

June 28, 2024

Mr. Michael Paone
Zoning Planner I
Frederick County
30 North Market Street
Frederick, MD 21701

Subject: 6411 Barrington Dr. /Lot 400/ Plat 59/Sec. D2C/ Spring Ridge P.U.D. /
Permit #482520

Dear Mr. Paone:

On behalf of myself, applicant and property owner, Barbara Naczi, I am requesting approval from the Board of Appeals to grant a variance in accordance with Section 1-19-3.200. Variances of the Frederick County Code. This section allows the Board of Appeals (BOA) to grant a variance for relief from the yard requirements under Section 1-19-3.220(A). If approved, the variance would create a 10'9" rear building restriction line, rather than the 25' as required under the Euclidian setback standards. The record plat lists the front setback as 'As Noted' that is 25 feet, side setback as 8' and the rear setback at 25'.

The following is the Applicant's response to the general criteria requirements under Section 1-19-3.200 Variances.

(A) The Board of Appeals may authorize a variance in height, lot area and yard regulations.

The Applicant states she understands this requirement. This application is not requesting a variance in height or lot area. The applicant is requesting relief from the rear yard building restriction line from 25' to 10.9'.

(B) An application for a variance shall be filed with the Board of Appeals only after refusal of zoning approval or an adverse determination has been issued by the Zoning Administrator.

The Applicant states she was directed by Zoning Staff to the BOA to process a variance request by the Frederick County Division of Planning and Permitting after the Department refused to issue the Additions Permit.

(C) The Board of Appeals shall not grant a variance unless and until a public hearing is held and all of the following criteria are met:

(1) First, the Board of Appeals shall find that special conditions and circumstances exist which are unique to the land or structure involved and which are not applicable to other lands or structures in the same district.

The Applicant states that the side yards are not feasible as the left side (facing the house) is only 10' wide & is not enough space for a pool & structure. Additionally this side contains a 50' swale to drain water from multiple neighbors properties away from the house out towards the street.

The right side is 19'8" wide with the BRL of 8' leaving 11'8" & that is also

not enough space for the pool & structure. Also this side has quite a downhill slope so would require extensive excavation/grading with additional drainage issues.

The rear of the property has both a sunroom & a deck attached to the house that measures 12' into the back yard leaving 10'8" to the 25' BRL & this does not leave enough space for a pool & pool house with required inside walkway clearance around the pool.

(2) Upon making this finding the Board of Appeals shall also find that the following criteria are met:

(a) That the special conditions and circumstances do not result from the actions of the applicant;

The Applicant states that this circumstance is not the result of any action taken by the Owner/Applicant as the lot was legally created and recorded on October 6, 1995.

(b) The literal interpretation of the provisions of this chapter would result in unreasonable hardship and deprive the applicant of rights commonly enjoyed by other properties in the same district under terms of this chapter;

The Applicant states that without the variance from the BOA, she would not be able to proceed with this project that is needed for health reasons. The owner reviewed alternative locations/options however the alternatives were dismissed. More details about this are included above and in the online description for the Variance request.

(c) That granting the variance will not confer on the applicant any special privilege that is denied by this chapter to other lands or structures in the same district;

The Applicant states that the granting of this variance would not confer any special privilege.

(d) That the granting of the variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The Applicant states she understands this requirement and has both the Spring Ridge Board Approval as well as side and rear neighbor written approval.

(Approval from the 3rd side yard neighbor was not sought given a 30"+ tall row/wall of Arborvitae in Applicant's yard that shield the view from their property.)

(D) In granting the variance, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, is a violation of this chapter.

The Applicant states she acknowledges this requirement.

- (E) Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this chapter in the zone involved, or any use expressly or by implication prohibited by the terms of this chapter in said zone.

The Applicant states she acknowledges this requirement.

- (F) Except as specified in § 1-19-4.220(C), the Board of Appeals shall not grant a variance to a nonconforming structure for the portion of structure determined by the Zoning Administrator to be nonconforming.

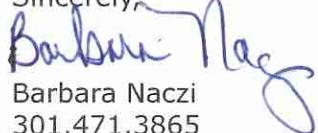
The Applicant believes that section 1-119-4.220(C) does not apply to this case since the property is a subdivision under PUD Regulations.

- (G) A decision of the Board of Appeals granting a variance will be void 2 years from date of approval by the Board of Appeals unless the use is established, a building permit is issued, construction has begun, or final site development plan approval has been received in accordance with the terms of the decision. Upon written request submitted to the Zoning Administrator no later than 1 month prior to the expiration date and for good cause shown by the applicant, a 1 time extension may be granted by the Zoning Administrator for a period not to exceed 6 months.

The Applicant states she acknowledges this requirement.

The Applicant respectfully requests that the Board of Appeals grant this variance based on the above information, online information contained in Permit #482520 and enclosed exhibits. If you require additional information or have questions pertaining to the application, please contact me.

Sincerely,


Barbara Naczi
301.471.3865

Enclosures:

- 1) This Letter
- 2) Record Plat
- 3) Spring Ridge HOA Approval
- 4) Architectural Drawing
- 5) SDAT Sheet
- 6) Aerial view of Property
- 7) Adjacent & Across Street Neighbors names & addresses
- 8) Written approval by 2 of the 3 adjacent neighbors on the view of the pool structure from their property & reason why 3rd not included.
- 9) Sealed Survey

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The following is the Applicant's response to the general criteria requirements under Section 1-19-3.200 Variances.

(A) The Board of Appeals may authorize a variance in height, lot area and yard regulations.

