

**Special Exception #4034
was withdrawn.**

BOARD OF APPEALS APPLICATION
CECIL COUNTY, MARYLAND

MEET. MONTH: Oct 2020
 FILE NO. 4034

RECEIVED

SEP 16 2020

Cecil County LUDS
 Division of Planning & Zoning

- THIS REQUEST IS FOR:
- SPECIAL EXCEPTION RENEWAL
 - SPECIAL EXCEPTION
 - VARIANCE
 - APPEAL

DATE FILED: 9/16/2020
 AMOUNT PD: \$200
 ACCEPTED BY: JB

A. APPLICANT INFORMATION

Michael J. Palmisano
 APPLICANT NAME - PLEASE PRINT CLEARLY

P.O. Box 426 Queenstown MD 21658
 ADDRESS CITY STATE ZIP CODE

[Signature] 443-496-6969
 APPLICANT SIGNATURE PHONE NUMBER

B. PROPERTY OWNER INFORMATION - ALL PROPERTY OWNERS MUST SIGN

Edwards Manor Section III Inc
 PROPERTY OWNER NAME - PLEASE PRINT CLEARLY

P.O. Box 426 Queenstown MD 21658
 ADDRESS CITY STATE ZIP CODE

[Signature] 443-496-6969
 PROPERTY OWNER SIGNATURE - ALL PROPERTY OWNERS MUST SIGN PHONE NUMBER

C. PROPERTY INFORMATION

60 West Shady Beach Road, North East, MD 21901 Fifth 05-041252
 PROPERTY ADDRESS ELECTION DIST. ACCT. NUMBER

31 21 666 + 667 3.643 LDR - MB
 TAX MAP # BLOCK PARCEL LOT # #ACRES ZONE

D. PURPOSE OF APPLICATION - Indicate reasons why this application should be granted. (attach separate sheet if necessary)

Applicant requesting a reduction of 60 feet for the intermittent stream buffer. This is to allow a residential construction area on proposed Lot 29. Proposed Lot 29 is outside the 110 foot critical area buffer. This reduction would still provide a 50 foot flood protection setback for the intermittent stream.

Also requesting a side setback reduction to 5.00 feet on northerly property line of Lot 29. *1) A 60-FOOT VARIANCE TO THE 110-FT CRITICAL AREA BUFFER FOR CONSTRUCTION PURPOSES.*

Also requesting a variance for road frontage requirements for Lots 28 and 29. *2) A 5-FOOT SIDE YARD SETBACK VARIANCE FOR CONSTRUCTION PURPOSES.*

E. On an attached sheet, PLEASE submit a sketch of the property indicating the proposed project. Show distances from the front, side and rear property lines and the dimensions of the project.

F. LAND USE DESIGNATION

Is property in the Critical Area? YES NO
 If yes, Pertinent provision of the Chesapeake Bay Critical Area Program:
 Is property in the 100 year Floodplain? YES NO
 Is property an Agricultural Preservation District? YES NO

If property is located in the Critical Area, all provisions and requirements must be met as outlined in Article XVII, Part I, II & III of the Zoning Ordinance.

