

+ -

Letter of Explanation

I am proposing to rebuild my thirty-three year old, 8'x44' deck in kind due to its age and deterioration, not to mention safety. The deck is in the critical area. Under the existing deck is a concrete slab with a layer of brick on top of that. Fence and Deck Connection suggested a 9'x44' deck so that the footings would be outside the slab and said I would still end up with an 8' deck. I have the proposed layouts for both size decks. Rebuilding the deck will also allow me to meet the current building requirements. I am a widow, but I do have 5 young grandchildren that visit and I no longer allow on the deck. Since the majority of the property is on a slope the deck is basically my backyard and is a hardship not being able to use it.

The deck will not impair the use of neighboring properties since it's been in the same location for so many years and the size is not changing. My closest neighbor is on the south side of the property and his water view is also to the south.

Letter of Explanation, rev 10/28/2025

Re: Deck Replacement

606 Tower Bank Road

Severna Park 21146

Jennifer,

On behalf of Ann Cancelliere, here is a revision to the original Letter to clarify your comments:

- A.) The original 8'x44' deck is wood with outside mounted railings - measuring 8'4"x44' overall including the railings. The deck surface is 8x44 or 352 sq ft. This was installed 33 years ago over an 8x44' concrete patio which has a brick overlay. We are applying to install a 9x44' deck, with all new PT Framing while upgrading to composite decking and vinyl railings. The railings are to be mounted inside the framing. The deck will be installed in the same location, attached to the rear of the house; however, new Footers per the CAD drawing are to be dug outside the concrete patio. There is a second wood deck shown on the plat, farther below the rear of the house that will not be renovated nor will the ground level wood walkway on the right of the house. We are only working on the deck attached to the rear of the house.
- B.) All Variances for Article 18-16-305(c) and 18-16-305(b) have been addressed in an attachment
- C.) The site plan has been updated with the original deck in Yellow and the proposed 9x44' deck in Red
- D.) The measured distance to the South side is 6'6" from the left rear corner of the house. I am not asking to change this dimension as the deck will align with the house corner.
- E.) Plans are attached, printable at 40 scale on 11x17" paper showing the existing deck in Yellow, the proposed deck in Red and a second copy indicating all impervious surfaces in Blue.
- F.) Also providing the CAD drawing for 9x44' deck

If helpful, a meeting with a representative of Fence Connection, Inc. and your people can be arranged.

Let me know what else we can do to assist Mrs. Cancelliere's application get to completion.

Regards,

John Gallagher

Fence & Deck Connection, Inc.

(b) **Requirements for critical or bog protection area variances.** For a property located in the critical area or a bog protection area, a variance to the requirements of the County's critical area program or the bog protection program may be granted if the Administrative Hearing Officer makes the following affirmative findings:

(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;

(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

(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;

(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;

(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;

(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;

(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;

Ex topo undisturbe

Prop line narrow
on left

Requires Variance

NA

NA

Agreed

Agreed

NA

Same Footprint

Meets Reqts

(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

(8) The applicant has evaluated and implemented site planning alternatives in accordance with § [18-16-201](#)(c).

(c) **Requirements for all variances.** A variance may not be granted unless it is found that:

(1) the variance is the minimum variance necessary to afford relief; and

(2) the granting of the variance will not:

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

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

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

(iv) be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area; nor

(v) be detrimental to the public welfare.

Agreed

Reduced request to

Original footprint

Correct

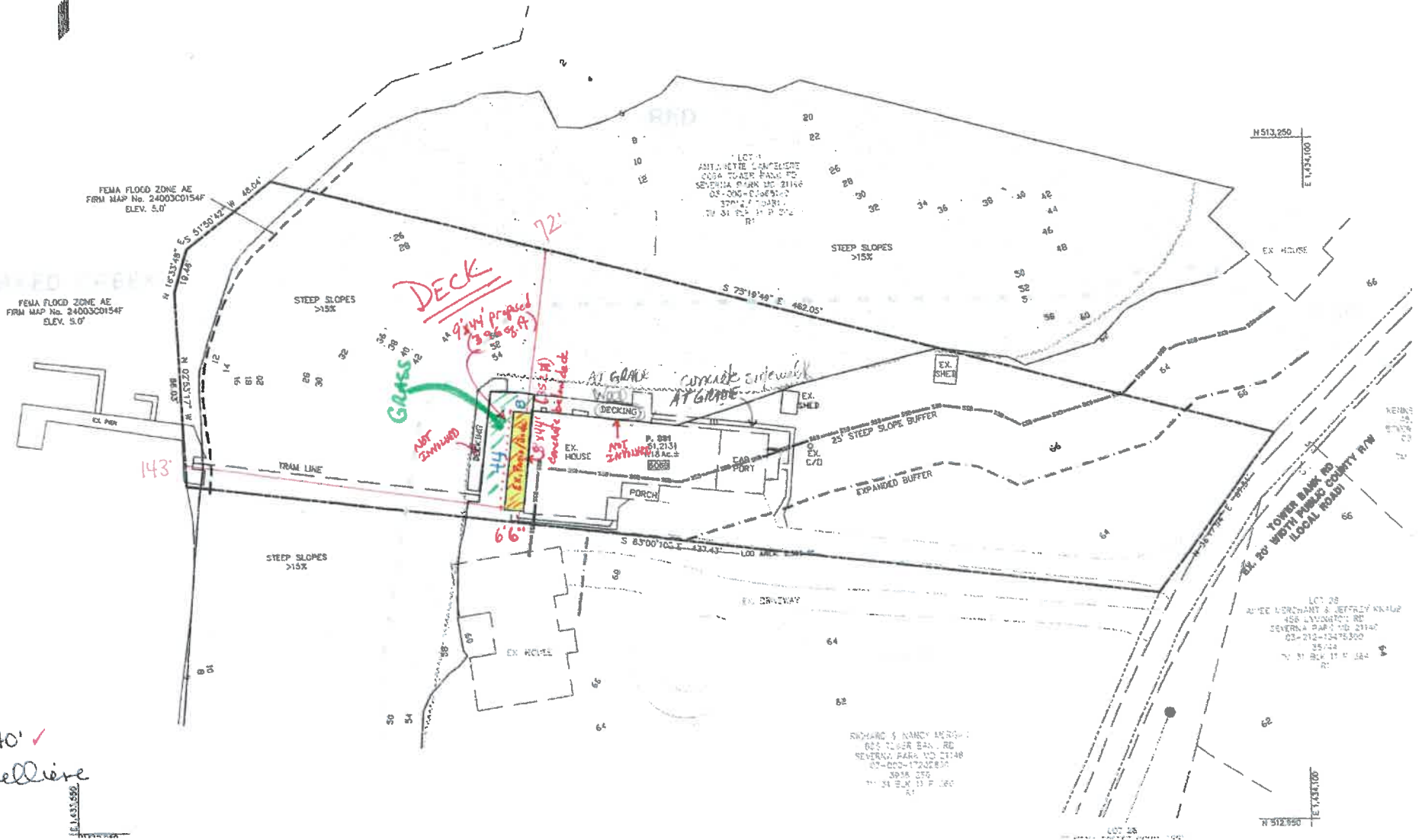
Same Footprint

Same Footprint

NA

NA

Same Footprint as
existing



1"=40' ✓
Cancelliere

1. PROPOSED DECK SQUARE FOOTAGE = 396 SQ. FT.
2. REMOVE EXISTING DECK AND STAIRS, APPROX. 360 SQ. FT. COMPLETE AND HAUL AWAY ALL DEBRIS.

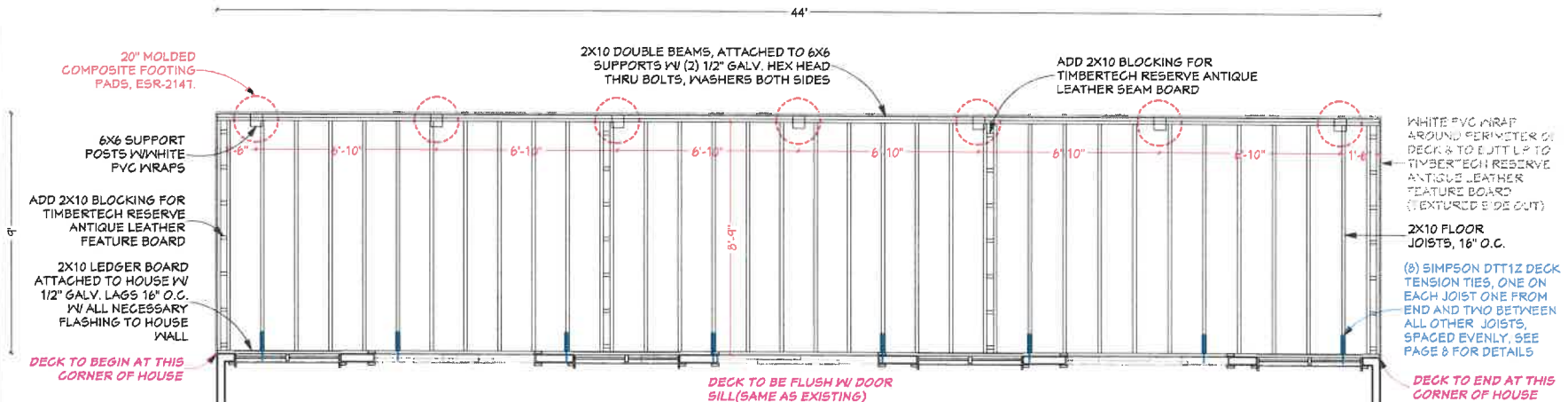
1. DECKING - TIMBERTECH RESERVE ANTIQUE LEATHER, C6RR-0128.
2. FEATURE/SEAM - TIMBERTECH RESERVE ANTIQUE LEATHER, C6RR-0128.
3. RAILING - 96" BLACK ULTRALOX ALUMINUM RAILING WITH SQUARE ALUMINUM BALUSTERS, ESR-3485.
4. WRAP - WHITE PVC WRAP (TEXTURED SIDE OUT).