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Subject: 6411 Barrington Dr. / Lot 400/ Plat 59/Sec.D2C / Spring Ridge P.U.D./Page 3

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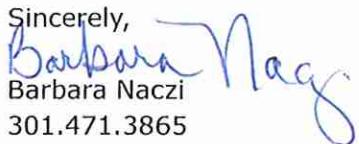
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- 9) Sealed Survey

Adjacent neighbors to 6411 Barrington Dr. Frederick, MD 21701 Lot 400, Plat 59
Permit #482520

- 1) Mr. and Mrs. Ron Poker**
9402 Carmichael Court
Frederick, MD 21701

Ron & Poker

- 2) Mr. and Mrs. Andrew Kerley**
6413 Barrington Dr.
Frederick MD 21701

AK

** Note: See enclosed homeowner approval signatures for these 2 neighbors.
Between the 3rd neighbor (River) and my property in the back yard is a
row/wall of Arborvitae trees that are 30'+ tall so they will not see the
pool house. This is why their signature was not sought by Applicant nor
did the Spring Ridge Board request this for this neighbor.

- 3) Mr. and Mrs. Charles River
6409 Barrington Dr.
Frederick, MD 21701

Charles River OK!

Across Street Neighbors:

- 4) Ms. Elaine Jacobowitz
6408 Barrington Dr.
Frederick MD 21701

Elaine Jacobowitz OK!

- 5) Mr. an Mrs. Joel Piccioni
6410 Barrington Dr.
Frederick MD 21701

Joel Piccioni

- 6) Mr. and Mrs. Mark Barbieri
6412 Barrington Dr.
Frederick MD 21701

Mark Barbieri
OK

Adjacent neighbors to 6411 Barrington Dr. Frederick, MD 21701 Lot 400, Plat 59
Permit #482520

- 1) Mr. and Mrs. Ron Poker**
9402 Carmichael Court
Frederick, MD 21701
- 2) Mr. and Mrs. Andrew Kerley**
6413 Barrington Dr.
Frederick MD 21701

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Frederick, MD 21701

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Frederick MD 21701
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6410 Barrington Dr.
Frederick MD 21701
- 6) Mr. and Mrs. Mark Barbieri
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Adjacent neighbors to 6411 Barrington Dr. Frederick, MD 21701 Lot 400, Plat 59
Permit #482520