ART. XI, PT. I, S. 196 / ART. XVII, PT. I, S. 306 / SCHEDULE OF ZONE REGULATIONS

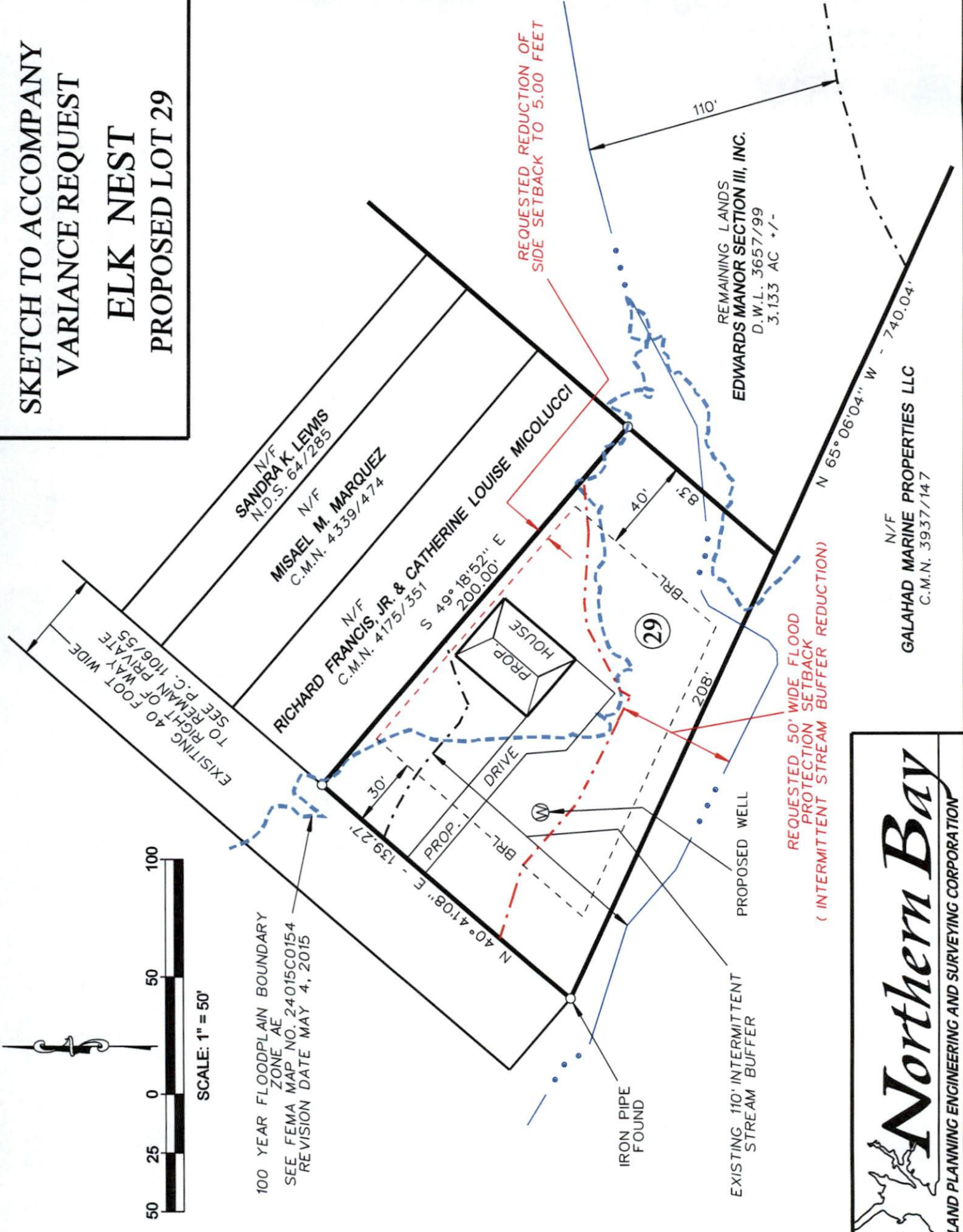
G. PROVISION OF ZONING ORDINANCE: Section 196 & Section 306

H. SPECIAL EXCEPTION RENEWAL - PREVIOUS FILE NO. & CONDITIONS FOR APPROVAL: _____

I. SPECIAL EXCEPTION FOR A MANUFACTURED HOME - Please fill out the following information:

Will unit be visible from the road? Please select... If yes, distance: _____
 Will unit be visible from adjoining properties? Please select. If yes, distance: _____
 Distance to nearest manufactured home: _____ Size/Model/Year of Unit: _____
 Number of units on property at present time: _____

**SKETCH TO ACCOMPANY
VARIANCE REQUEST
ELK NEST
PROPOSED LOT 29**



100 YEAR FLOODPLAIN BOUNDARY ZONE AE
SEE FEMA MAP NO. 24015C0154
REVISION DATE MAY 4, 2015

Northern Bay
LAND PLANNING ENGINEERING AND SURVEYING CORPORATION

N/F
NASSER MORADI, TRUSTEE
D.W.L. 2984/280
EXHIBIT B - PARCEL NO. 2
SEE MINOR SUBDIVISION NO. 3148

N/F
ROBERT B. & SUSAN L. McAFEE
N.D.S. 238/681
(PARCEL NO. 1)

CEPTS INC

DUNE DRIVE
50' WIDE INGRESS AND EGRESS
RIGHT OF WAY

PRIVATE R.O.W.
DUNE DRIVE
0.0201 AC.