- 1 FRAMING
- 2 DECK
- 3 LT. ELEVATION
- 4 FT. ELEVATION
- 5 RT. ELEVATION
- 6 BRACING DETAILS
- 7 CAD DETAILS
- 8 SIMPSON DETAIL
- 9 FOOTING PAD

Arin Cancelliere
606 Tower Bank Road
Severn Park, Maryland 21146

8057 Veterans Highway
Millersville, MD, 21108
410-969-4444
www.fencedeckconnection.com

100

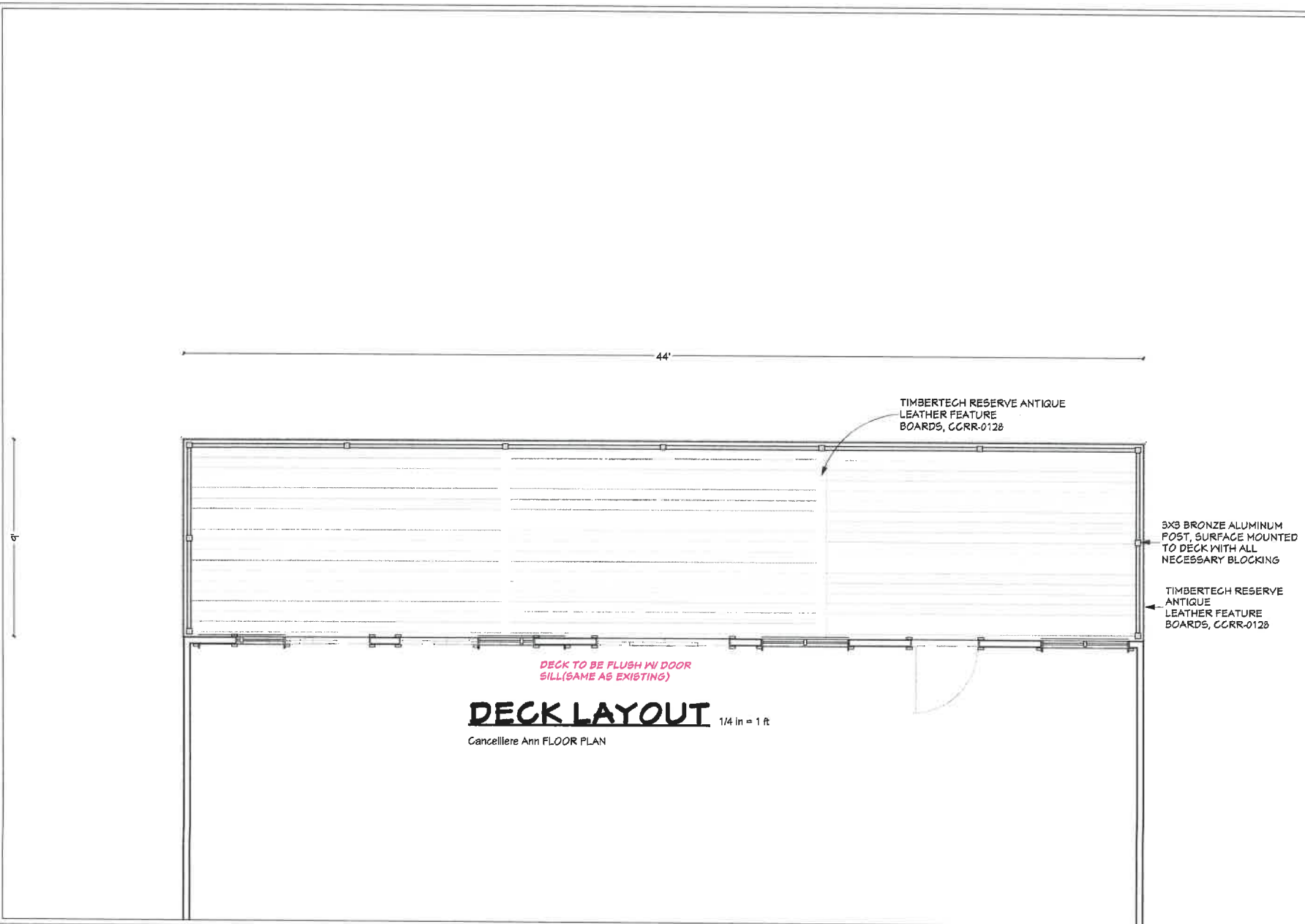


Cancellere Ann FLOOR PLAN

CUSTOMER APPROVAL:

CUSTOMER APPROVAL:

DATE:



SHEET INDEX	
1	FRAMING
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9	FOOTING PAD

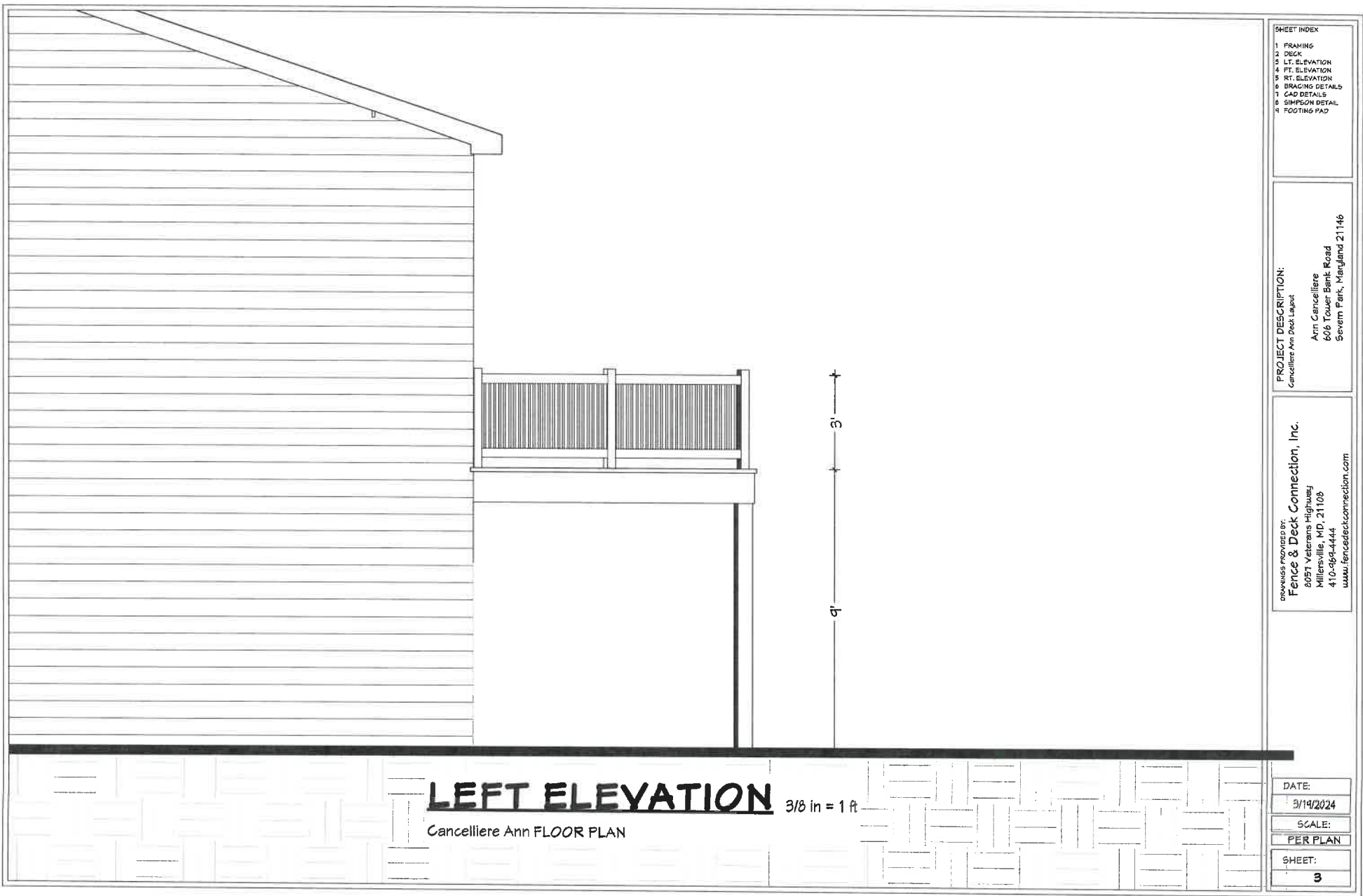
PROJECT DESCRIPTION:
Cancellere Ann Deck Layout

Ann Cancellere
606 Tower Bank Road
Severn Park, Maryland 21146

DESIGNED BY:
Fence & Deck Connection, Inc.