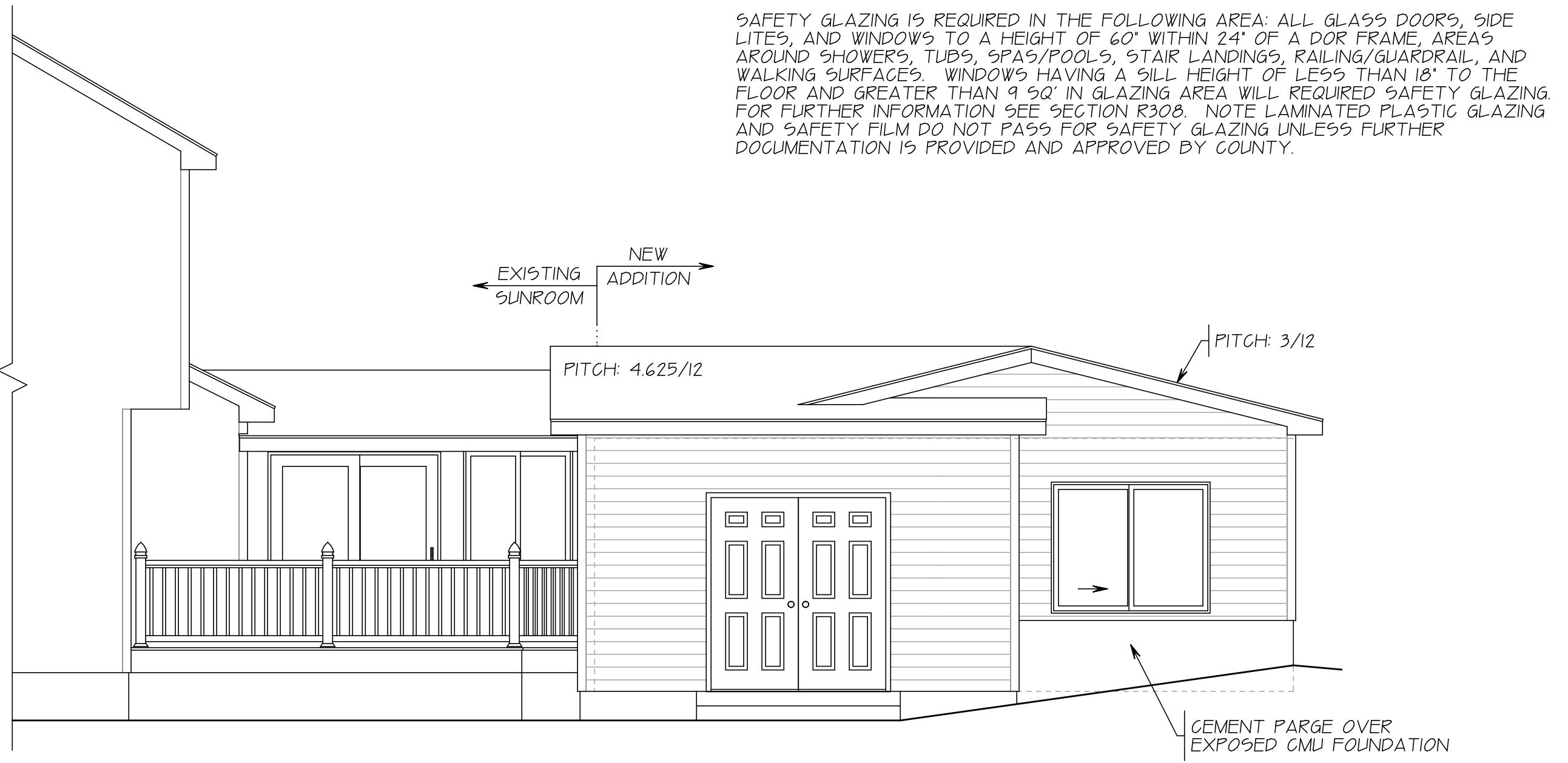
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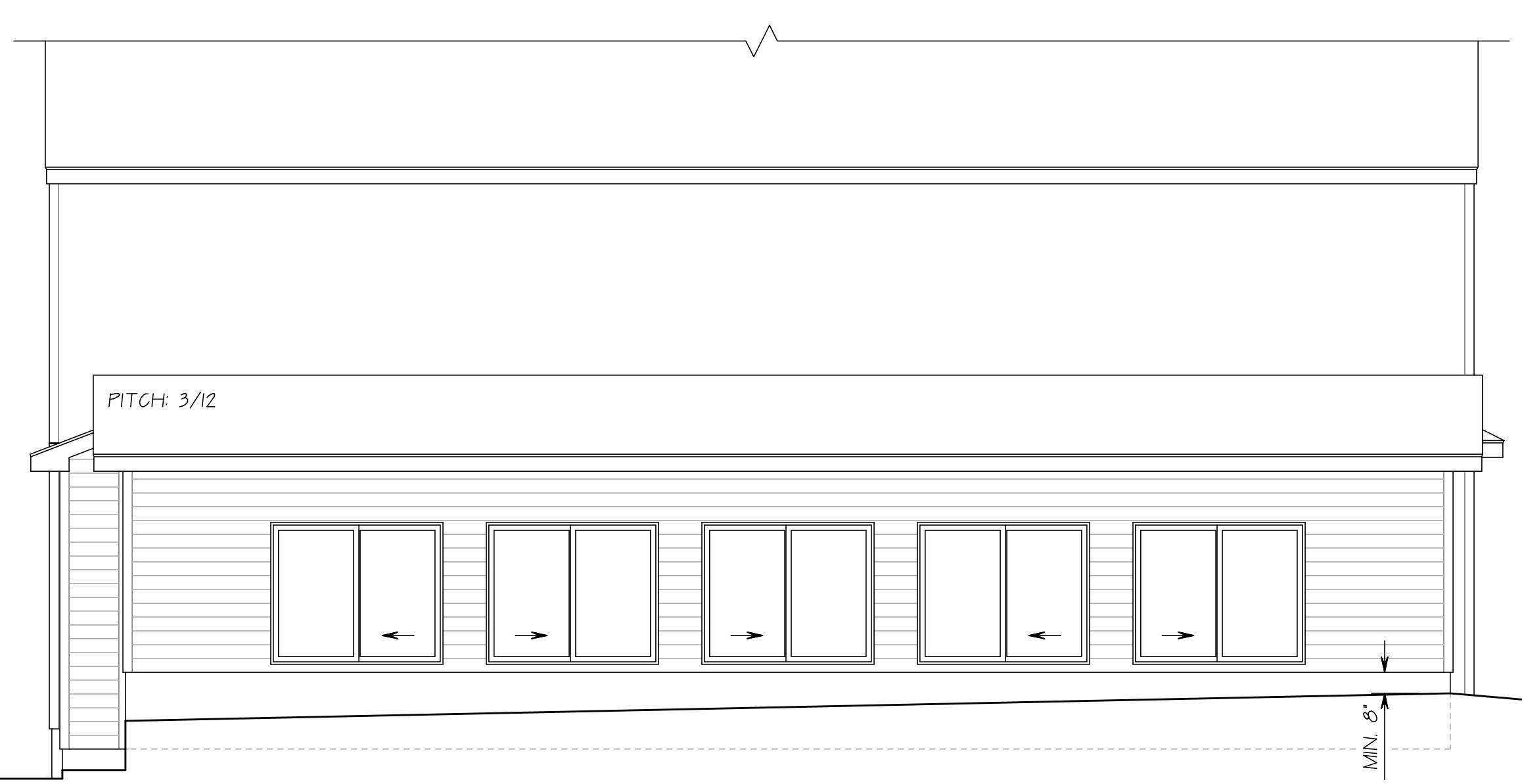
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