N 83° 01' 04" E - 526.94'

103'

379'

28

27

S 73° 12' 56" E - 210.19'

COM

N 16° 47' 03" E - 115.00'

128'

21'

54'

109'

19

20

59.35

130'

95'

80'

EXISTING 40 FOOT WIDE
RIGHT OF WAY
TO REMAIN PRIVATE

CPS 25'

S 67° 11' 38" E - 189.00'

91'

82'

153'

21

CMS

CMS

C4

N 16° 21' 46" E - 295.55'

81.53

S 67° 11' 38" W

CPS

C3

C1

C8

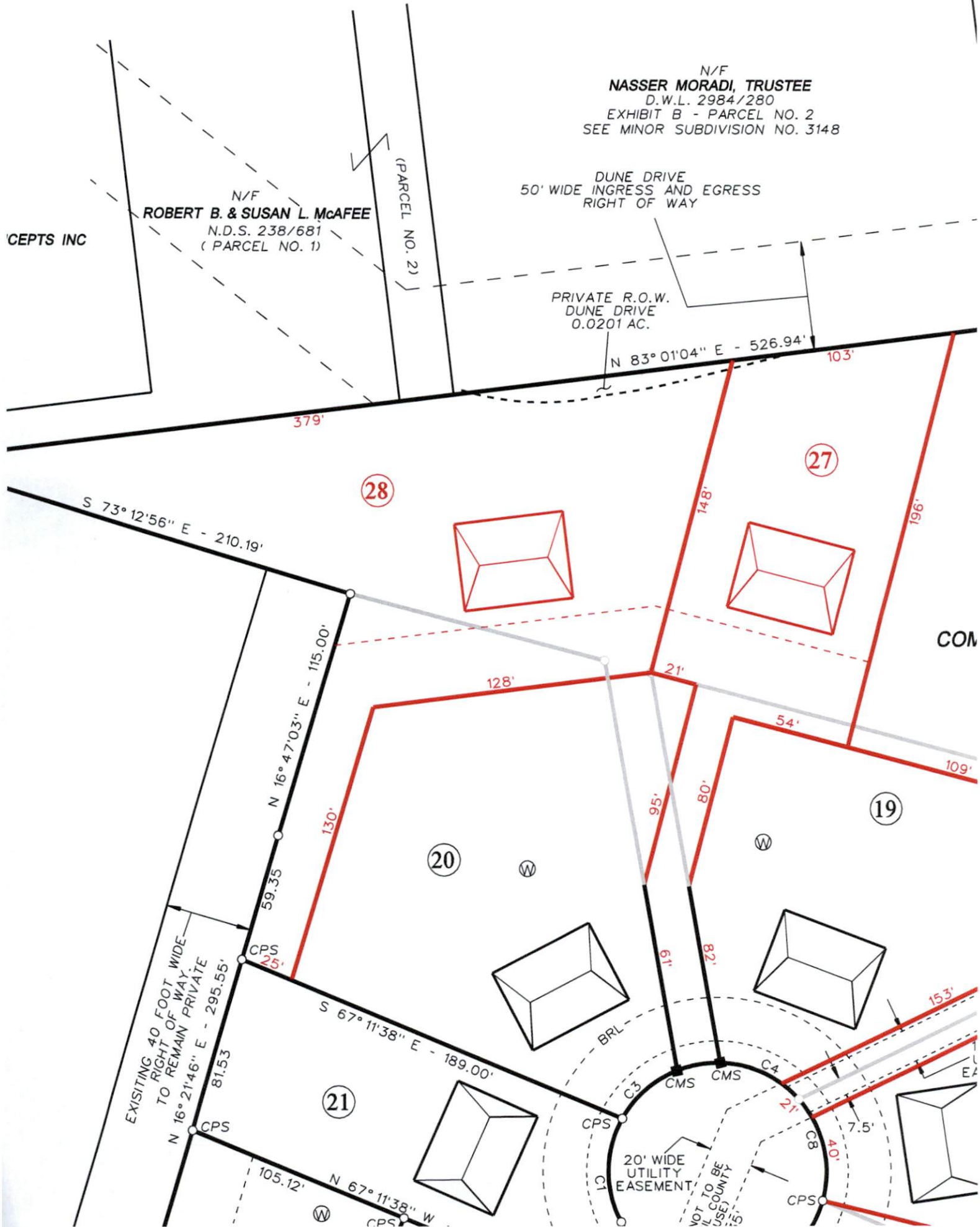
21'