8851 Veterans Highway
Millersville, MD, 21108
410-964-4444
www.fenceanddeckconnection.com

DATE:
3/19/2024
SCALE:
PER PLAN
SHEET:
2



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8	SIMPSON DETAIL
9	FOOTING PAD

PROJECT DESCRIPTION:
Cancelliere Ann Deck Layout

Ann Cancelliere
606 Tower Bank Road
Severn Park, Maryland 21146

DRAWINGS PROVIDED BY:

Fence & Deck Connection, Inc.

8051 Veterans Highway
Millersville, MD, 21108
410-484-4444
www.fenceanddeckconnection.com

DATE:

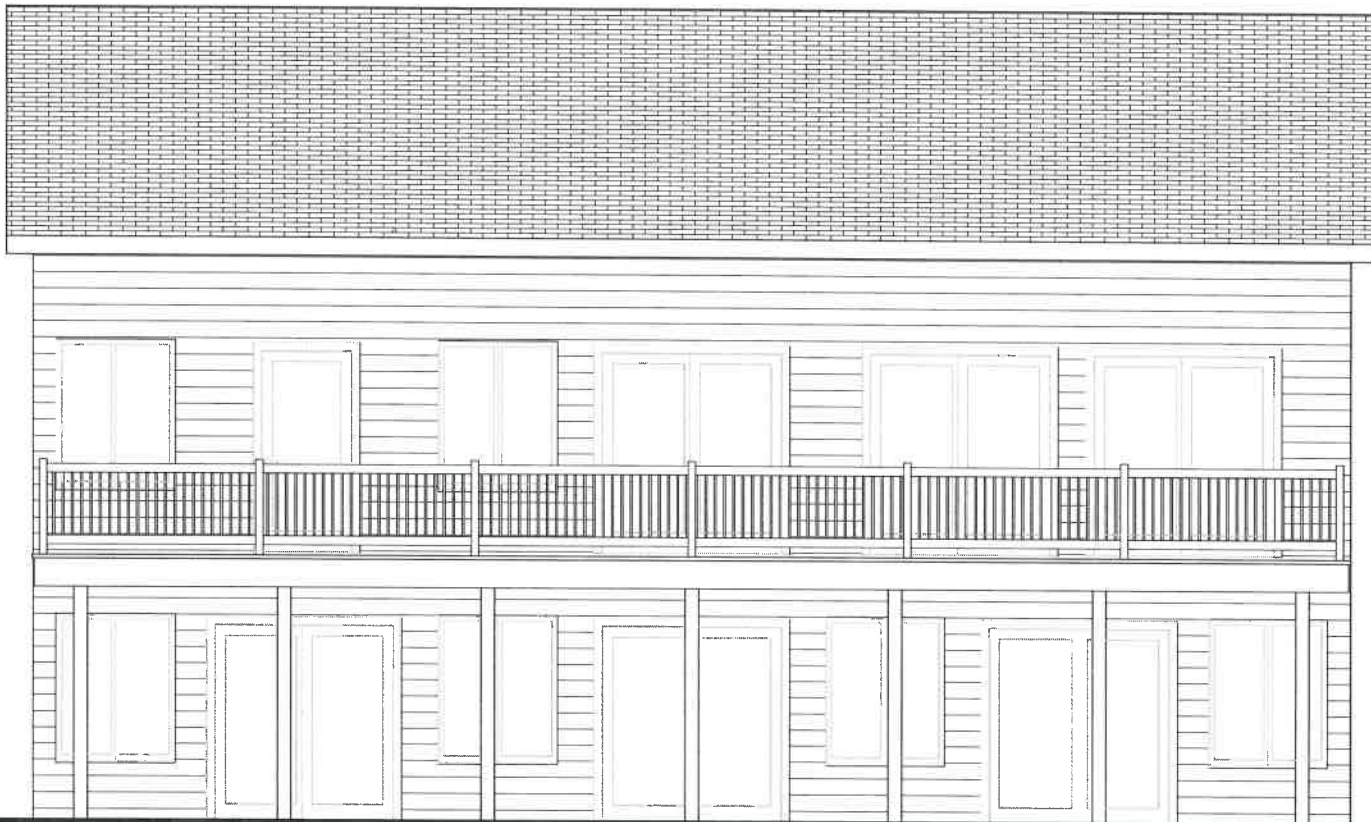
3/14/2024

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FRONT ELEVATION

1/4 in = 1 ft

Cancelliere Ann FLOOR PLAN

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- 9 FOOTING PAD

PROJECT DESCRIPTION:
Cancelliere Ann Deck Layout

Ann Cancelliere
606 Tower Bank Road
Severn Park, Maryland 21146

Drawings provided by:
Fence & Deck Connection, Inc.

8657 Veterans Highway
Millersville, MD, 21106
410-989-4444
www.fenceanddeckconnection.com

DATE:

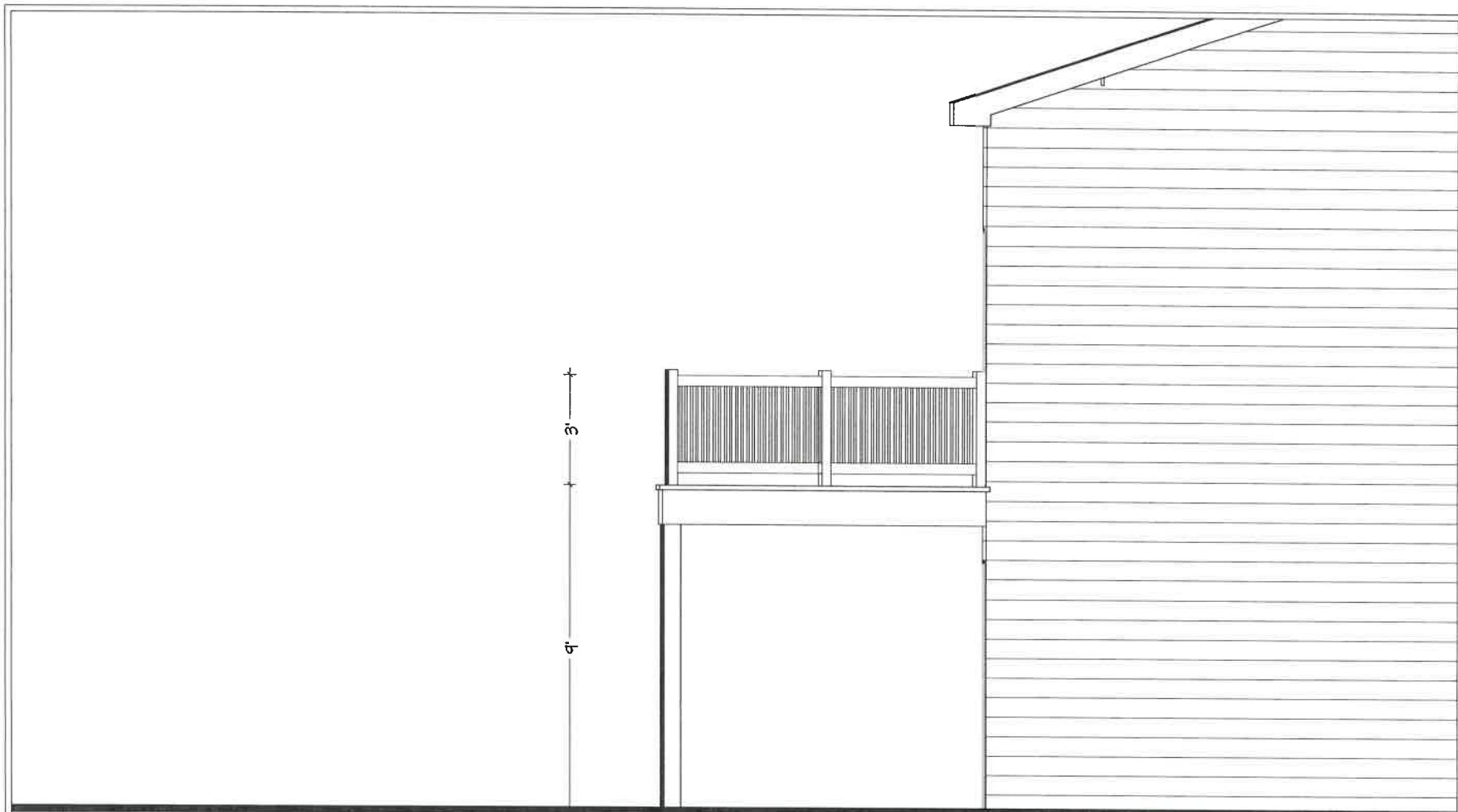
3/19/2024

SCALE:

PER PLAN

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RIGHT ELEVATION

3/8 in = 1 ft

Cancelliere Ann FLOOR PLAN

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Cancelliere Ann Deck Layout

Ann Cancelliere
606 Tower Bank Road
Severn Park, Maryland 21146

DESIGNED BY:

Fence & Deck Connection, Inc.

