

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.

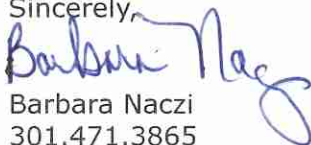
The Applicant believes that section 1-119-4.220(C) does not apply to this case since the property is a subdivision under PUD Regulations.

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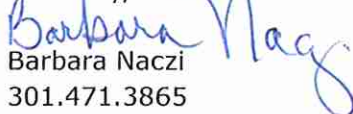
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Adjacent neighbors to 6411 Barrington Dr. Frederick, MD 21701 Lot 400, Plat 59  
Permit #482520

- 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. and 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

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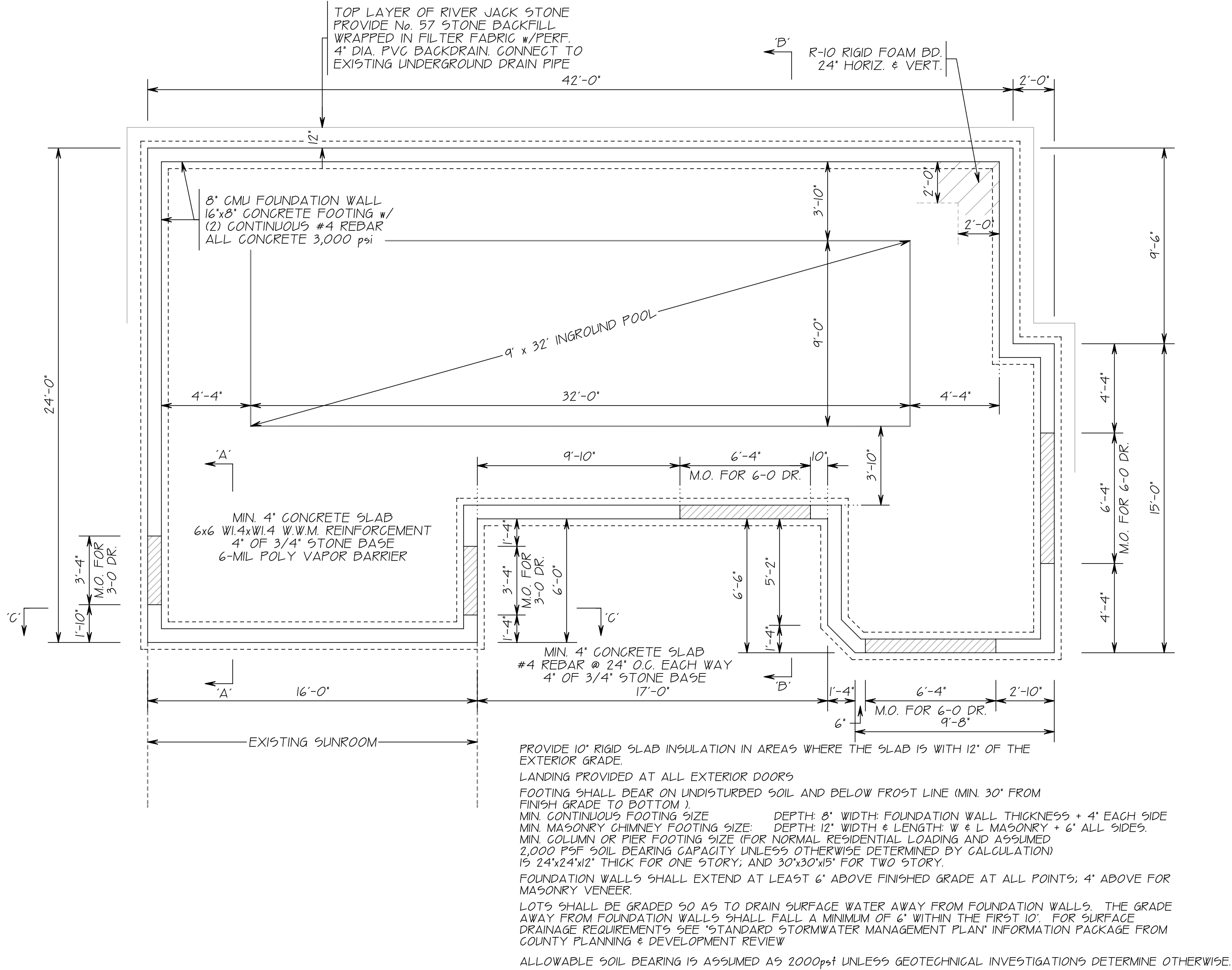
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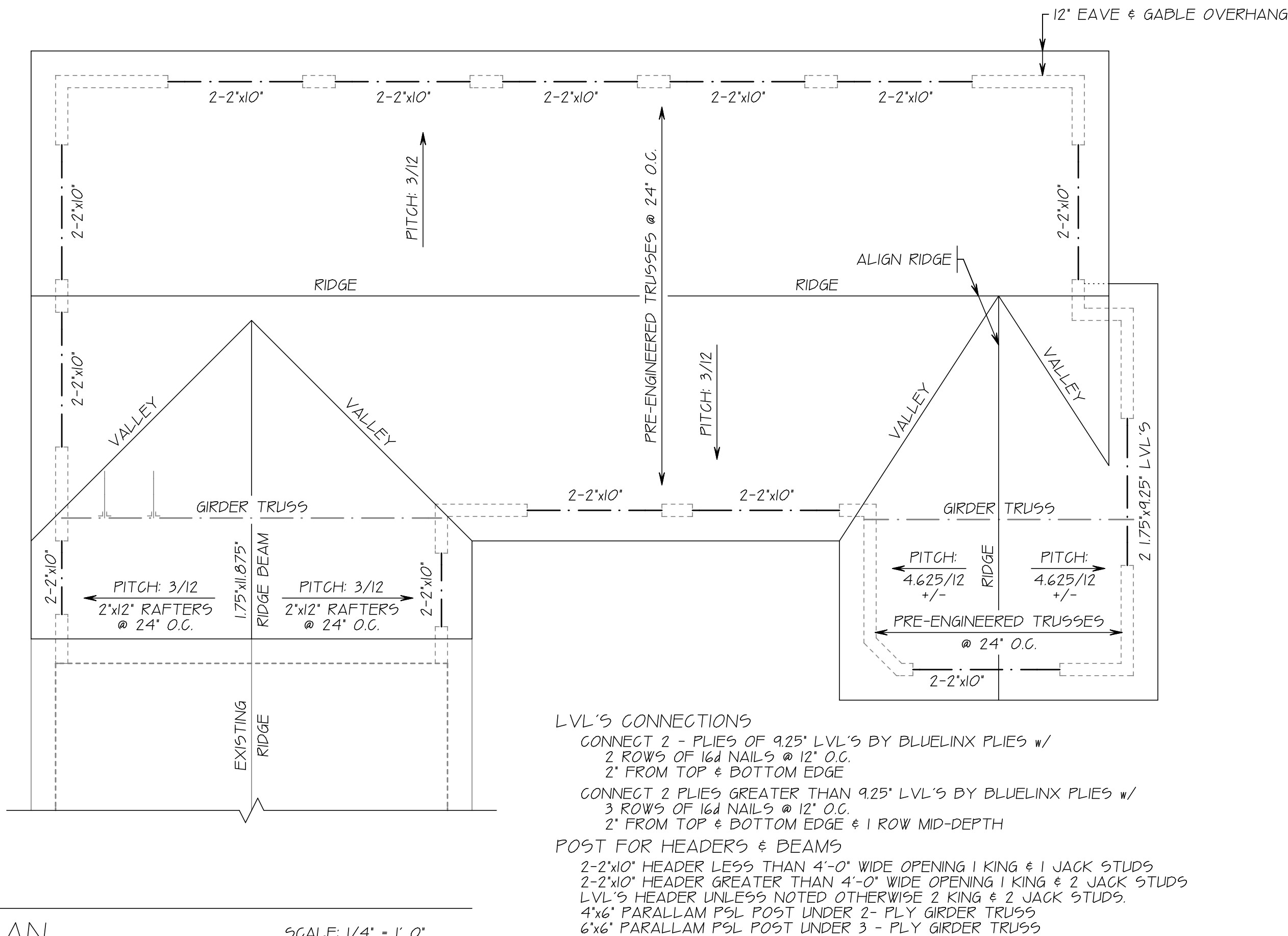
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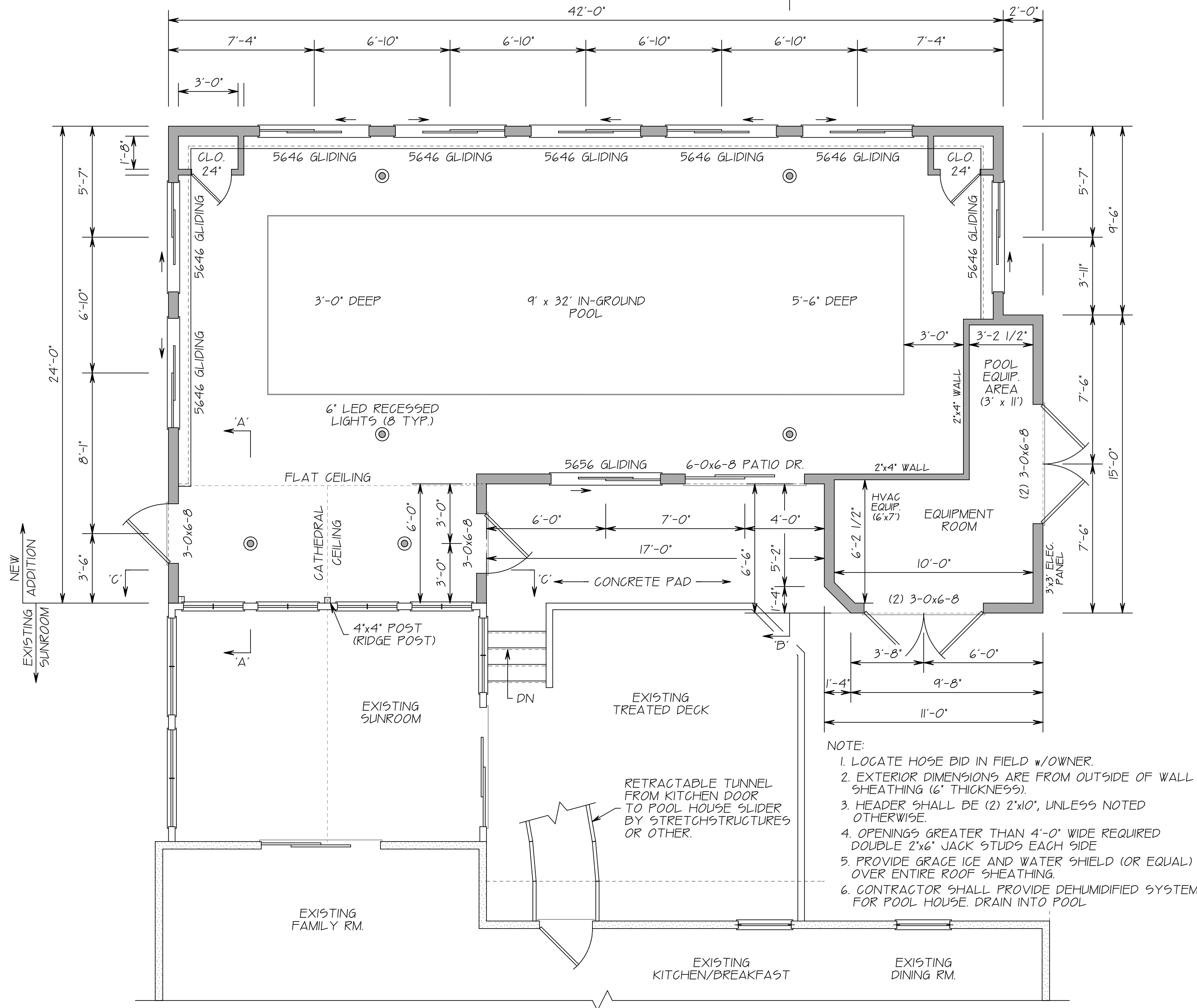
FOUNDATION PLAN