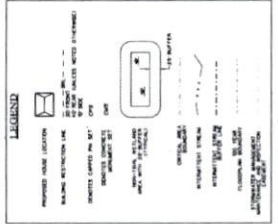
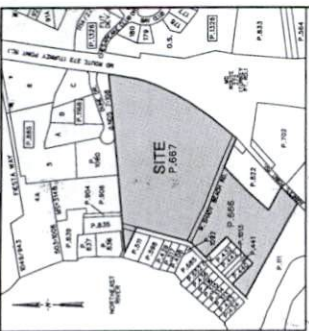
7.5'

40'

20' WIDE
UTILITY
EASEMENT

NOT TO BE
USED IN
COUNTY





COMMON OPEN SPACE SUMMARY DATA COLUMN

COMMON OPEN SPACE AREA: 1.88 AC
 COMMON OPEN SPACE PERCENTAGE: 1.88%
 COMMON OPEN SPACE DIMENSIONS: 1.88 AC

SITE DATA COLUMN

TOTAL AREA: 100.00 AC
 TOTAL AREA TO REMAIN: 98.12 AC
 TOTAL AREA TO BE REMOVED: 1.88 AC
 TOTAL AREA TO BE ADDED: 0.00 AC
 TOTAL COMMON OPEN SPACE: 1.88 AC
 TOTAL COMMON OPEN SPACE PERCENTAGE: 1.88%
 TOTAL COMMON OPEN SPACE DIMENSIONS: 1.88 AC

NOTES

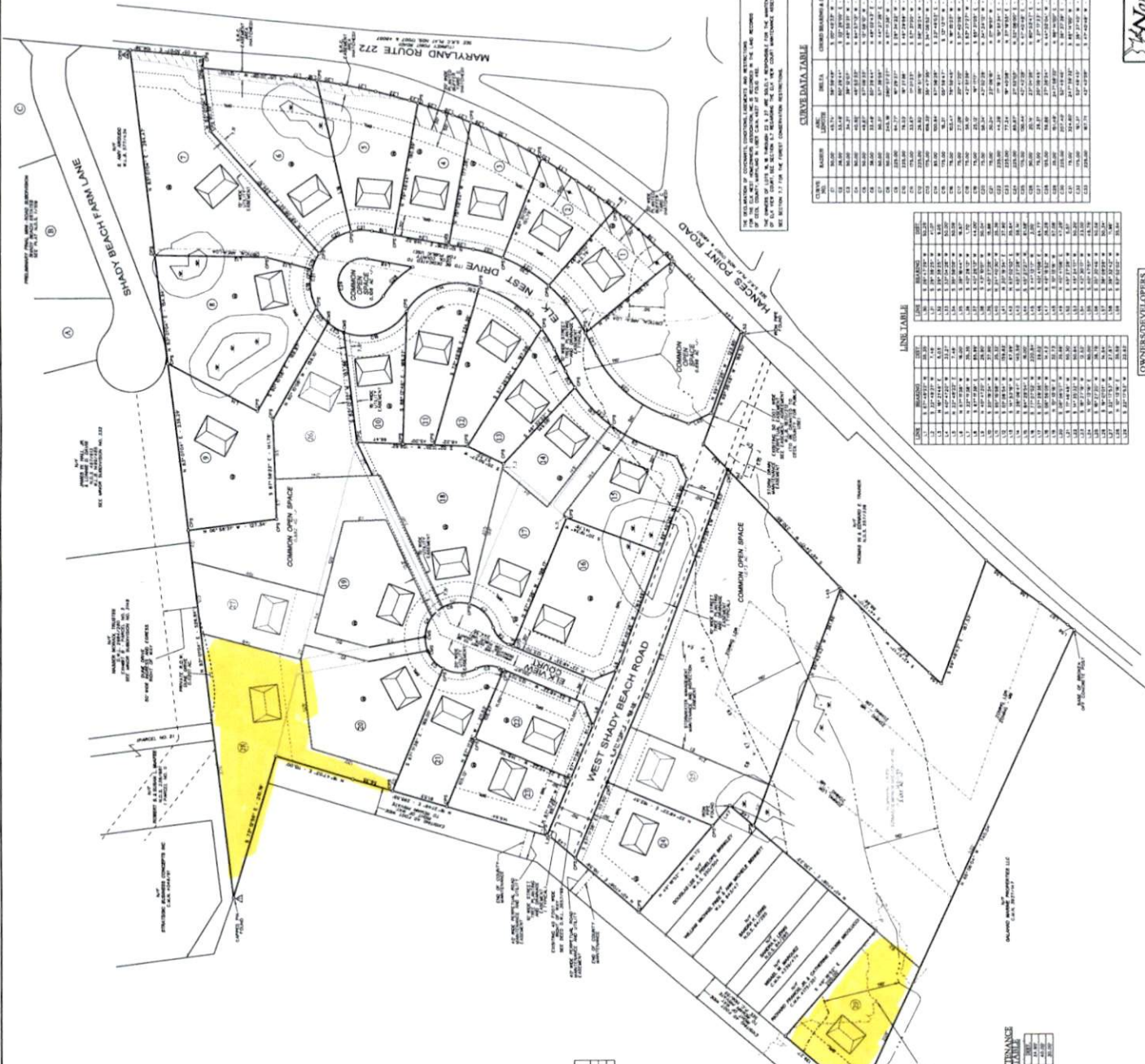
1. THIS PLAN IS SUBMITTED FOR PERMIT REVIEW TO THE COUNTY ENGINEER'S OFFICE FOR THE PURPOSES OF OBTAINING A PERMIT TO CONSTRUCT AND FOR RECORD.

2. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND NO OBSTACLES TO THE PROPOSED DEVELOPMENT.

3. THE ENGINEER HAS CONDUCTED A VISUAL ANALYSIS OF THE SITE AND HAS FOUND NO OBSTACLES TO THE PROPOSED DEVELOPMENT.

4. THE ENGINEER HAS CONDUCTED A VISUAL ANALYSIS OF THE SITE AND HAS FOUND NO OBSTACLES TO THE PROPOSED DEVELOPMENT.

5. THE ENGINEER HAS CONDUCTED A VISUAL ANALYSIS OF THE SITE AND HAS FOUND NO OBSTACLES TO THE PROPOSED DEVELOPMENT.



COORDINATE TABLE

| POINT | NORTHING | EASTING |
|-------|----------|---------|
| A | 7121.92 | 1184.35 |
| B | 7121.92 | 1184.35 |
| C | 7121.92 | 1184.35 |
| D | 7121.92 | 1184.35 |

LOT AREA TABULATION

| LOT # | AREA (SQ FT) | AREA (AC) |
|-------|--------------|-----------|
| 1 | 11,111.11 | 0.25 |
| 2 | 11,111.11 | 0.25 |
| 3 | 11,111.11 | 0.25 |
| 4 | 11,111.11 | 0.25 |
| 5 | 11,111.11 | 0.25 |
| 6 | 11,111.11 | 0.25 |
| 7 | 11,111.11 | 0.25 |
| 8 | 11,111.11 | 0.25 |
| 9 | 11,111.11 | 0.25 |
| 10 | 11,111.11 | 0.25 |
| 11 | 11,111.11 | 0.25 |
| 12 | 11,111.11 | 0.25 |
| 13 | 11,111.11 | 0.25 |
| 14 | 11,111.11 | 0.25 |
| 15 | 11,111.11 | 0.25 |
| 16 | 11,111.11 | 0.25 |
| 17 | 11,111.11 | 0.25 |
| 18 | 11,111.11 | 0.25 |
| 19 | 11,111.11 | 0.25 |
| 20 | 11,111.11 | 0.25 |
| 21 | 11,111.11 | 0.25 |
| 22 | 11,111.11 | 0.25 |
| 23 | 11,111.11 | 0.25 |
| 24 | 11,111.11 | 0.25 |
| 25 | 11,111.11 | 0.25 |
| 26 | 11,111.11 | 0.25 |
| 27 | 11,111.11 | 0.25 |
| 28 | 11,111.11 | 0.25 |
| 29 | 11,111.11 | 0.25 |
| 30 | 11,111.11 | 0.25 |
| 31 | 11,111.11 | 0.25 |
| 32 | 11,111.11 | 0.25 |
| 33 | 11,111.11 | 0.25 |
| 34 | 11,111.11 | 0.25 |
| 35 | 11,111.11 | 0.25 |
| 36 | 11,111.11 | 0.25 |
| 37 | 11,111.11 | 0.25 |
| 38 | 11,111.11 | 0.25 |
| 39 | 11,111.11 | 0.25 |
| 40 | 11,111.11 | 0.25 |
| 41 | 11,111.11 | 0.25 |
| 42 | 11,111.11 | 0.25 |
| 43 | 11,111.11 | 0.25 |
| 44 | 11,111.11 | 0.25 |
| 45 | 11,111.11 | 0.25 |
| 46 | 11,111.11 | 0.25 |
| 47 | 11,111.11 | 0.25 |
| 48 | 11,111.11 | 0.25 |
| 49 | 11,111.11 | 0.25 |
| 50 | 11,111.11 | 0.25 |