8051 Veterans Highway
Millersville, MD 21106
410-964-4444
www.fenceanddeckconnection.com

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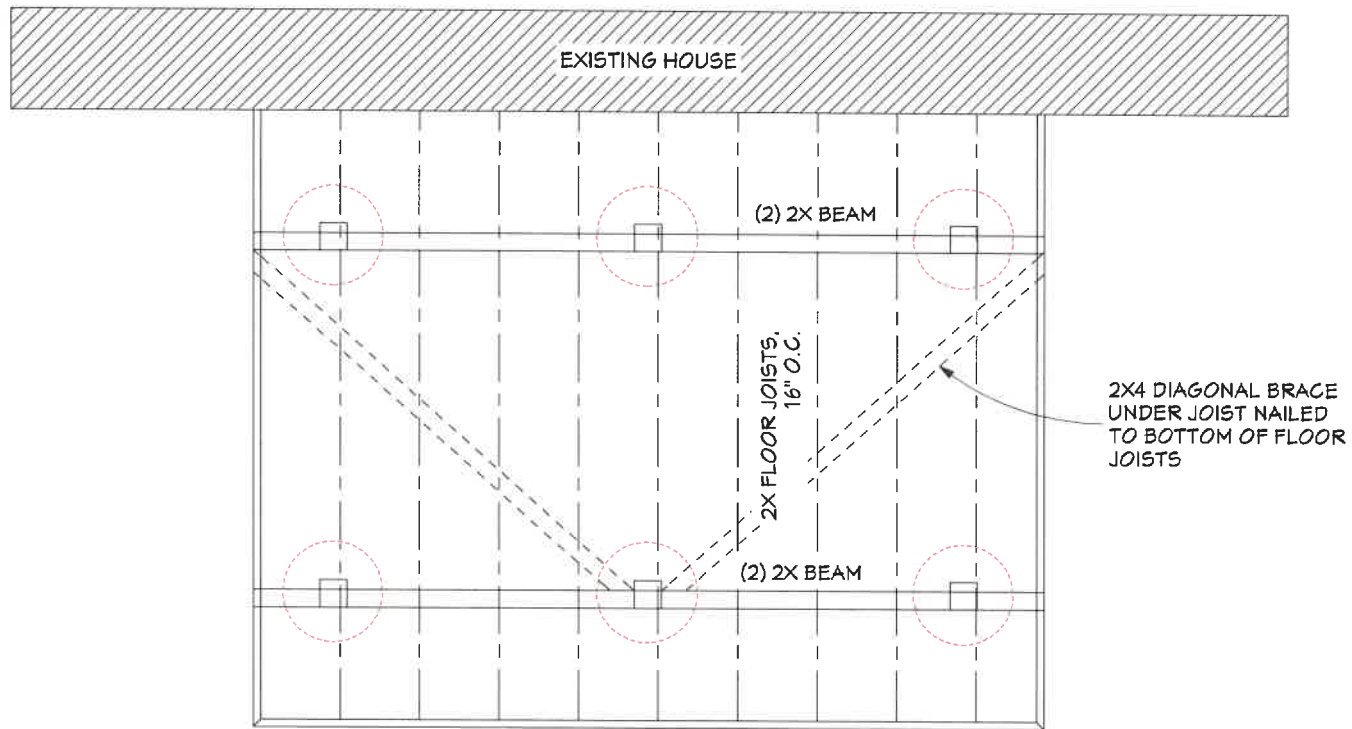
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BRACING DETAIL



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Cancelliere Ann Deck Layout

Ann Cancelliere
606 Towner Bank Road
Severn Park, Maryland 21146

Drawings provided by:

Fence & Deck Connection, Inc.

8057 Veterans Highway
Millersville, MD, 21106
410-969-4444
www.fencedeckconnection.com

DATE:

3/14/2024

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PER PLAN

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DETAIL SHEET

SCALE: 1/2" = 1'-0"

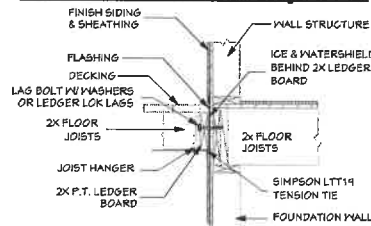
GENERAL NOTES:

1. ALL FASTENERS SHALL BE ACQ APPROVED.
2. ALL LUMBER TO BE #2 S. PINE OR BETTER.
3. ALL WOOD RAILING AND DECKING TO BE #1 S. PINE.
4. ALL LUMBER SHALL BE P/T.

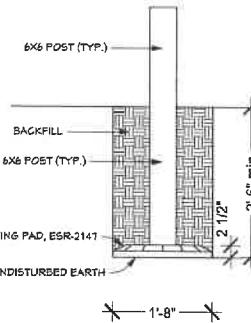
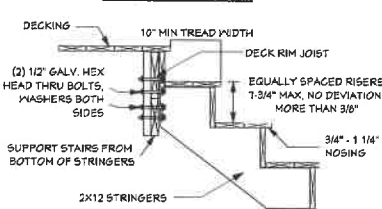
JOB NOTES:

1. 2X10 FLOOR JOISTS, PRESSURE TREATED.
2. 2X10 DOUBLE UPSET BEAM, PRESSURE TREATED.
3. 6X6 SUPPORT POSTS W/ WHITE PVC WRAPS, PRESSURE TREATED.
4. 36" BLACK ULTRALOX ALUMINUM RAILING WITH SQUARE ALUMINUM BALUSTERS, ESR-3485.
5. TIMBERTECH RESERVE ANTIQUE LEATHER DECKING, FEATURE & SEAM BOARDS C6RR-0128.
6. WHITE PVC WRAP BOARDS (TEXTURED SIDE OUT).

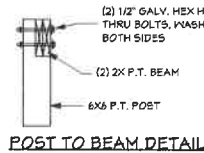
Deck Anchored to Wood Wall: Ledger to Wall



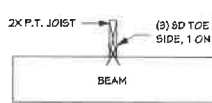
Exterior Stair Detail



FOOTER DETAIL

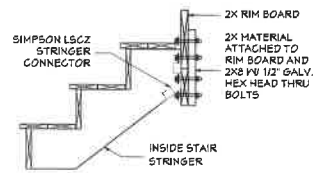
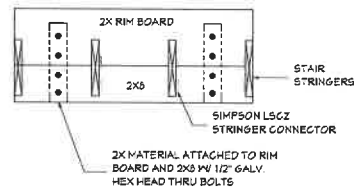


POST TO BEAM DETAIL

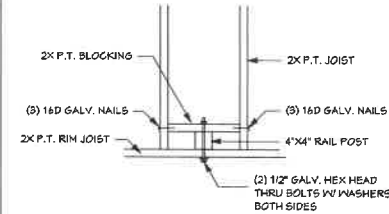


JOIST TO BEAM DETAIL

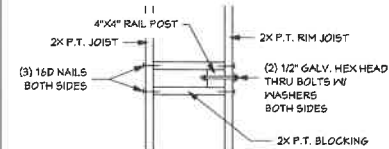
STAIR STRINGER ATTACHMENT



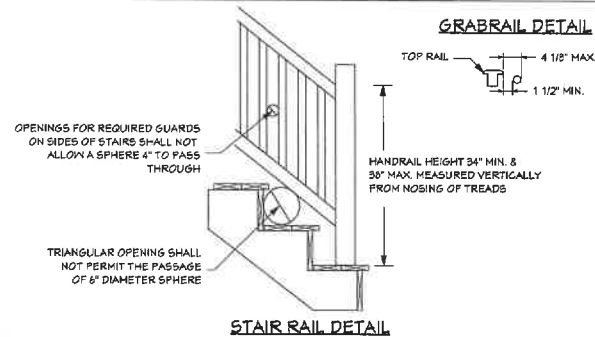
FRONT OF DECK ATTACHMENT



SIDES OF DECK ATTACHMENT



RAILING POST ATTACHMENT



STAIR RAIL DETAIL

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8. SIMPSON DETAIL
9. FOOTING PAD

PROJECT DESCRIPTION:
Carrollville Ann Deck Layout

Ann Cancelliere
606 Tower Bank Road
Severn Park, Maryland 21146

DESIGNER PROVIDED BY:
Fence & Deck Connection, Inc.

8057 Veterans Highway
Millersville, MD, 21108
410-969-4444
www.fencedeckconnection.com

DATE:

3/19/2024

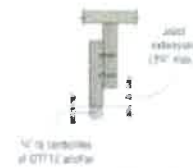
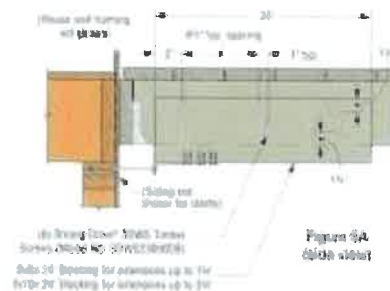
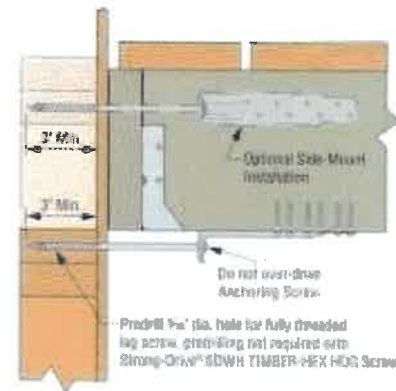
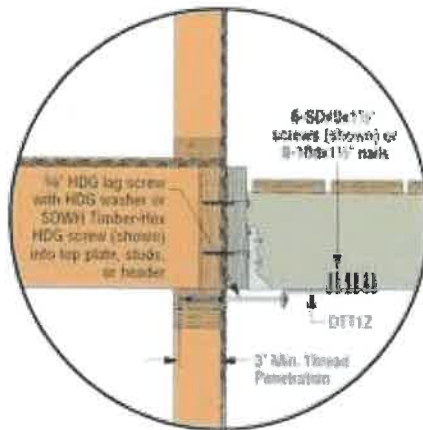
SCALE:

PER PLAN

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SIMPSON DTT1Z DECK TENSION TIE



Code Requirements

The DTT1 Hold-Down may be used to satisfy the deck lateral load connection requirement for a 750 pound hold-down tension device in 2015 IRC Section R507.4.2.