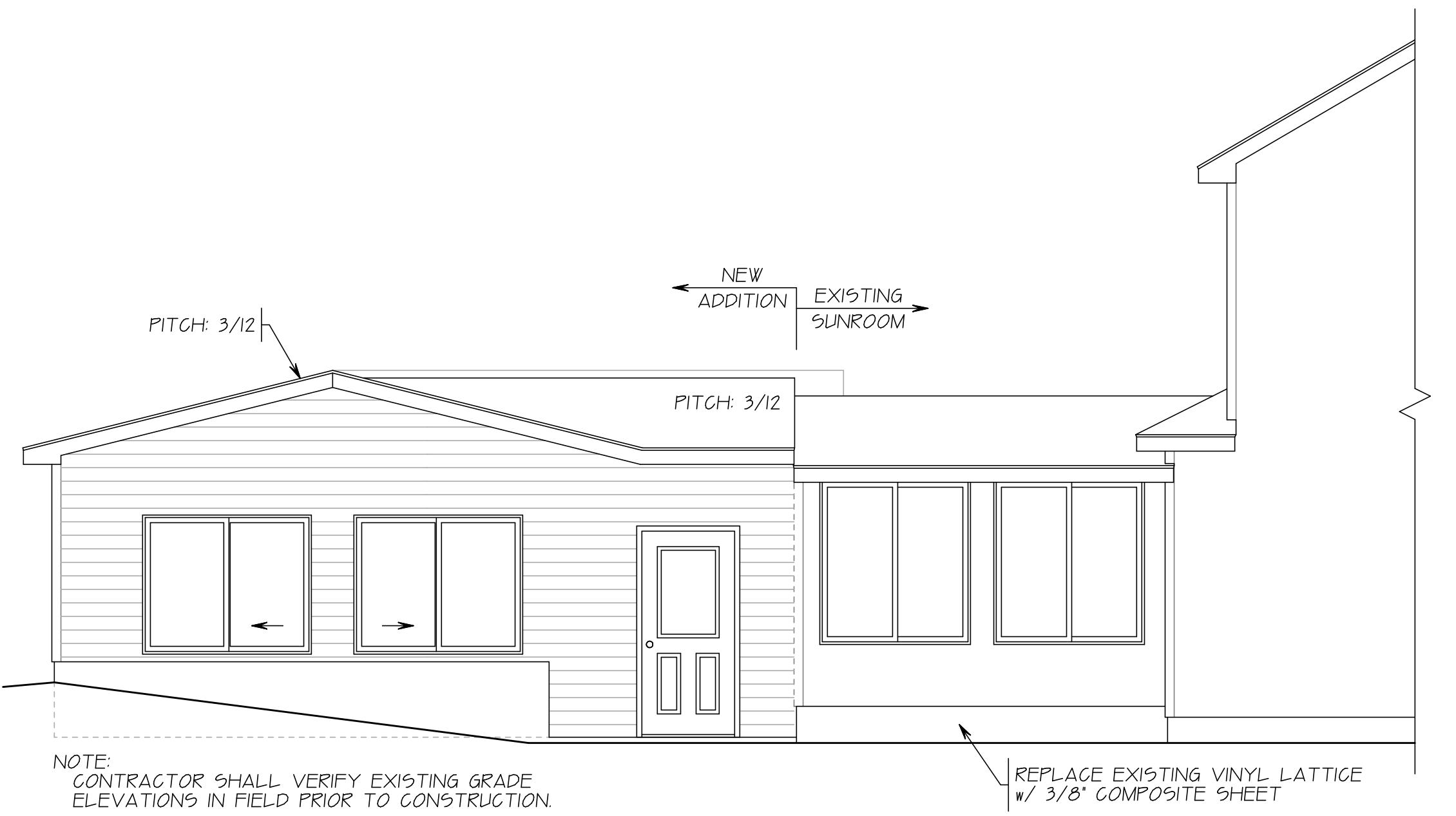
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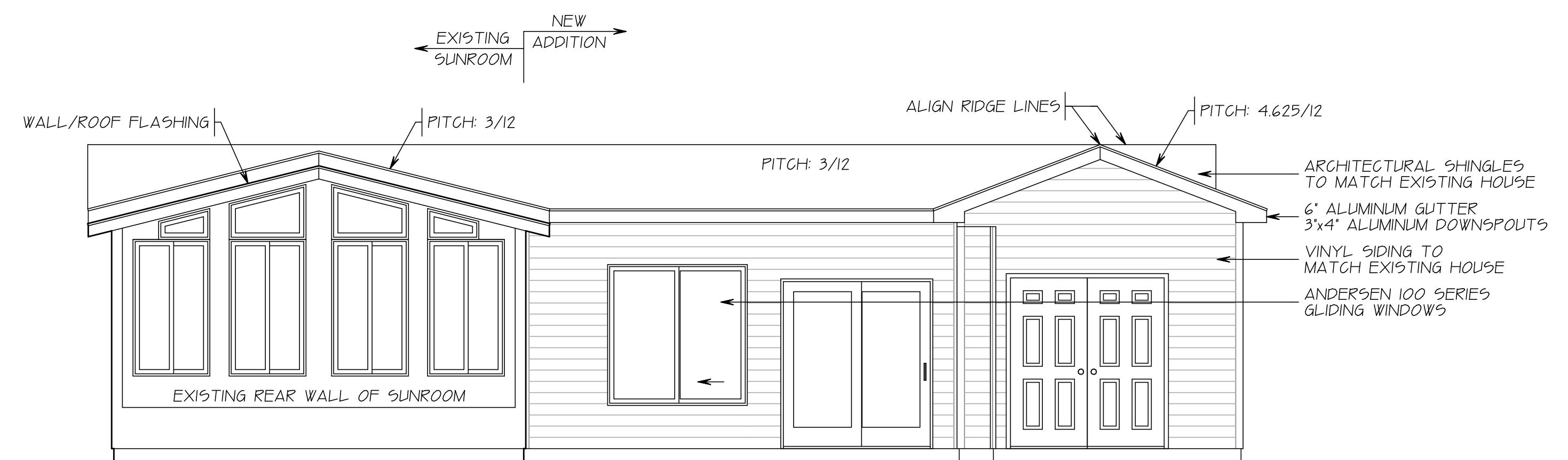
RIGHT SIDE ELEVATION