SCALE: 1/4" = 1' 0"



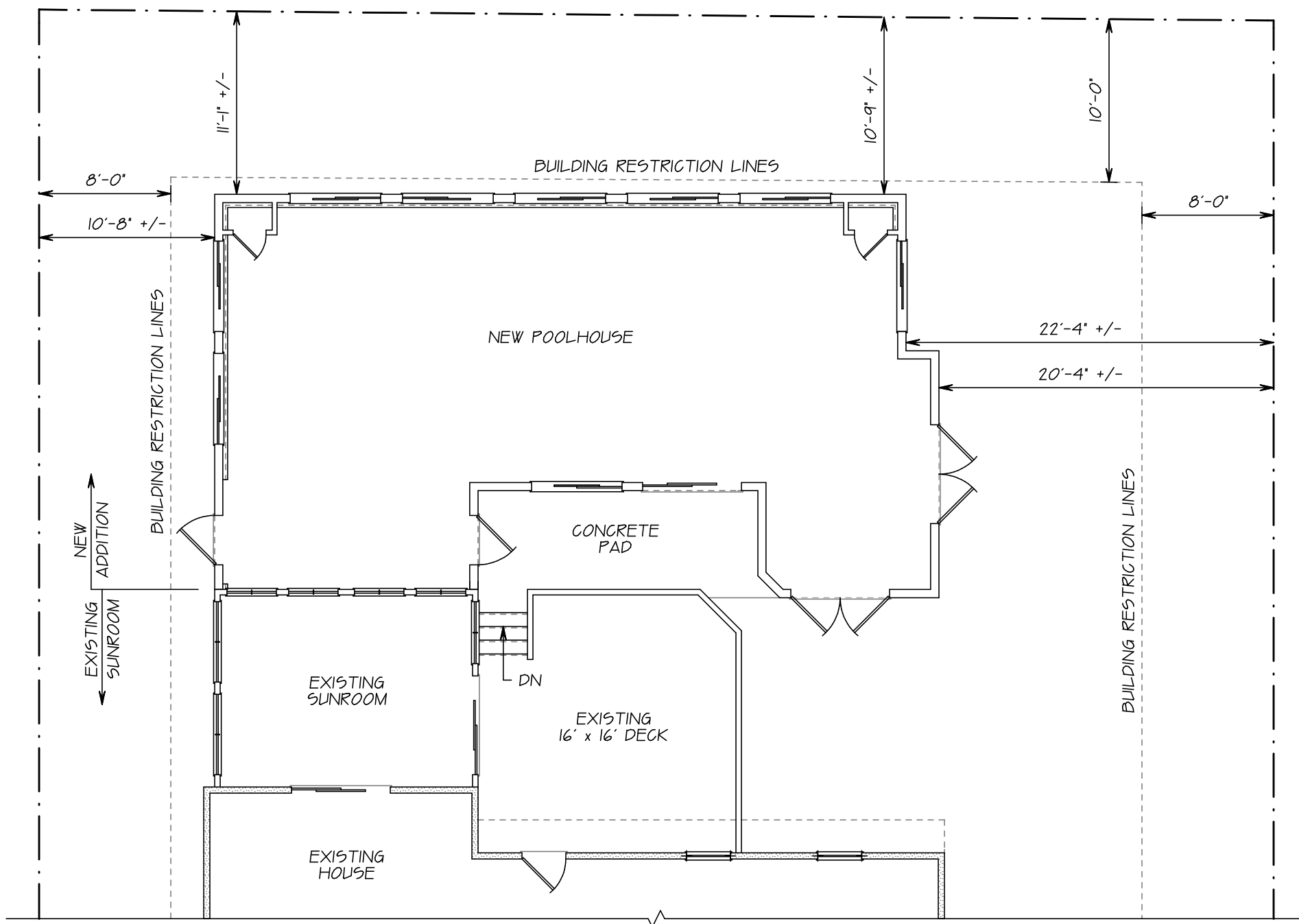
ROOF PLAN

SCALE: 1/4" = 1' 0"



FLOOR PLAN

SCALE: 1/4" = 1' 0"



SITE PLAN

SCALE: 1/8" = 1' 0"

POOL ENCLOSURE

PROJECT FOR

BARB NACZI  
6411 BARRINGTON DRIVE  
FREDERICK, MARYLAND 21701

CREATIVE OUTLOOKS, LLC

PHILIP F. GUGLIUZZA

CUSTOM HOME PLANNING & DESIGN  
HOME ADDITION-REMODELING DESIGN  
COMPLETE CONSTRUCTION PLANS

PHONE: 410-596-1062  
PGCREATIVEOUTLOOKS@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 redrawn without the written permission of Creative Outlooks, LLC.