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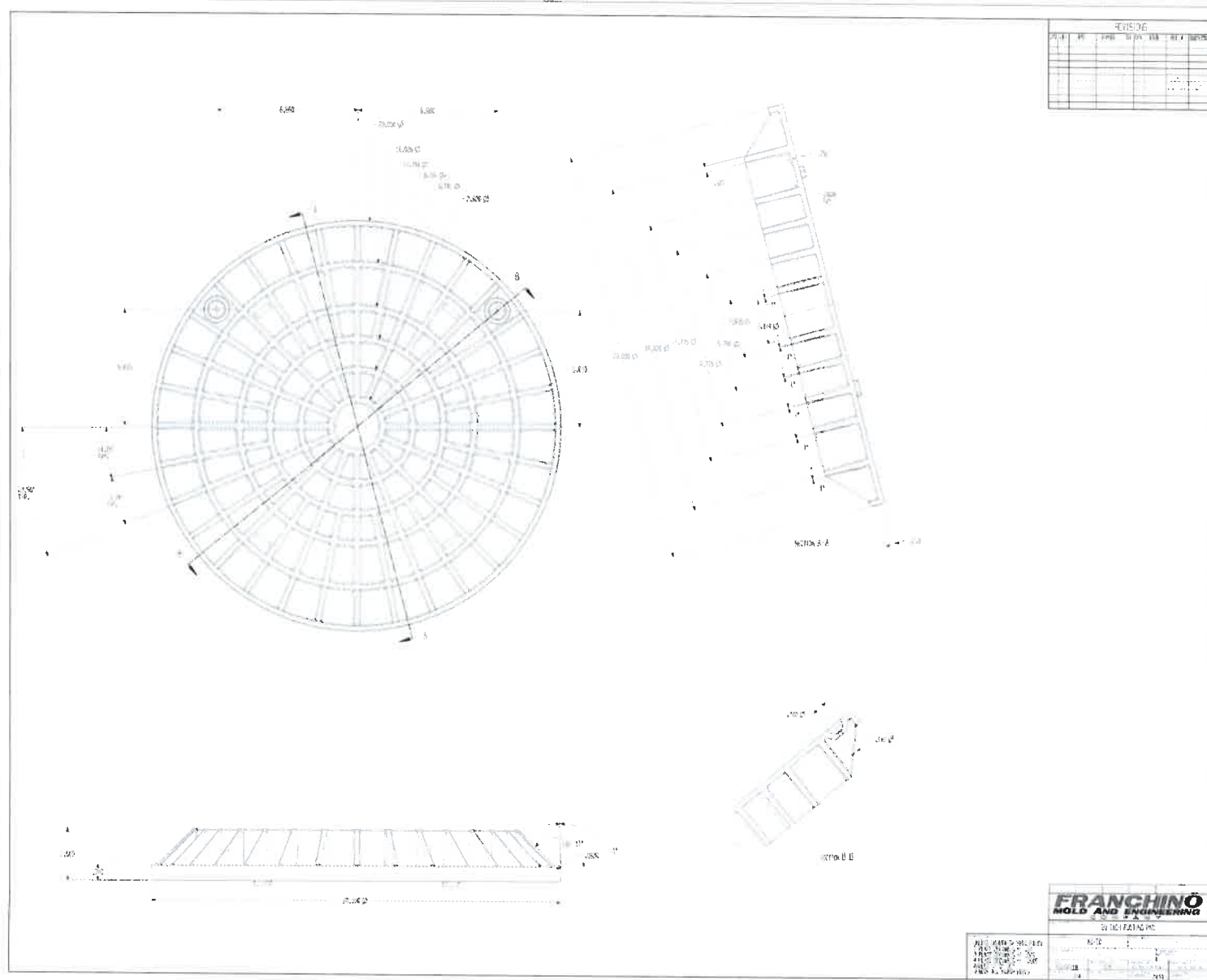
PROJECT DESCRIPTION:
Cancelliere Ann Deck Layout

Ann Cancelliere
606 Tower Bank Road
Severn Park, Maryland 21146

DESIGNER PROVIDED BY:
Fence & Deck Connection, Inc.

8057 Veterans Highway
Millersville, MD, 21106
410-969-4444
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DATE:
3/19/2024
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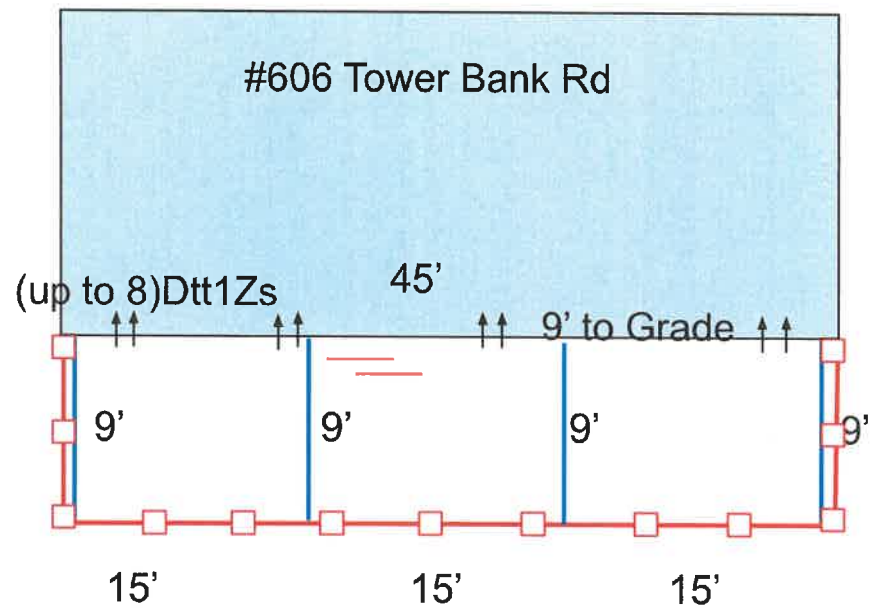
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PROJECT DESCRIPTION:
 Cancelliere Ann Deck Layout
 Ann Cancelliere
 606 Tower Bank Road
 Severn Park, Maryland 21146

Drawings Provided By:
Fence & Deck Connection, Inc.
 8051 Veterans Highway
 Millersville, MD, 21108
 410-969-4444
www.fencedeckconnection.com

DATE:
 3/14/2024
SCALE:
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Parking

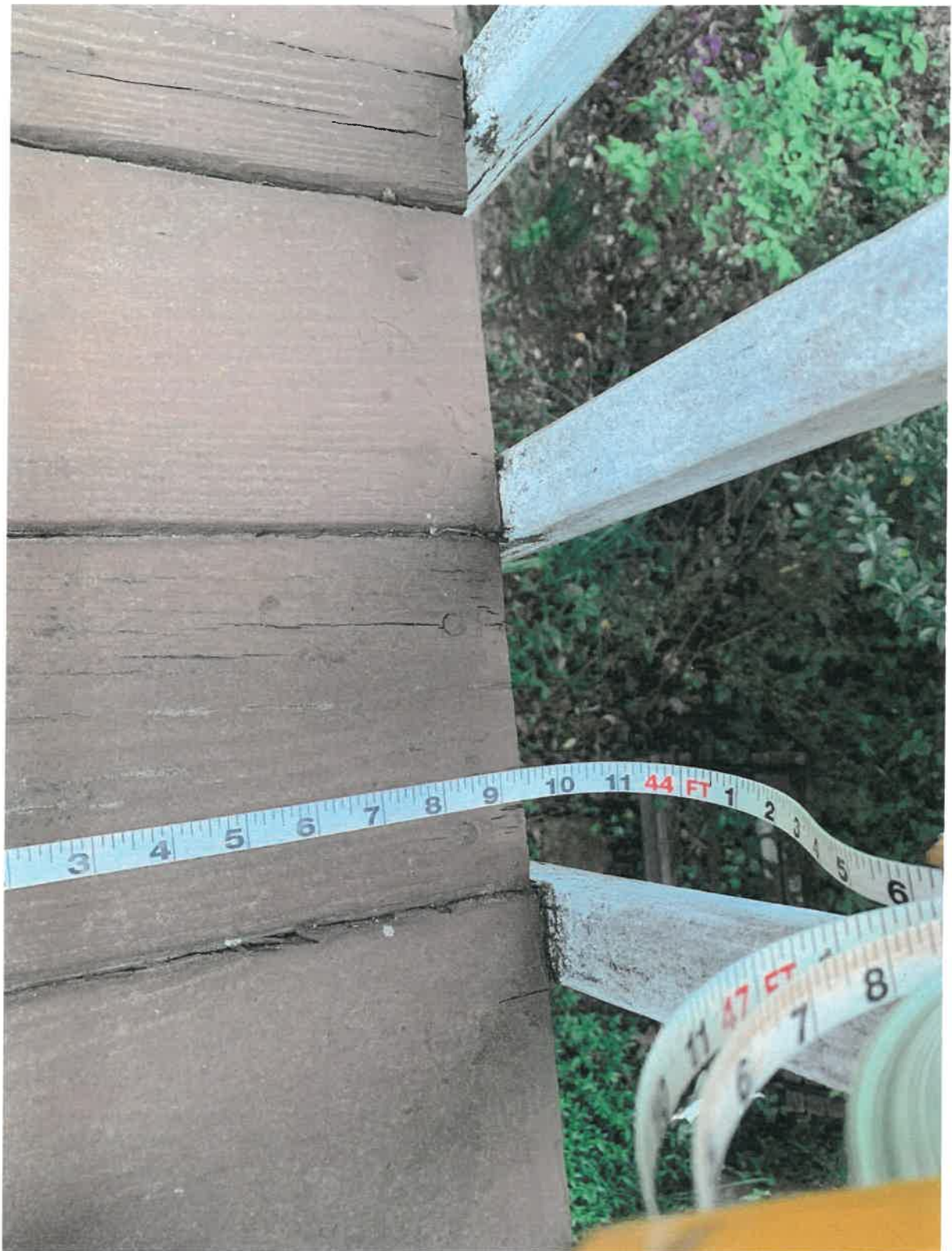


□ = Rail Posts

— = Feature and Seam Boards to match deck

Cancelliere 606 Tower Bank Rd Deck - photos from Fence & Deck Connection











$1'' = 40'$ ✓✓
Cancelliere

Tower Bank topo map



Legend

Foundation

Parcels



Structure

County Structure



Elevation

Topo 2020

Index

Intermediate



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.



