

Variance Request
40026 Ben Morgan Road
Leonardtwn, MD 20650
SAULER VAAP 24-2192

The Oyster House



- Built in the 1930's
- Originally built as an oyster shucking house on Comb's Creek
- It has all the original exterior construction
- Sits on 1.13 acres

Proposal: Build a 20" Diameter Round Deck

- Expand enjoyment of land and views of water to back of property that is currently not being utilized
- Wooden deck with space between slats to allow water to flow through
- Above ground pavers to minimize disturbance to soil
- Respectful of space between us and neighbors allows for all parties to maintain privacy
- Would not require cutting down any trees or plants
- Would plant native plants around the deck area



Why not attach deck to house?

- Home is at ground level
- Porch occupies the side of the house facing the water
- Landscaping around it
- Shaded area
- Not an ideal setting for adding a deck – would impact the historic charm of the building

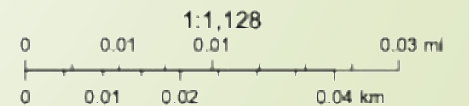


Majority of
1.13 acres is in
Critical Area
100ft Buffer



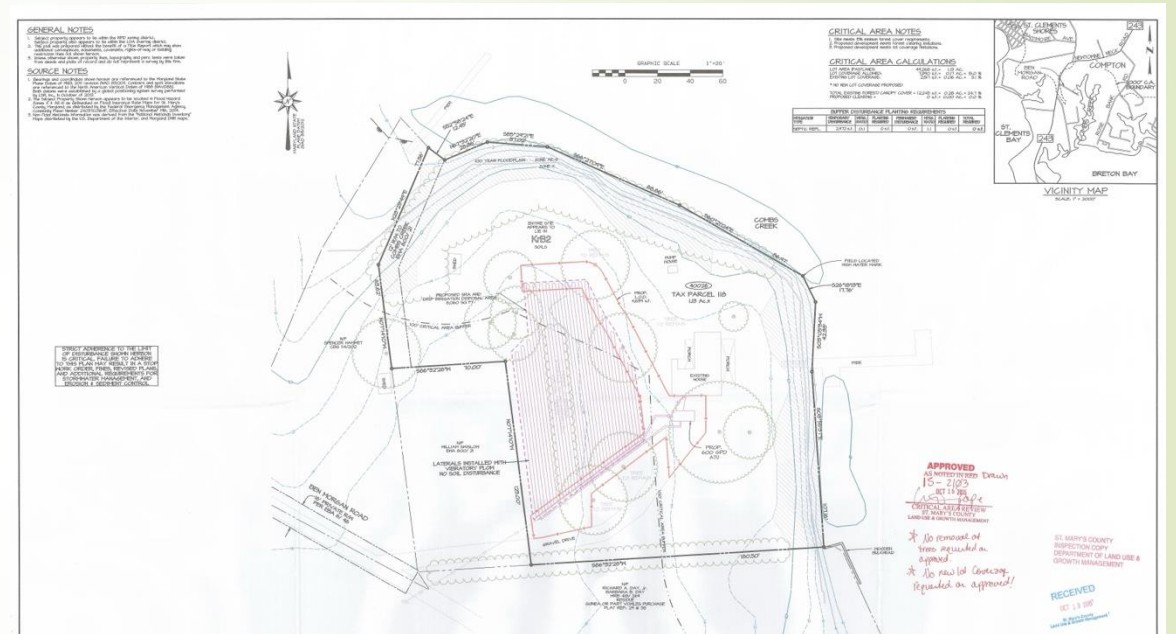
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Address Points Property Boundaries
● Existing Critical Area 100ft Buffer



Septic field takes up most of the space that not in the Critical Area

ArcGIS Web Map



(1) Due to special features of the site or special conditions or circumstances peculiar to the applicant's land or structure, a literal enforcement of the local Critical Area program would result in an unwarranted hardship to the applicant.

(2) A literal interpretation of the local Critical Area program would deprive the applicant of a use of land, or a structure permitted to others in accordance with the provisions of the local Critical Area program.