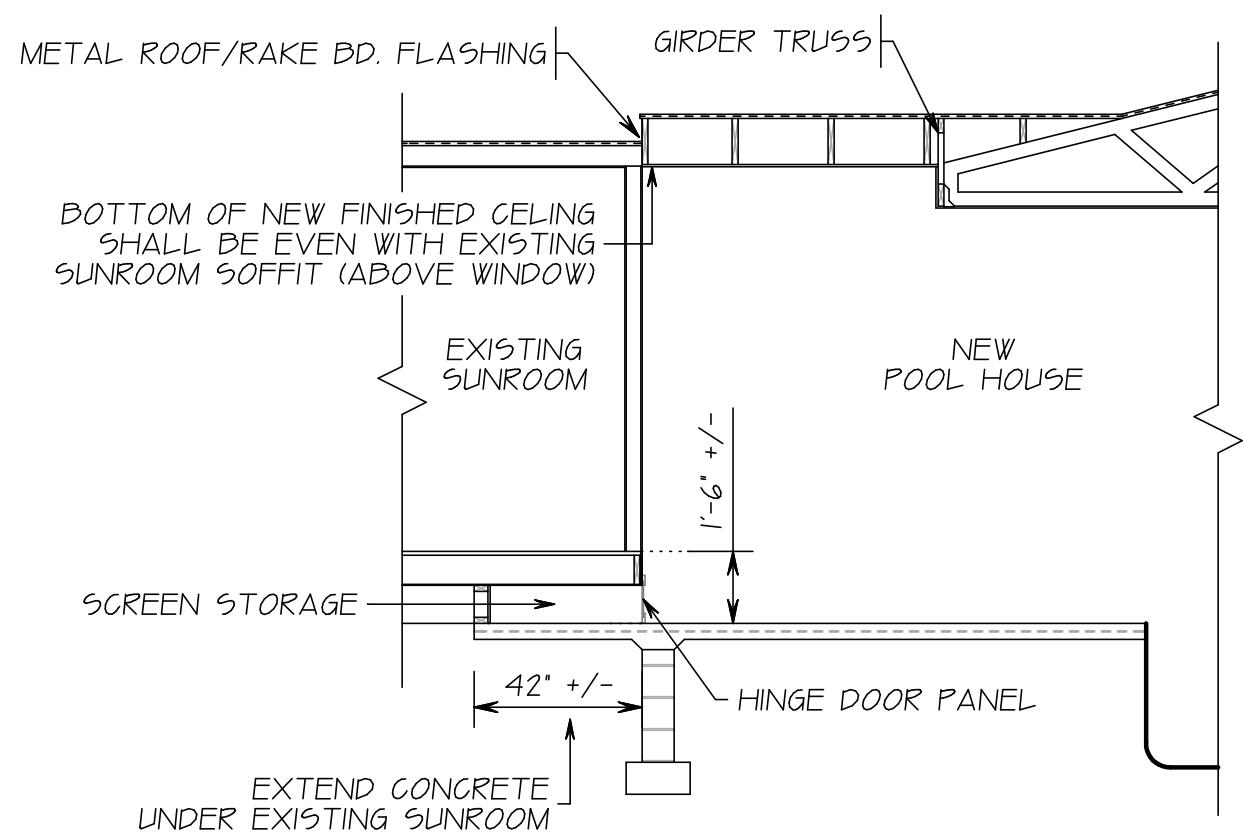
REAR ELEVATION



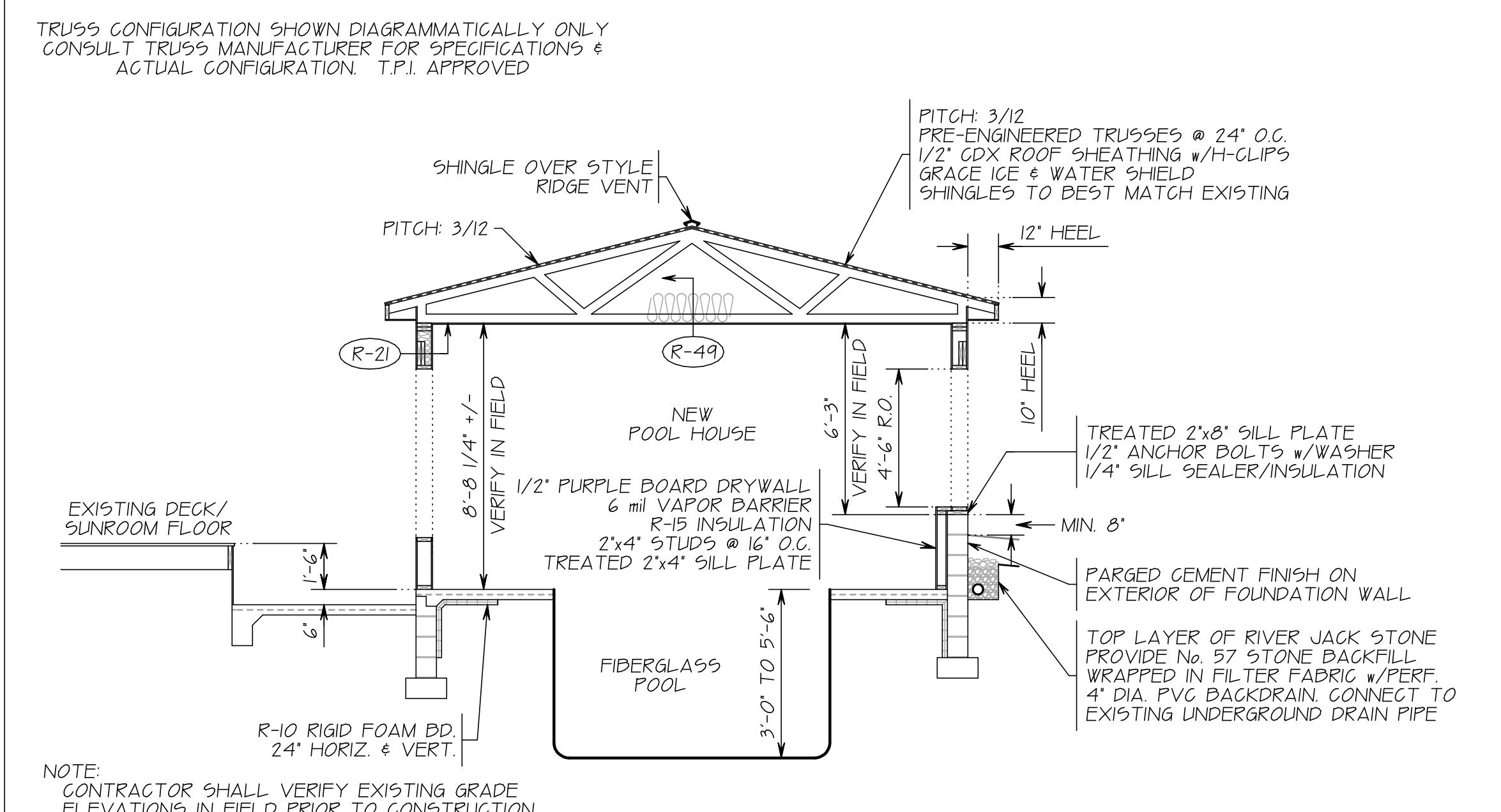
LEFT SIDE ELEVATION



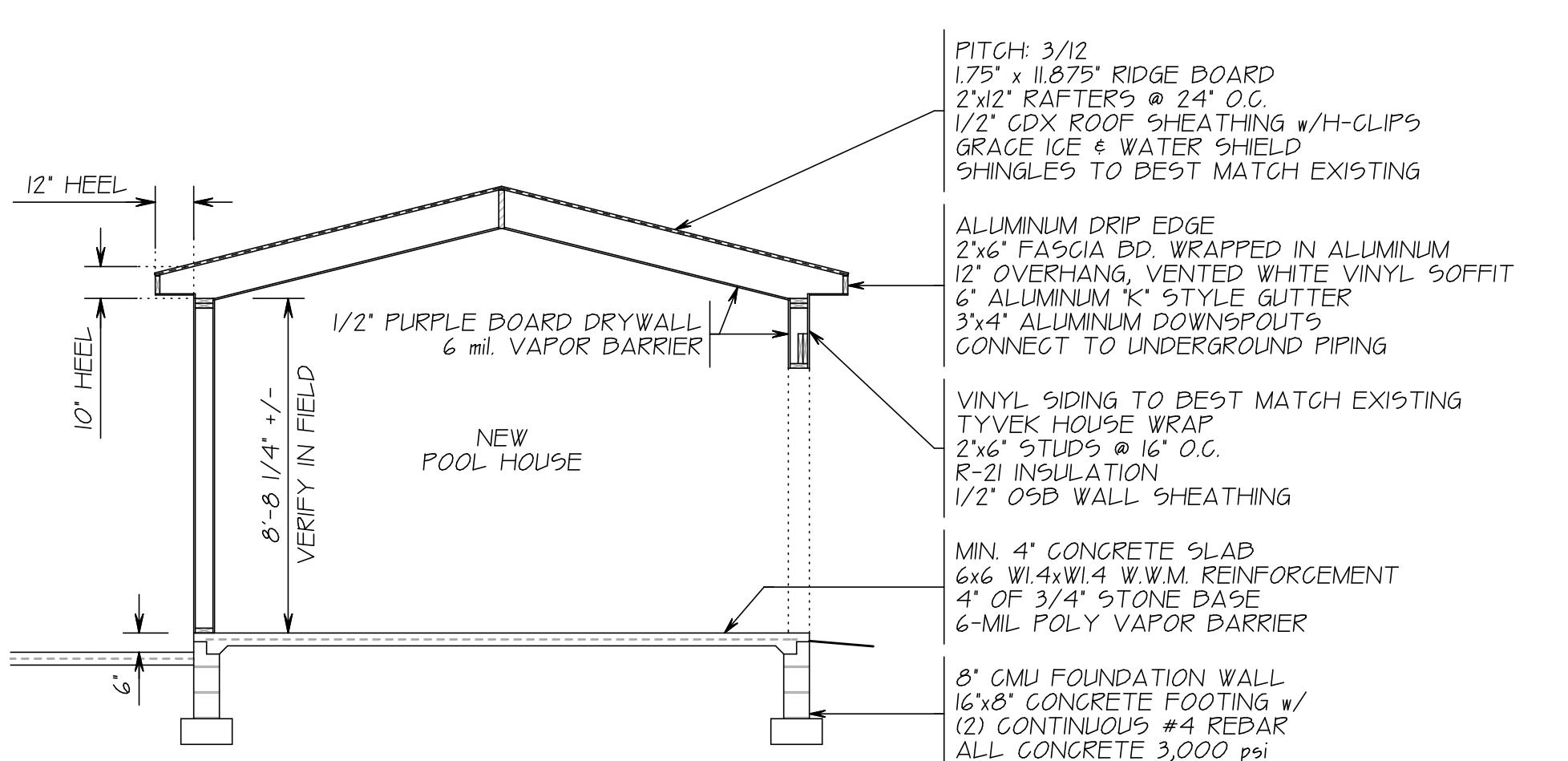
FRONT ELEVATION



BUILDING SECTION 'A-A'



BUILDING SECTION 'B-B'



BUILDING SECTION 'C-C'

SCALE: 1/4" = 1' 0"

2 of 2

POOL ENCLOSURE
PROJECT FOR: BARB NACZI
6411 BARRINGTON DRIVE
FREDERICK, MARYLAND 21701
DATE: 5-20-2024 SCALE: 1/4" - 1'-0"
FILE NAME: BARB-FINAL DRAWN BY: P. GUGLIZZI
DATE: 5-20-2024

CREATIVE OUTLOOKS, LLC
PHILIP F. GUGLIZZI
CUSTOM HOME PLANNING & DESIGN
HOME ADDITION/RENODELING DESIGN
COMPLETE CONSTRUCTION PLANS
PHONE: 410-546-1062
EMAIL: PCREATIVEOUTLOOKS@GMAIL.COM

Authorization/Limitations for Use of Plans
This set of drawings, the design itself, and any accompanying specifications are solely owned by Creative Outlooks, LLC. A copy of these drawings and specifications will be provided to the client for the use of construction. It is understood and agreed that these drawings are not to be copied, modified and/or resold without the written permission of Creative Outlooks, LLC.
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SHEET No.