| 51 | 11,111.11 | 0.25 |
| 52 | 11,111.11 | 0.25 |
| 53 | 11,111.11 | 0.25 |
| 54 | 11,111.11 | 0.25 |
| 55 | 11,111.11 | 0.25 |
| 56 | 11,111.11 | 0.25 |
| 57 | 11,111.11 | 0.25 |
| 58 | 11,111.11 | 0.25 |
| 59 | 11,111.11 | 0.25 |
| 60 | 11,111.11 | 0.25 |
| 61 | 11,111.11 | 0.25 |
| 62 | 11,111.11 | 0.25 |
| 63 | 11,111.11 | 0.25 |
| 64 | 11,111.11 | 0.25 |
| 65 | 11,111.11 | 0.25 |
| 66 | 11,111.11 | 0.25 |
| 67 | 11,111.11 | 0.25 |
| 68 | 11,111.11 | 0.25 |
| 69 | 11,111.11 | 0.25 |
| 70 | 11,111.11 | 0.25 |
| 71 | 11,111.11 | 0.25 |
| 72 | 11,111.11 | 0.25 |
| 73 | 11,111.11 | 0.25 |
| 74 | 11,111.11 | 0.25 |
| 75 | 11,111.11 | 0.25 |
| 76 | 11,111.11 | 0.25 |
| 77 | 11,111.11 | 0.25 |
| 78 | 11,111.11 | 0.25 |
| 79 | 11,111.11 | 0.25 |
| 80 | 11,111.11 | 0.25 |
| 81 | 11,111.11 | 0.25 |
| 82 | 11,111.11 | 0.25 |
| 83 | 11,111.11 | 0.25 |
| 84 | 11,111.11 | 0.25 |
| 85 | 11,111.11 | 0.25 |
| 86 | 11,111.11 | 0.25 |
| 87 | 11,111.11 | 0.25 |
| 88 | 11,111.11 | 0.25 |
| 89 | 11,111.11 | 0.25 |
| 90 | 11,111.11 | 0.25 |
| 91 | 11,111.11 | 0.25 |
| 92 | 11,111.11 | 0.25 |
| 93 | 11,111.11 | 0.25 |
| 94 | 11,111.11 | 0.25 |
| 95 | 11,111.11 | 0.25 |
| 96 | 11,111.11 | 0.25 |
| 97 | 11,111.11 | 0.25 |
| 98 | 11,111.11 | 0.25 |
| 99 | 11,111.11 | 0.25 |
| 100 | 11,111.11 | 0.25 |

STATION DATA TABLE

| STATION | BEGINNING | ENDING | LENGTH | AREA (SQ FT) | AREA (AC) |
|---------|-----------|----------|--------|--------------|-----------|
| 1 | 0+00.00 | 0+100.00 | 100.00 | 11,111.11 | 0.25 |
| 2 | 0+100.00 | 0+200.00 | 100.00 | 11,111.11 | 0.25 |
| 3 | 0+200.00 | 0+300.00 | 100.00 | 11,111.11 | 0.25 |
| 4 | 0+300.00 | 0+400.00 | 100.00 | 11,111.11 | 0.25 |
| 5 | 0+400.00 | 0+500.00 | 100.00 | 11,111.11 | 0.25 |
| 6 | 0+500.00 | 0+600.00 | 100.00 | 11,111.11 | 0.25 |
| 7 | 0+600.00 | 0+700.00 | 100.00 | 11,111.11 | 0.25 |
| 8 | 0+700.00 | 0+800.00 | 100.00 | 11,111.11 | 0.25 |
| 9 | 0+800.00 | 0+900.00 | 100.00 | 11,111.11 | 0.25 |
| 10 | 0+900.00 | 1+000.00 | 100.00 | 11,111.11 | 0.25 |