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OpenStreetMap, Microsoft, Esri,
TomTom, Garmin, SafeGraph,
GeoTechnologies, Inc, METI/NASA,



THIS MAP IS NOT TO BE
USED FOR NAVIGATION

Notes 1"=100'

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: September 9, 2025

Tax Map #	Parcel #	Block #	Lot #	Section
31	331	11	2	

Tax ID: 3000-0366-4900

FOR RESUBMITTAL ONLY

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

*Complete Only Page 1
General Project Information

Project Name (site name, subdivision name, or other) Glenwood on the Severn

Project location/Address 606 B Tower Bank Road

City Severna Park Zip 21146

Local case number 2025-0073-P

Applicant: Last name Cancelliere First name Antoinette

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:

Rebuild existing deck in kind. Existing deck 8'x44'

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 ☒
Shore Erosion Control ☐
Water-Dependent Facility ☐

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft
IDA Area	<u>1.18</u>	<u>51,400.8</u>
LDA Area		
RCA Area		
Total Area		

Total Disturbed Area Acres Sq Ft
Existing impervious 7,533 Sq Ft
of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees			Existing Lot Coverage		
Created Forest/Woodland/Trees			New Lot Coverage		
Removed Forest/Woodland/Trees			Removed Lot Coverage		
			Total Lot Coverage		

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance			Buffer Forest Clearing		
Non-Buffer Disturbance			Mitigation		

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 ☐

Narrative:

- A. Proposed subject property is Residential
- B. N/A as noted in the Site Inventory on the Project Notification Application
- C. N/A due to proposed in-kind deck
- D. Existing impervious 7,533 SF E. No habitat protection areas or any wildlife area concerns. The proposal would necessitate disturbance within the expanded buffer and within slopes of 15% or greater in the LDA due to the project extending one-foot beyond the existing deck for deck post footings.



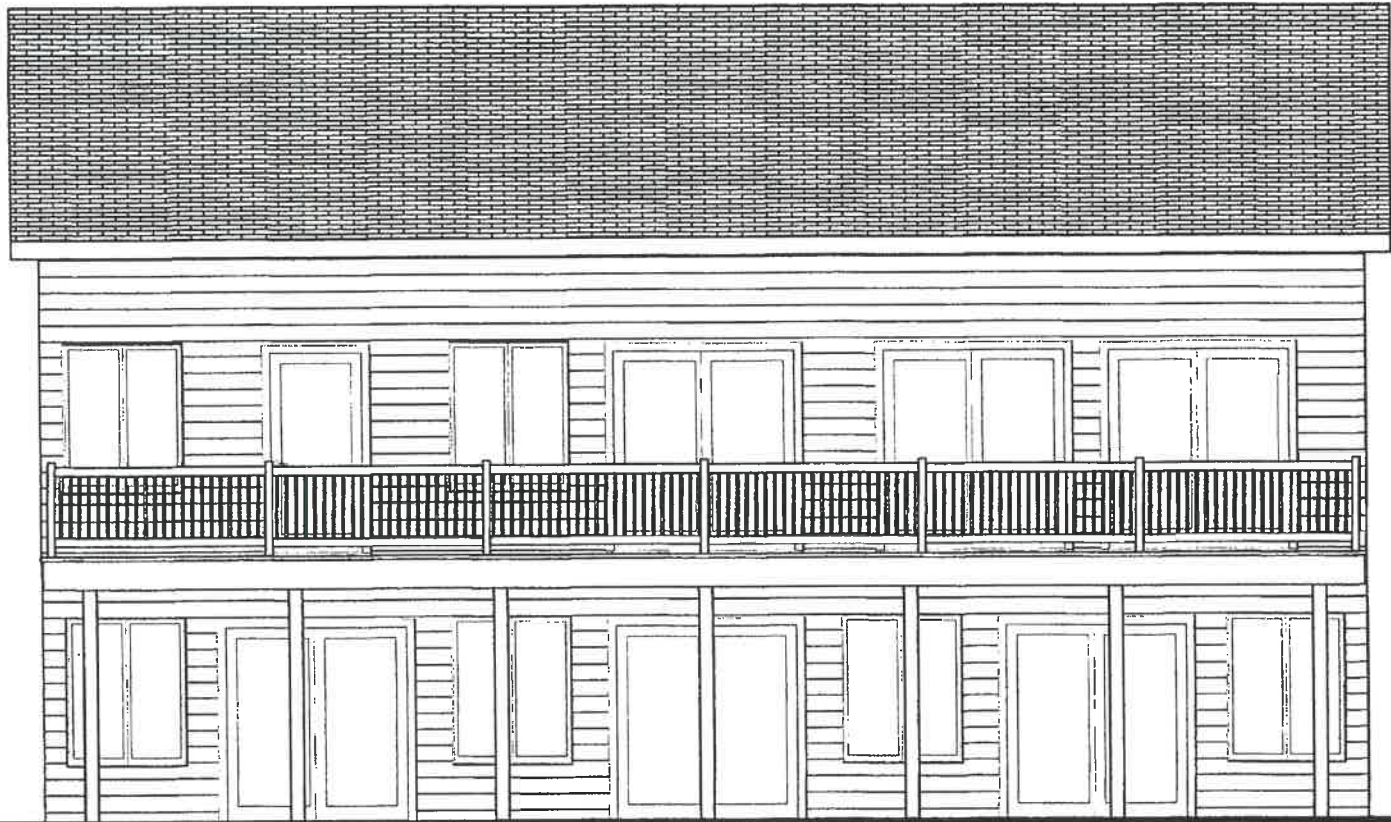
3/5/2024
 MHIC # 45780
 1544 Whitehall Rd. Annapolis, MD 21409
 (410) 757-5511 • Fax (410) 757-1094

Deck Specifications

Product <div> <div>Deck Board: Timbertech</div> <div>Product Category: Reserve</div> <div>Board Color: Antique Leather</div> <div>Fascia Wrap: Composite</div> <div>Lattice:</div> <div>Lattice Color:</div> </div> <div> <div>Railing: Aluminum</div> <div>Railing Type: Alta</div> <div>Railing Color: Black</div> <div>Railing Infill: Standard Balusters</div> <div>Perim Feature Color: Antique Leather</div> </div>	
Construction <div> <div>Floor Joists:</div> <div>Free Standing: No</div> <div>Drop Beam: Yes</div> <div>Upset Beam: No</div> <div>6x6 Support: Yes</div> <div>Footing Per Code: Yes</div> <div>Double Support Beams: Yes</div> <div>Ledger w/ Flashing: Yes</div> </div>	Layout <div> <div>Deck Area: 405.00 SF</div> <div>Deck Height: 9.0</div> <div># of Stairs: 0</div> <div>Board Orientation: Parallel</div> <div>Step-Down: 0</div> </div>

Notes

Remove existing 45x8 wood deck and railings
 Check behind ledger for signs of rot and advise if necessary
 Install new ledger, flashing and weather shield with lags and Simpson Dtt1Z ledger ties
 New deck will be 45 x9' deep to set posts outside the existing patio, (405 sq ft overall)
 New framing to consist of 6x6" notched posts set into the earth and set in concrete
 Posts to be wrapped in white vinyl
 2x10" PT beams through bolted on the posts
 2x8 or 2x10" PT joists on galvanized hangers
 Decking to be 405 sq ft of Timber Tech Reserve Antique Leather installed with hidden fasteners and seam and feature boards, installed with screws and plugs
 Deck Matching fascia trim installed with screws and plugs
 Railing to be 36" high Ultra Lox Aluminum Alta style with pickets, 3" posts mounted to the deck with blocking, standard post caps
 No Steps, No Dek Drain, No Post wraps
 Includes AA County Waterfront Permit Application Submission
 Includes haul away of old deck and all debris



FRONT ELEVATION 1/4" = 1' R
Cancelliere Arm FLOOR PLAN

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7	FINISH DETAIL
8	FOOTING PAD

