOD DECK AND STEPS TO GRADE

Intra-Family Transfer ☐ Yes  
Grandfathered Lot ☒

Growth Allocation ☐ Yes  
Buffer Exemption Area ☐

### Project Type (check all that apply)

Commercial ☐  
Consistency Report ☐  
Industrial ☐  
Institutional ☐  
Mixed Use ☐  
Other ☐

Recreational ☐  
Redevelopment ☐  
Residential ☒  
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Water-Dependent Facility ☐

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| RCA Area   |       | 0      |
| Total Area |       |        |

Total Disturbed Area  Acres  Sq Ft 2647

# of Lots Created

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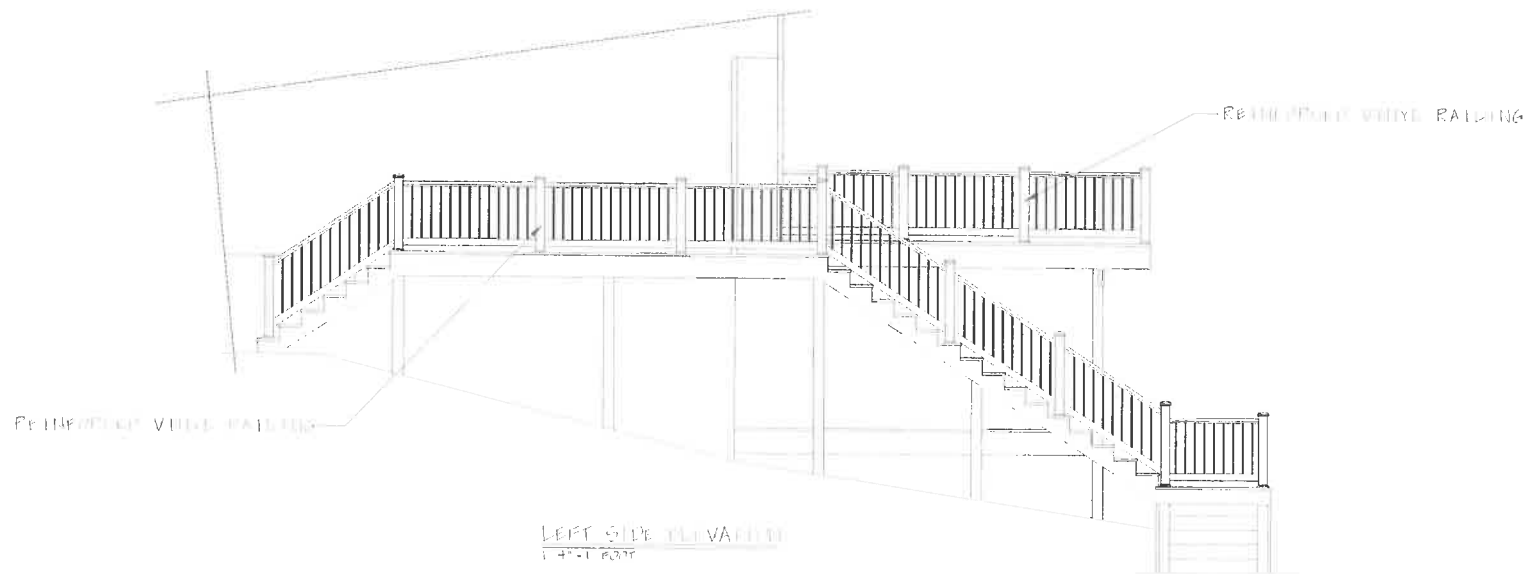
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HPA Impact ☐  
Lot Coverage ☐  
Expanded Buffer ☐  
Nontidal Wetlands ☐  
Setback ☐  
Steep Slopes ☒  
Other ☐

### Structure

Acc. Structure Addition ☐  
Barn ☐  
Deck ☒  
Dwelling ☐  
Dwelling Addition ☐  
Garage ☐  
Gazebo ☐  
Patio ☐  
Pool ☐  
Shed ☐  
Other ☐



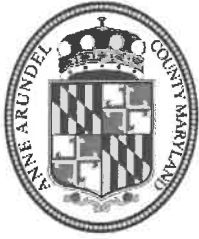


|             |   |
|-------------|---|
| DESIGNED BY | SPRINT HILL   |
| DATE        | 01/16/2025  |
| OWNER       |   |
| PROJECT     | CARNEY CIRCLE<br>604 NORTH CARNEY DRIVE<br>GLENN GLENVIEW, MD 21060 |
| ARCHITECT   |   |
| ADDRESS     | ARMED APPOINTMENT COUNTY  |
| SHEET       |   |

A102

RECEIVED BY MAIL ON 01/01/01





## OFFICE OF PLANNING AND ZONING

### CONFIRMATION OF PRE-FILE

**PRE-FILE #:** 2025-0046-P  
**DATE:** 06/09/2025  
**STAFF:** Joan A. Jenkins (OPZ)  
Kelly Krinetz (OPZ)

**APPLICANT/REPRESENTATIVE:** Matt Forgen / Daniel Pirog

**EMAIL:** mforgen@aol.com

**SITE LOCATION:** 804 North Shore Dr, Glen Burnie

**LOT SIZE:** 24,725 sf

**ZONING:** R2      **CA DESIGNATION:** RCA      **BMA:**      **or BUFFER:** yes      **APPLICATION TYPE:** var

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#### DESCRIPTION:

The applicant proposes to remove an existing waterfront deck and construct a larger deck waterward in a similar location, adding two sets of steps and a catwalk deck to the side of the house. Disturbance to the expanded buffer and steep slopes for the proposed work, the LOD, and access for deck construction.

#### COMMENTS:

**Critical Area Team:** There have been two prior variances approved on this site to allow for the location of the current dwelling and deck and to allow for the addition of an attached garage. In order for those variances to have been approved, the AHO would have had to make the finding that these requests were the minimum necessary to afford the applicant relief. While this Office could support a request to reconstruct the existing deck, we cannot support a request for further expansion.

#### **Zoning Administration Section:**

Prior variances: 2003-072-V for a dwelling and associated facilities with less setbacks and buffer than required and with disturbance to steep slopes & 2017-0107-V for a garage with less setbacks and buffer than required and disturbance to steep slopes.

The proposed deck and stairs meet the setback requirements. The applicant must show that they meet the critical area criteria as well as the general variance criteria.

Site plan: provide dimensions of the proposed structures.

#### INFORMATION FOR THE APPLICANT

Section 18-16-301 (c ) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence.

A variance to the requirements of the County's Critical Area Program may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Article 18-16-305. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the variance request.