CURVE DATA TABLE

| STATION | PC | PT | PI | TS | STATION | CS | CR | EA | EA | EA | |
|---------|----------|----------|----------|---------|---------|----|--------|--------|--------|--------|--------|
| 1 | 0+00.00 | 0+100.00 | 0+050.00 | 100.00 | 1 | 1 | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 |
| 2 | 0+100.00 | 0+200.00 | 0+150.00 | 200.00 | 2 | 1 | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 |
| 3 | 0+200.00 | 0+300.00 | 0+250.00 | 300.00 | 3 | 1 | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 |
| 4 | 0+300.00 | 0+400.00 | 0+350.00 | 400.00 | 4 | 1 | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 |
| 5 | 0+400.00 | 0+500.00 | 0+450.00 | 500.00 | 5 | 1 | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 |
| 6 | 0+500.00 | 0+600.00 | 0+550.00 | 600.00 | 6 | 1 | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 |
| 7 | 0+600.00 | 0+700.00 | 0+650.00 | 700.00 | 7 | 1 | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 |
| 8 | 0+700.00 | 0+800.00 | 0+750.00 | 800.00 | 8 | 1 | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 |
| 9 | 0+800.00 | 0+900.00 | 0+850.00 | 900.00 | 9 | 1 | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 |
| 10 | 0+900.00 | 1+000.00 | 0+950.00 | 1000.00 | 10 | 1 | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 |

LINE TABLE

| LINE NO. | START STATION | END STATION | LENGTH | AREA (SQ FT) | AREA (AC) |
|----------|---------------|-------------|--------|--------------|-----------|
| 1 | 0+00.00 | 0+100.00 | 100.00 | 11,111.11 | 0.25 |
| 2 | 0+100.00 | 0+200.00 | 100.00 | 11,111.11 | 0.25 |
| 3 | 0+200.00 | 0+300.00 | 100.00 | 11,111.11 | 0.25 |
| 4 | 0+300.00 | 0+400.00 | 100.00 | 11,111.11 | 0.25 |
| 5 | 0+400.00 | 0+500.00 | 100.00 | 11,111.11 | 0.25 |
| 6 | 0+500.00 | 0+600.00 | 100.00 | 11,111.11 | 0.25 |
| 7 | 0+600.00 | 0+700.00 | 100.00 | 11,111.11 | 0.25 |
| 8 | 0+700.00 | 0+800.00 | 100.00 | 11,111.11 | 0.25 |
| 9 | 0+800.00 | 0+900.00 | 100.00 | 11,111.11 | 0.25 |
| 10 | 0+900.00 | 1+000.00 | 100.00 | 11,111.11 | 0.25 |

Northern Bay
 CONCEPT PLAN
 ELK NEST
 LOTS 1-29
 TAX MAP #1, PARCELS NOS. 664 & 667
 ASIC MAP #1, BLOCK 6-1
 49TH BALDWIN STREET, CREST COUNTY, MONTANA
 PROJECT # 2017-001