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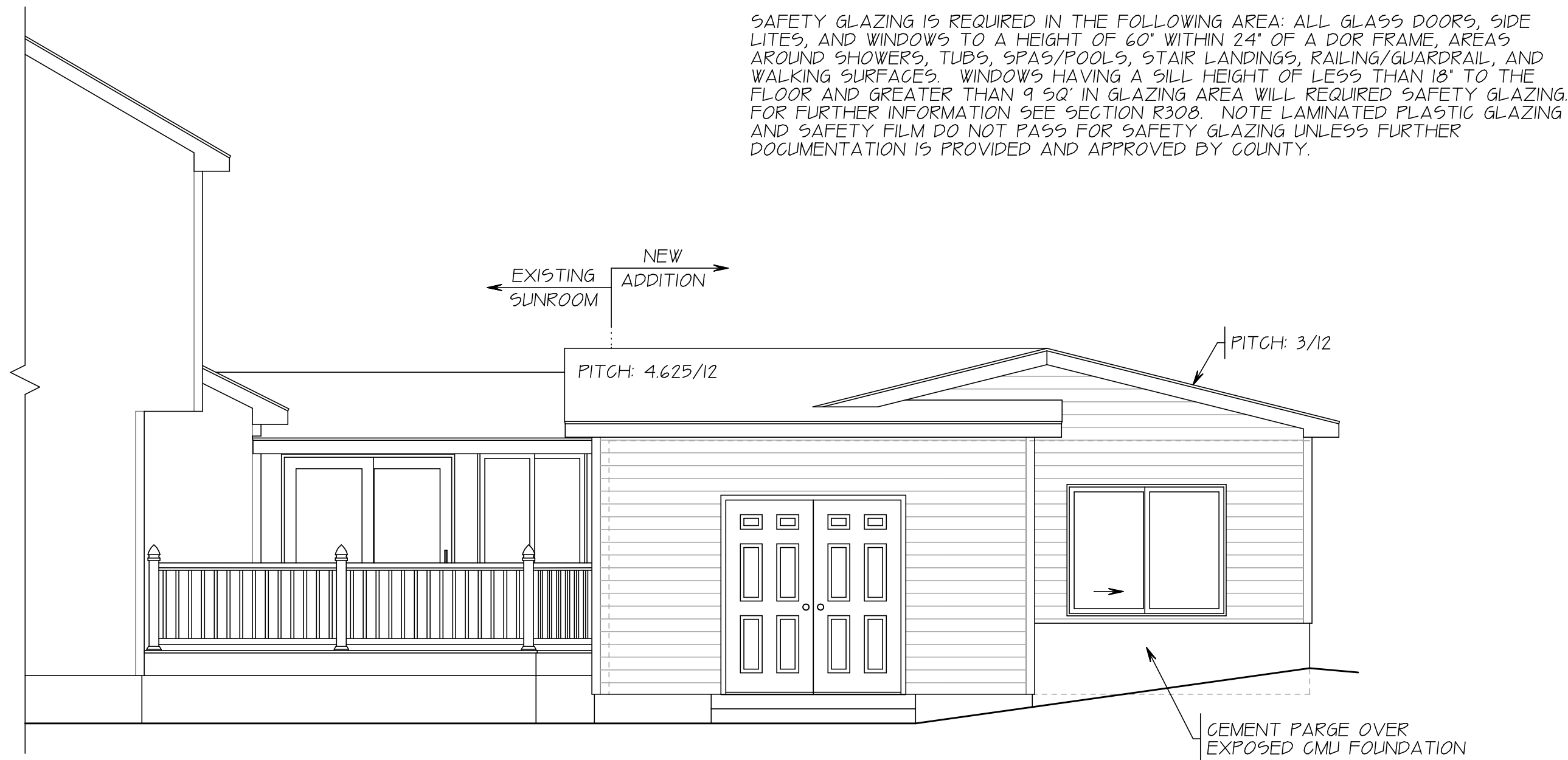
REVISION:

DATE:

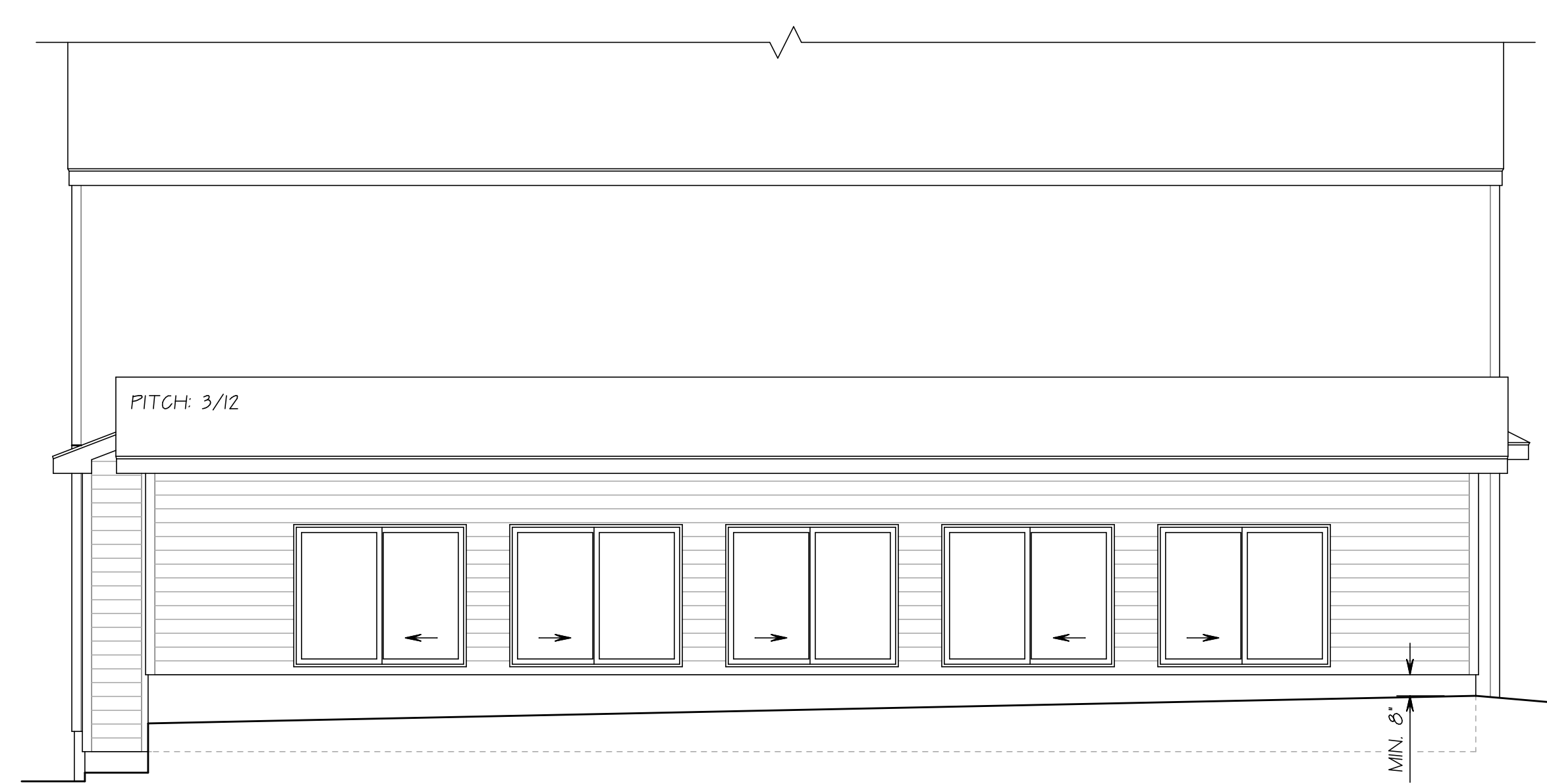
SHEET No.