EXISTING Critical Area 100ft Buffer



The proposed deck is for personal use

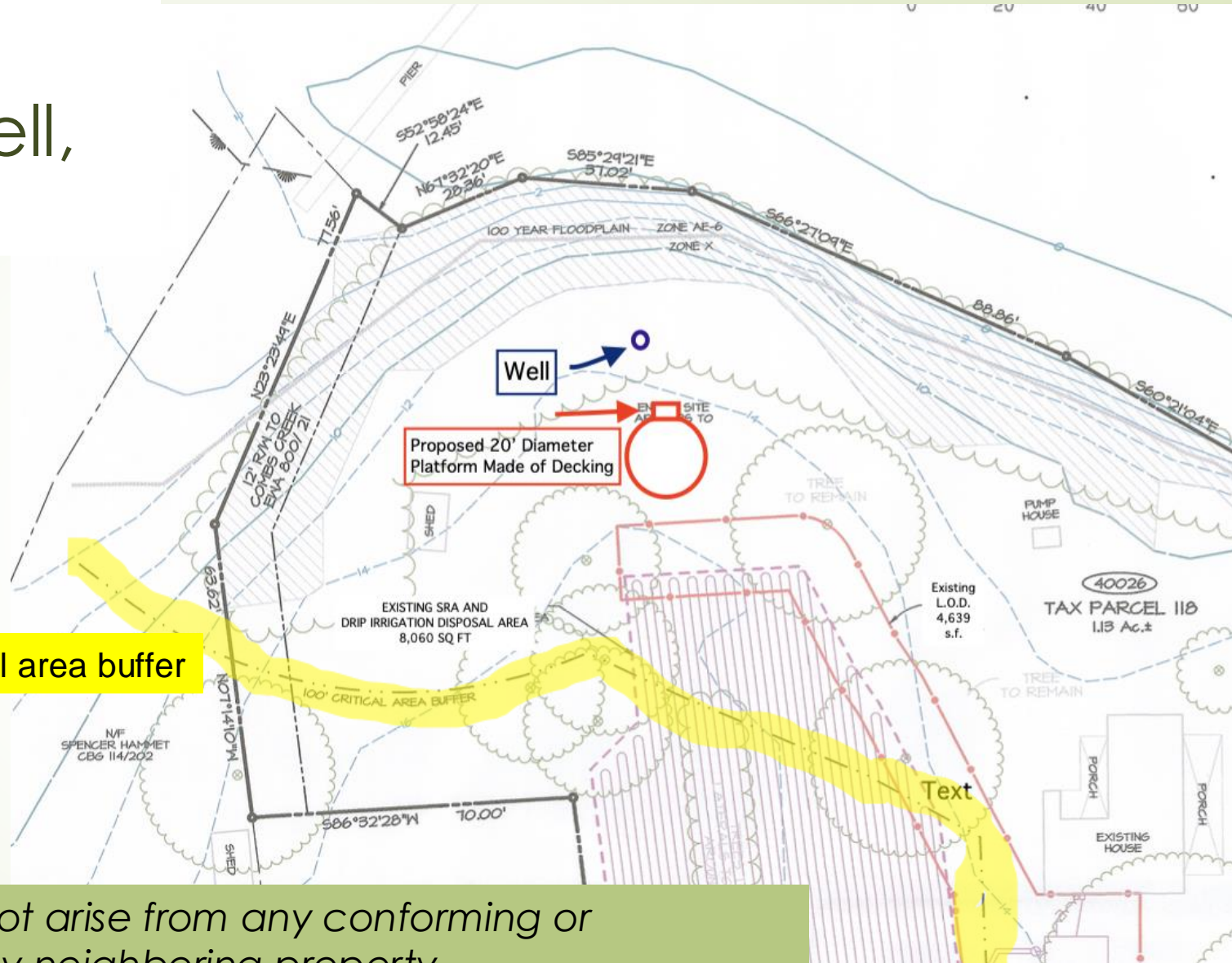
- ▶ Expand enjoyment of land and views of water to back of property that is currently not being utilized

(3) The granting of the variance would not confer upon the applicant any special privilege that would be denied by the local Critical Area program to other lands or structures in accordance with the provisions of the local Critical Area program

Proposed Deck in Relation to Septic, Well, and Critical Area

- Well
- Proposed Deck
- Critical Area Buffer


Critical area buffer



(5) The variance request does not arise from any conforming or nonconforming condition on any neighboring property

Respect of neighbor's privacy, wildlife and plants, and intent of Critical Area law.

- ▶ Wooden deck with space between slats to allow water to flow through
- ▶ Above ground deck post mounts to minimize disturbance to soil
- ▶ Respectful of space between us and neighbors allows for all parties to maintain privacy
- ▶ Would not require cutting down any trees or plants
- ▶ Owner would plant native plants around the deck area



(6) The granting of the variance would not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the jurisdiction's local Critical Area

(7) The granting of the variance would be in harmony with the general spirit and intent of the Critical Area law, the regulations in this subtitle, and the local Critical Area program.

Thank you for your consideration.
Are there any questions?