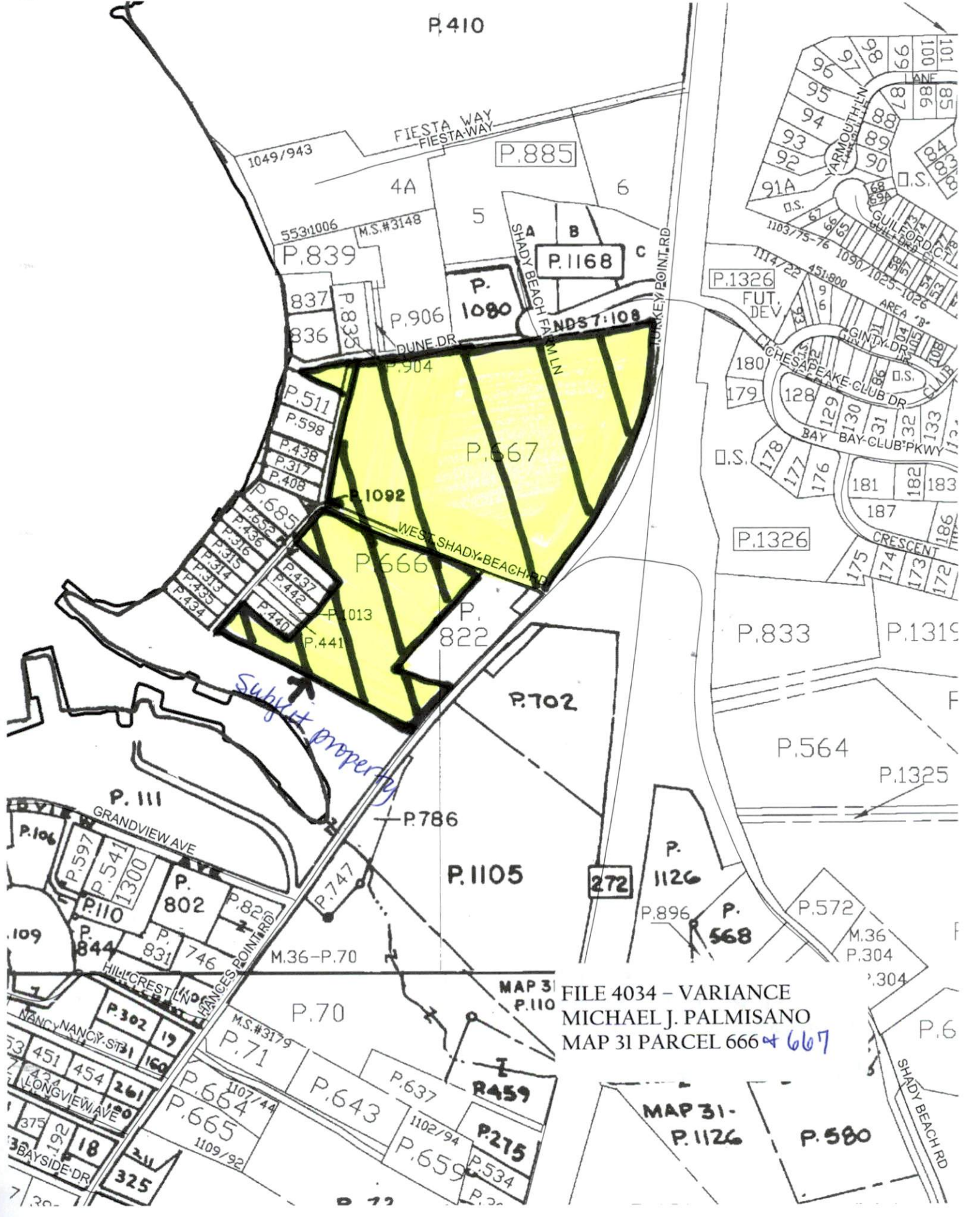
OWNER/DEVELOPERS
 CRESCENT TRACT LLC
 1000 W. 10TH STREET
 HELENA, MONTANA 59601
 CRESCENTTRACTLLC@GMAIL.COM

PROFESSIONAL CERTIFICATION
 I, _____, REGISTERED PROFESSIONAL ENGINEER, STATE OF MONTANA, LICENSE NO. _____, CERTIFY THAT THIS PLAN IS A TRUE AND CORRECT REPRESENTATION OF THE DATA ON WHICH IT IS BASED.
 DATE: _____

REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT
 I, _____, REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT, STATE OF MONTANA, LICENSE NO. _____, CERTIFY THAT THIS PLAN IS A TRUE AND CORRECT REPRESENTATION OF THE DATA ON WHICH IT IS BASED.
 DATE: _____

REGISTERED PROFESSIONAL CIVIL ENGINEER
 I, _____, REGISTERED PROFESSIONAL CIVIL ENGINEER, STATE OF MONTANA, LICENSE NO. _____, CERTIFY THAT THIS PLAN IS A TRUE AND CORRECT REPRESENTATION OF THE DATA ON WHICH IT IS BASED.
 DATE: _____

P.410



FILE 4034 - VARIANCE
 MICHAEL J. PALMISANO
 MAP 31 PARCEL 666 & 667