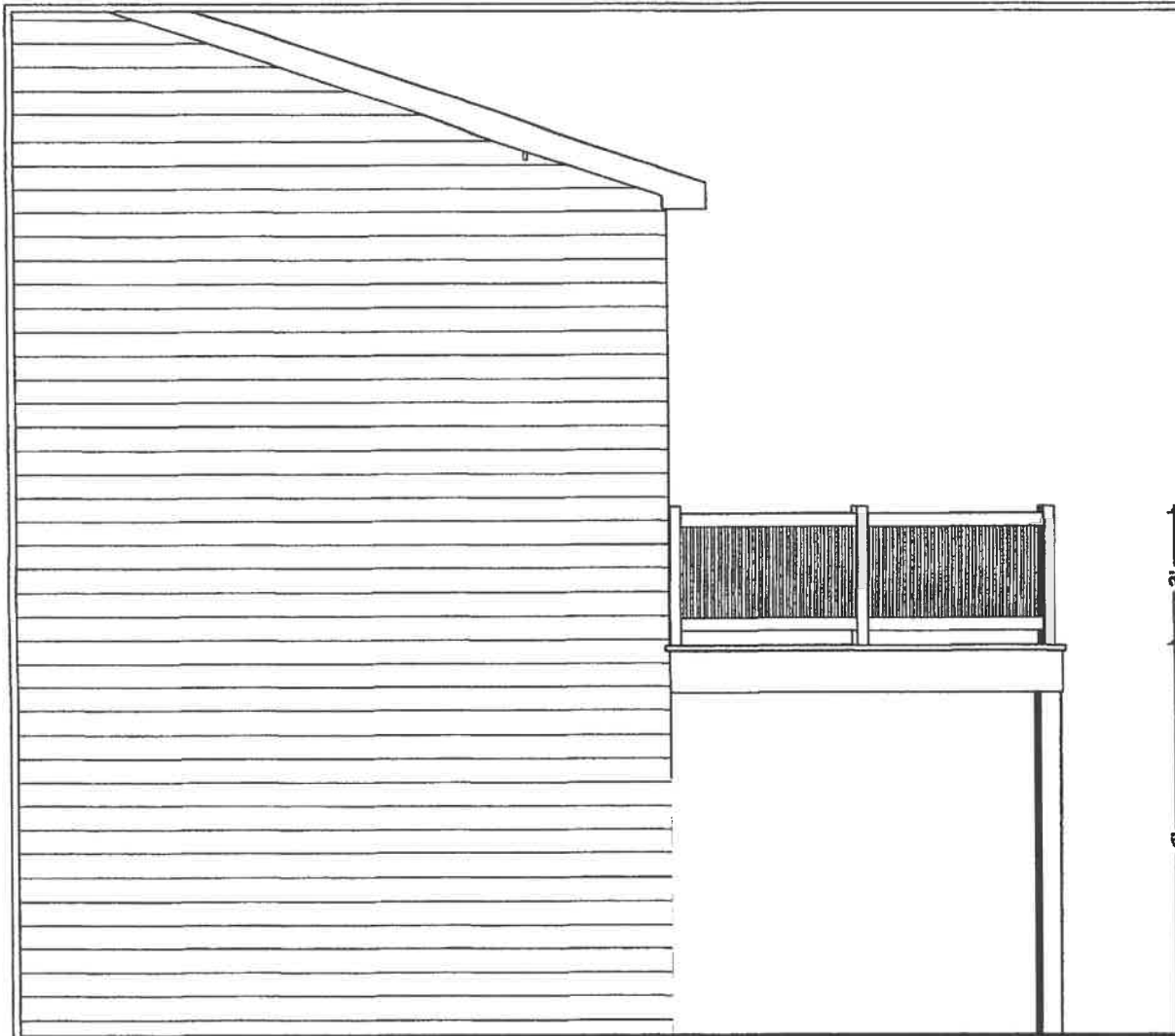
PROJECT DESCRIPTION:
Cancelliere Arm Deck Layout

Ann Cancelliere
606 Tower Bank Road
Severn Park, Maryland 21146

DESIGNED BY:
Fence & Deck Connection, Inc.

8051 Veterans Highway
Millersville, MD, 21105
410-969-4444
www.fenceanddeckconnection.com

DATE:	9/19/2024
SCALE:	1/4" = 1' R
PER PLAN	
SHEET:	4



LEFT ELEVATION 3/8 in = 1 ft

Cancelliere Ann FLOOR PLAN

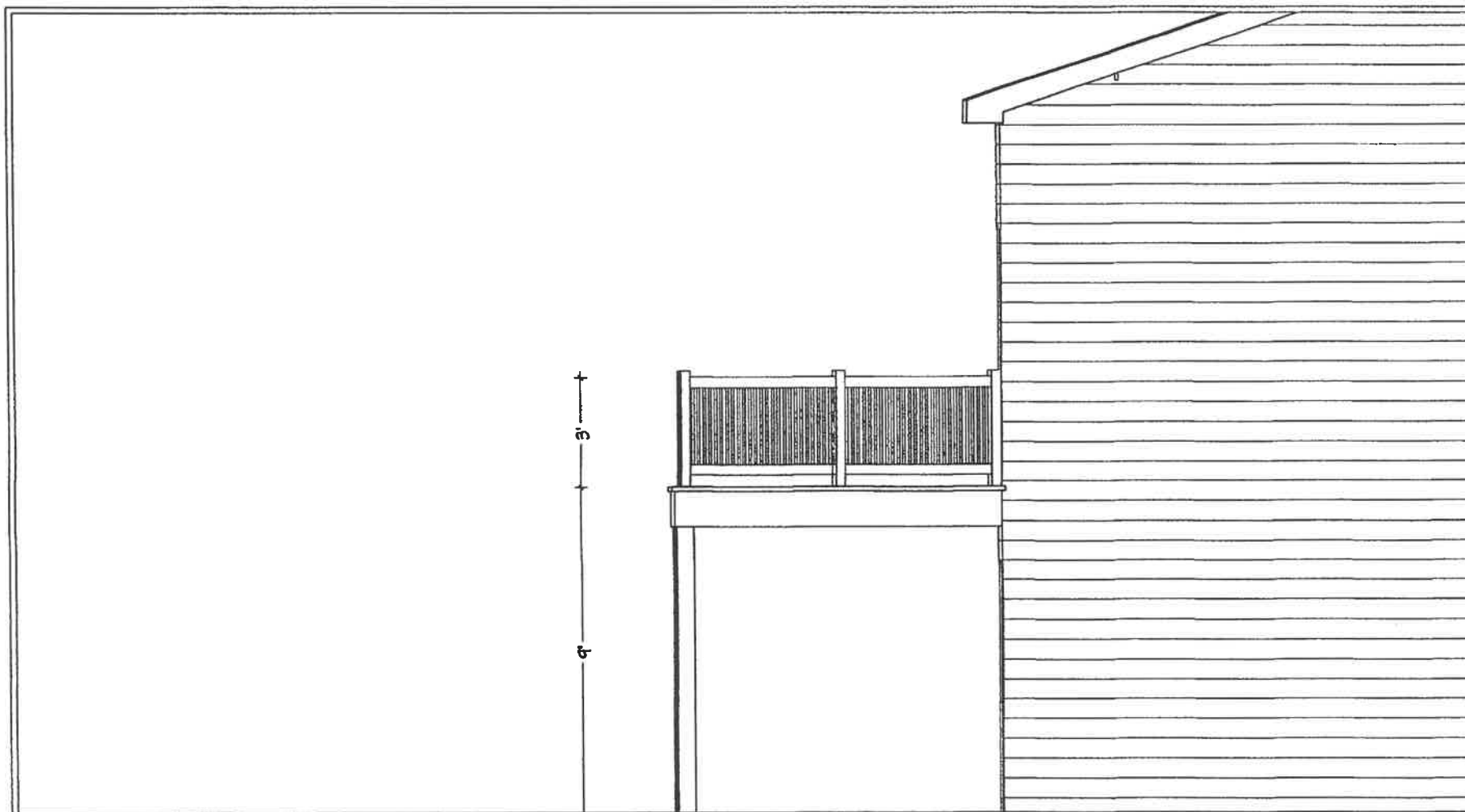
SHEET INDEX	
1	FRAMING
2	DECK
3	L.T. ELEVATION
4	P.T. ELEVATION
5	R.T. ELEVATION
6	BRACING DETAILS
7	GAB DETAILS
8	BRISCON DETAIL
9	FOOTING PAD

PROJECT DESCRIPTION:
Cancelliere Ann Deck Layout

Ann Cancelliere
600 Tower Bank Road
Seven Park, Maryland 21146

DESIGNED BY:
Fence & Deck Connection, Inc.
8001 Veterans Highway
Millersville, MD, 21108
410-464-4444
www.fenceanddeckconnection.com

DATE:	3/19/2024
SCALE:	PER PLAN
SHEET:	9



RIGHT ELEVATION

3/8 in = 1 ft

Cancelliere Ann FLOOR PLAN

SHEET INDEX

- 1 FRAMING
- 2 DECK
- 3 LT. ELEVATION
- 4 RT. ELEVATION
- 5 BRACKING DETAILS
- 6 GAD DETAILS
- 7 SOPSION DETAIL
- 8 FOOTING PAD

PROJECT DESCRIPTION:

Cancelliere Ann Deck Layout

Ann Cancelliere
606 Tower Bank Road
Severn Park, Maryland 21146

DESIGNED BY:

Fence & Deck Connection, Inc.