1 of 2

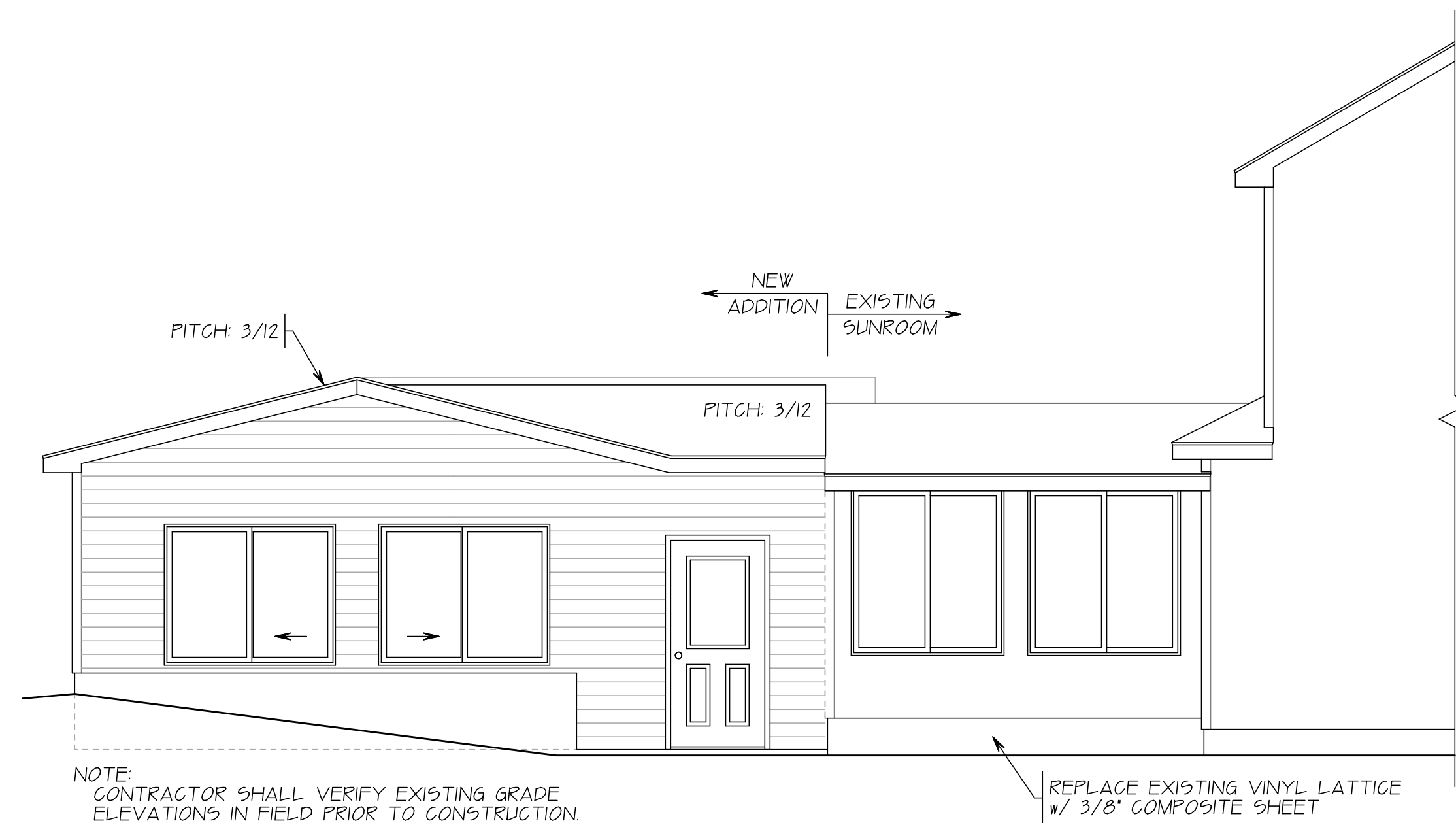
DATE: 5-20-2024  
SCALE: 1/4" = 1' 0"  
FILE NAME: BARB-FINAL  
DRAWN BY: GUGLIUZZA



