

Michael Troxell
C/O Troxell Building Company Inc.
16308 Matthews Rd
Monkton, MD 21111

Re: McGlynn Property at 547 Piccadilly Rd
Forest Buffer Variance
Tracking # 06-24-4170

Dear Michael Troxell:

The Department of Environmental Protection and Sustainability (EPS) received a request for a variance from the Baltimore County Code Article 33, Title 3 Law for the Protection of Water Quality, Steams, Wetlands and Floodplains (i.e., Forest Buffer Law) on August 2, 2024. This variance seeks to impact 1,083 square feet (sf) of Forest Buffer maintained as lawn for the construction of an addition and deck; to allow the continued long-standing use of approximately 9,000 sf of a residence, driveway, and lawn within area that would be established as Forest Buffer; and to forego recordation of a Forest Buffer Easement and its associated Declaration of Protective Covenants of Baltimore County.

The associated home was built in 1952 and a portion of the Forest Buffer has historically been maintained as lawn with scattered trees since at least the 1990s. The Forest Buffer covers the majority of the approximately 85-foot-wide property. Because of the proximity of the home to the stream and the narrow lot, there is no alternate location for the addition and deck. Construction in this location minimizes Forest Buffer disturbance to an already-disturbed area. Approval of this variance would allow no new impacts or clearing within the Forest Buffer. After construction, approximately 1,100 linear feet of existing driveway will be restored to grass. The Forest Buffer is associated with an unnamed tributary of Towson Run (Use I).

We have determined that a practical difficulty exists in meeting the buffer regulations, in that the forest buffer encompasses most of the property, thus precluding construction of the addition and deck outside of the buffer. Furthermore, we find that the potential for impacts to water quality as a result of this proposal is negligible.

Based on these findings, we will grant this request in accordance with Section 33-3-106 (a) (1) of the Baltimore County Code, with the following conditions:

1. The following notes must appear on all subsequent plans submitted for this project:

“A variance to the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains (tracking # 06-24-4170) was granted by Baltimore County Environmental Protection and Sustainability to impact 1,083 sf of Forest Buffer for the construction of an addition and deck; continue residential uses of approximately 9,000 sf; and forego recordation of a Forest Buffer Easement in land records. Any future development activity or change in use of this property may require full compliance with the Forest Buffer Law.”

“There shall be no clearing, grading, construction or disturbance of vegetation in the Forest Buffer except as permitted by the Baltimore County Department of Environmental Protection and Sustainability.”

2. This construction project shall provide all sediment and erosion control measures determined necessary during building permit review process.
3. This variance approval pertains solely to the addition and deck permit. Any subsequent impact to the full Forest Buffer on this property shall be reviewed on its own merits and shall comply with the regulations in effect at the time, including variance and alternatives analysis requirements per §33-3-106 and §33-3-112(c) of the Forest Buffer Law, respectively.

The property owner shall sign the statement on the following page and return a signed copy of this letter to this Department. Failure to return a signed copy may render this approval null and void. If you have any questions regarding this correspondence, please contact Marie Brady at (410) 887-3980.

This variance is approved by the Director of the Department of Environmental Protection and Sustainability on _____. Any changes to site layout may require submittal of revised plans and a new variance request.

Sincerely yours,

Horacio Tablada
Director

HT/mvb

c. Michael & Nicole McGlynn

I/we agree to the above conditions to bring my/our property into compliance with the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains.

Signature Date

Signature Date

Printed Name Date

Printed Name Date