8051 Veterans Highway

Midleville, MD, 21108

410-664-4444

www.fenceanddeckconnection.com

DATE:

9/19/2024

SCALE:

PER PLAN

SHEET:

5

JOB NOTES:

1. PROPOSED DECK SQUARE FOOTAGE = 346 SQ. FT.
2. REMOVE EXISTING DECK AND STAIRS, APPROX. 360 SQ. FT. COMPLETE AND HAUL AWAY ALL DEBRIS.

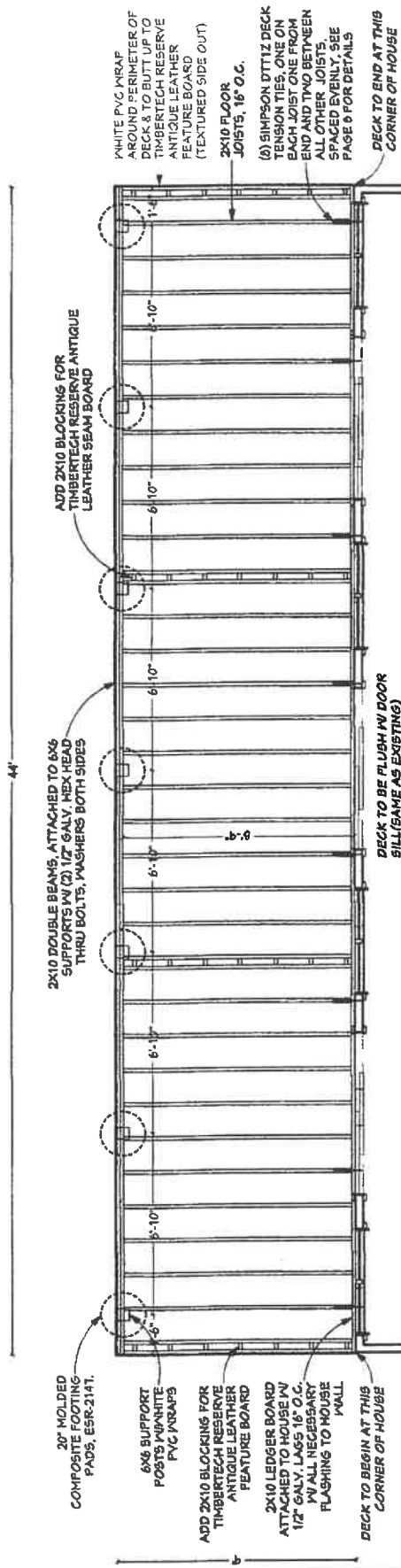
1. DECKING - TIMBERTECH RESERVE ANTIQUE LEATHER, CORR-0126.
2. FEATURE/BEAM - TIMBERTECH RESERVE ANTIQUE LEATHER, CORR-0126.
3. RAILING - 86" BLACK ULTRALOX ALUMINUM RAILING WITH SQUARE ALUMINUM BALUSTERS, ESR-9405.
4. WRAP - WHITE PVC WRAP (TEXTURED SIDE OUT).

T DESCRIPTION:
on Deck Layout
Arm Cancelliere
606 Tower Bank Road
Severn Park, Maryland 21146

PROJECT DESCRIPTION:

DRINKS PROVIDED BY:
Fence & Deck Connection, Inc.
6051 Veterans Highway
Pikettsville, MD, 21108
410-989-4444
www.fenceandckconnection.com

DATE:	3/19/2024	SCALE:	PER PLAN	SHEET:
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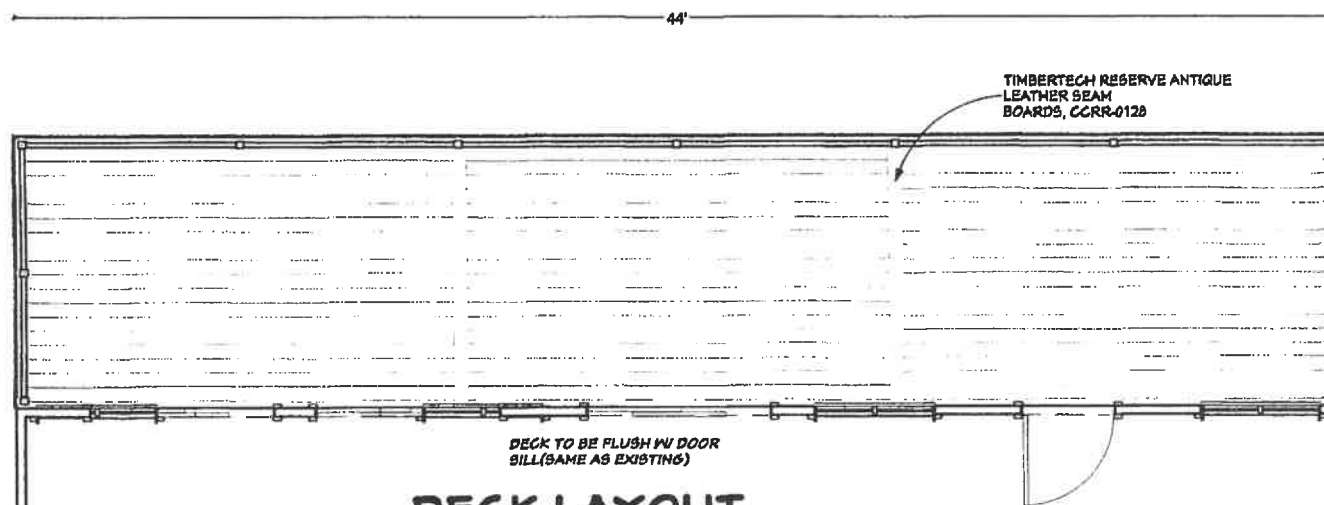


FRAMING LAYOUT

Cancelliere Ann Floor Plan

CUSTOMER APPROVAL:

DATE:



Cancelliere Ave FLOOR PLAN

SHEET INDEX	
1	FRAMING
2	DECK
3	LT. ELEVATION
4	PT. ELEVATION
5	RT. ELEVATION
6	BRACING DETAILS
7	GRID DETAILS
8	BRITISH DETAIL
9	FOOTING PAD

PROJECT DESCRIPTION:
Cancelliere Ave Post Layout

Ann Cancelliere
608 Tower Bank Road
Severn Park, Maryland 21146

DESIGNED BY:
Fence & Deck Connection, Inc.
8051 Veterans Highway
Millersville, MD 21108
410-464-4444
www.fenceanddeckconnection.com

DATE:

9/19/2024

SCALE:

PER PLAN

SHEET:

2



OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE (2025-0073-P)

DATE OF MEETING: 07/30/2025

P&Z STAFF: Sara Anzelmo, Kelly Krinetz

APPLICANT/REPRESENTATIVE: Antoinette Cancelliere EMAIL: bcancell@aol.com

SITE LOCATION: 606B Tower Bank Rd, Severna Park LOT SIZE: 1.18 acres ZONING: R1

CA DESIGNATION: LDA BMA: N/A or BUFFER: Yes APPLICATION TYPE: Critical Area Variance

The applicant proposes to construct a deck in the front (waterfront) yard in the same general location as an existing deck being replaced. The deck would project one-foot beyond the existing deck. The proposal would necessitate a variance for disturbance within the expanded buffer and within slopes of 15% or greater in the LDA.

From the applicant's letter of explanation: "I am proposing to rebuild my thirty-three year old, 8'x44' deck in kind due to its age and deterioration, not to mention safety. The deck is in the critical area. Under the existing deck is a concrete slab with a layer of brick on top of that. Fence and Deck Connection suggested a 9'x44' deck so that the footings would be outside the slab and said I would still end up with an 8' deck. I have the proposed layouts for both size decks. Rebuilding the deck will also allow me to meet the current building requirements. I am a widow, but I do have 5 young grandchildren that visit and I no longer allow on the deck. Since the majority of the property is on a slope the deck is basically my backyard and is a hardship not being able to use it. The deck will not impair the use of neighboring properties since it's been in the same location for so many years and the size is not changing. My closest neighbor is on the south side of the property and his water view is also to the south."

COMMENTS

The **Critical Area Team** reviewed the proposal and commented that they have no objection to the proposed repair/replacement of the existing deck with the slight expansion for construction.

The **Zoning Administration Section** notes that the site plan is confusing and should be revised to show the entire deck area and to clarify the existing vs. the proposed deck (perhaps shown separately for clarification). The site plan must also label the deck dimensions, number of stories, and height of the proposed structure and must label the distance between the deck and the south side lot line. Finally, the site plan should show the Limit of Disturbance (LOD) around the proposed deck that is necessary for access during construction. The applicant is advised that, in order for the proposed Critical Area variance to be approved, the applicant must demonstrate and the Hearing Officer must find that the proposal complies with each and every one of the Critical Area variance standards provided under Section 18-16-305(b) and (c). Therefore, the letter of explanation should be amended to address the critical area variance standards.

INFORMATION FOR THE APPLICANT

Section 18-16-201 (b) Pre-filing meeting required. Before filing an application for a variance, special exception, or to change a zoning district, to change or remove a critical area classification, or for a variance in the critical area or bog protection area, an applicant shall meet with the Office of Planning and Zoning to review a pre-file concept plan or an administrative site plan. For single lot properties, the owner shall prepare a simple site plan as a basis for determining what can be done under the provisions of this Code to avoid the need for a variance.

*** A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas OR disturbing 5,000 square feet or more. State mandates require a developer of land provide SWM to control new development runoff from the start of the development process.

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.