Spring Ridge Conservancy Inc.

Managed By: Property Management People, Inc.
"MANAGEMENT" is our middle name.

October 19, 2023

Barbara Naczi
6411 Barrington Drive
Frederick, MD 21701

RE: Board of Directors Appeal: Pool with Enclosure

Dear Barbara:

At the Regular Meeting on October 17, 2023, The Spring Ridge Conservancy Board of Directors met and discussed your pool enclosure request.

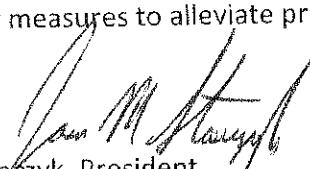
The Board voted unanimously to conditionally approve your request, citing the information you presented which addressed previous Board concerns. The new structure conforms to the setback lines, is attached to the house, and both the siding and roof will match the existing structure. Further, the Board notes you have received approval from your neighbors.

The following conditions are imposed:

1. The structure must conform to the drawings presented at the October 17th meeting, with both the siding and roof matching the existing structure.
2. The proper permits must be applied for and approved by the county, including plumbing, electrical, and structural. It is crucial that the county is aware your pool will be saltwater, which may require you to obtain a discharge permit for filter backwashing.
3. If either the inground pool or retaining wall causes flooding of neighboring properties, you will be required to mitigate this condition.

Thank you for exercising your right to appeal to the Board. The Board also thanks you for taking the necessary measures to alleviate previous concerns.

Sincerely,


Jason Stanczyk, President

Board of Directors, Spring Ridge Conservancy

Real Property Data Search ()
Search Result for FREDERICK COUNTY

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: HOMEOWNERS TAX CREDIT

Account Identifier: District - 09 Account Number - 289003

Owner Information

Owner Name:	NACZI BARBARA J BARBARA NACZI REVOCABLE LIVING TRUST AGREEMENT	Use:	RESIDENTIAL
Mailing Address:	6411 BARRINGTON DR FREDERICK MD 21701-	Principal Residence:	YES
		Deed Reference:	/15761/ 00339

Location & Structure Information

Premises Address:	6411 BARRINGTON DR FREDERICK 21701-	Legal Description:	LOT 400 PLAT 59 SEC. D2C- 8401 SQ. FT. SPRING RIDGE PUD
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Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0078	0005	0722	9020011.11	0000	D2C	400	2022		Plat Ref:

Town: None

Primary Structure Built 1996	Above Grade Living Area 2,156 SF	Finished Basement Area	Property Land Area 8,401 SF	County Use 000000
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Stories 2	Basement YES	Type STANDARD UNIT	Exterior SIDING/	Quality 5	Full/Half Bath 2 full/ 1 half	Garage 1 Attached	Last Notice of Major Improvements
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Value Information

	Base Value	Value As of 01/01/2022	Phase-In Assessments As of 07/01/2023	As of 07/01/2024
Land:	101,700	150,800		
Improvements	280,800	323,300		
Total:	382,500	474,100	443,567	474,100
Preferential Land:	0	0		

Transfer Information

Seller: NACZI BARBARA J	Date: 03/02/2022	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /15761/ 00339	Deed2:
Seller: REGENCY HOMES CORP.	Date: 08/05/1996	Price: \$182,400
Type: ARMS LENGTH IMPROVED	Deed1: /02212/ 01030	Deed2:
Seller: RADNOR/FREDERICK CORP.	Date: 10/06/1995	Price: \$102,500
Type: ARMS LENGTH MULTIPLE	Deed1: /02129/ 01033	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2023	07/01/2024
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: HOMEOWNERS TAX CREDIT

Homestead Application Information

Homestead Application Status: Approved 09/17/2021

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: Application Received Date: 08/14/2023



145,550 views
Published on August 22, 2023
SHARE

- Untitled layer
- Line 2
 - Point 3
 - Point 4



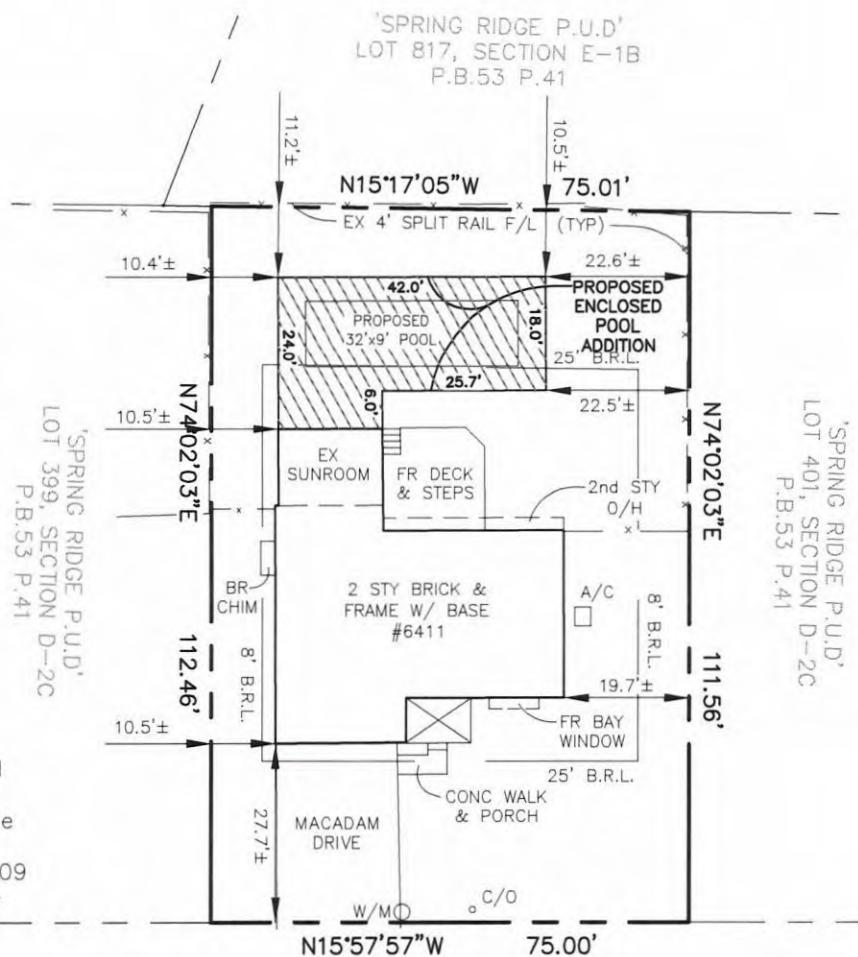
4522 Carmel Valley Rd, San Jose, CA 95121

Map data ©2023 Imagery ©2023 Airbus U.S. Geospatial Survey Terms 20 ft

P.B.53 P.41
N

NOTES:

1. This plan was prepared without the benefit of a title report and therefore may not indicate all encumbrances on this property.
2. A 6 foot wide drainage and utility easement is reserved along all lot lines.
3. Current zoning: Planned Unit Development.
4. This lot is subject to HOA covenants and restrictions recorded in Liber 1611 Folio 509.



I hereby certify that I personally prepared or was in responsible charge over the preparation of this easement plan and the survey work reflected on it and it is in compliance with COMAR Section 09.13.06.09 of the Minimum Standards of Practice as adopted by the Maryland Board of Professional Land Surveyors.

For B&R Design Group
Carl F. Thomas
Property Line Surveyor
MD. Reg. No. 411
License Expires: 11/1/2024



BARRINGTON DRIVE
(50' R/W)

SKETCH PLAN OF EXISTING IMPROVEMENTS AND
PROPOSED ENCLOSED POOL ADDITION

LOT 400, SECTION D-2C, PLAT 59
SPRING RIDGE P.U.D.

SITUATED AT 6411 BARRINGTON DRIVE
NEW MARKET PLANNING REGION
NEW MARKET ELECTION DISTRICT #9
FREDERICK COUNTY, MARYLAND

OWNER:

Barbara Naczi, Trustee of the
Barbara Naczi Revocable Living
Trust Agreement
6411 Barrington Drive
Frederick, MD 21701

© B&RDG, 2024

SCALE: 1" = 30'
REFERENCE: P.B. 53 P. 41
DRAWN BY: C. THOMAS
CHECKED BY: C. THOMAS



TAX ID #09-289003

JOB No.	24-1190
SKETCH:	JULY 2024
TAX MAP:	78
PARCEL:	P/O 722

From: Leatrice Urbanowicz <lurbanowicz@gmail.com>
Sent: Wednesday, August 7, 2024 8:30 AM
To: Planning and Zoning
Subject: August 22 hearing

[EXTERNAL EMAIL]

Good day

While none of the appeals to be discussed on August 22 (B-24-12 B276165, B-24-16 B276721, and B-24-17 B275892) directly affect me or my home, I wish to state my views anyway.

First, B-24-17 B275892, regarding limited agricultural activity, I feel is the most critical of the three, and I strongly recommend you deny this request for the welfare of the animals involved. The property is only approximately 3/4 acre, which is not nearly enough land for the stated purpose of housing chickens, goats, and a calf. While fully adequate for chickens, 3/4 acre is not even close enough for either goats or a calf but especially not for both. Please do not allow the animals to be crowded onto this property.

Second, B-24-12 B276165, special exception for RV storage facility, unless objected to by direct neighbors, should be approved. It is located near an already-existing RV dealership, and is not visible from the nearby highway (US 15) so will not further detract from any highway views.

Third, B-24-16 B276721, variance to construct a pool house "needed for health-related matters." There are issues which need to be answered before approval is allowed. If the variance is objected to by close neighbors, particularly any along the back of the property who may feel adversely affected, it should be denied. You should also determine exactly what is meant by "health-related matters." Are we talking about installing a restroom so people don't pee in the pool, or what? This variance needs further review before passage is permitted.

I thank you for your time and for your service to our beautiful county.
Leatrice Urbanowicz
6008 Jefferson Pike
Frederick MD 21703
240-626-4640

From: Charles River <charlesriver@msn.com>
Sent: Monday, August 19, 2024 3:50 PM
To: Paone, Michael <MPaone@FrederickCountyMD.gov>
Subject: Re: Case No. B-24-16 (B276721)

[EXTERNAL EMAIL]

To whom it may concern,

My house is at 6409 Barrington Dr. Frederick, MD, which is the neighbor of 6411 Barrington Dr. My house is lower than the 6411 and every time when it is raining, water from that house flow to our back yard.

I am not sure and I have a concern about the neighbor's pool will case any underground water coming to my foundation or any other potential damage to my property.

Thank you for your consideration

Best regards

Charles River

6409 Barrington Dr. Frederick, MD 21701

202-258-1972