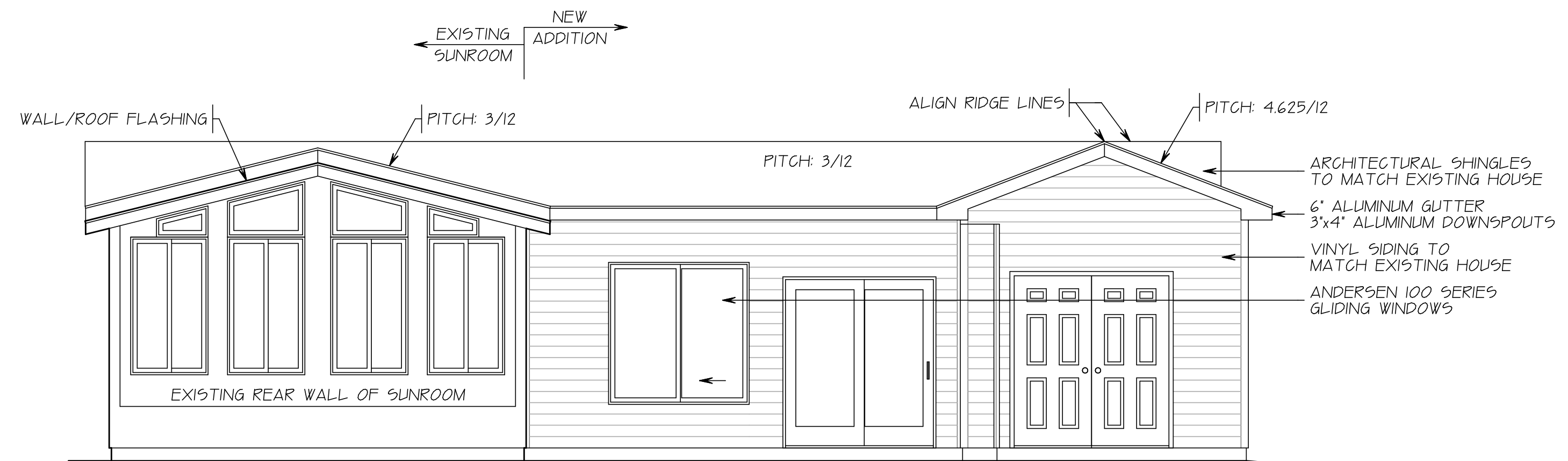
RIGHT SIDE ELEVATION



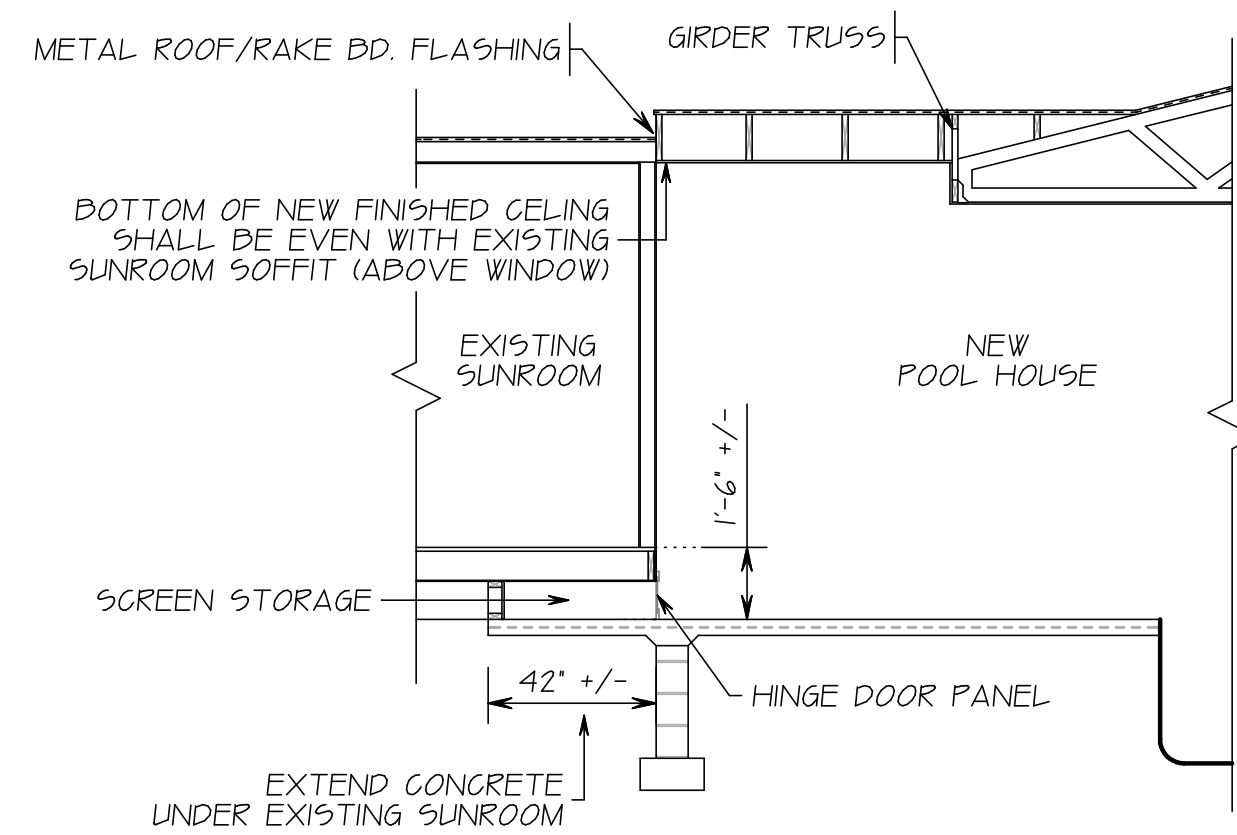
REAR ELEVATION



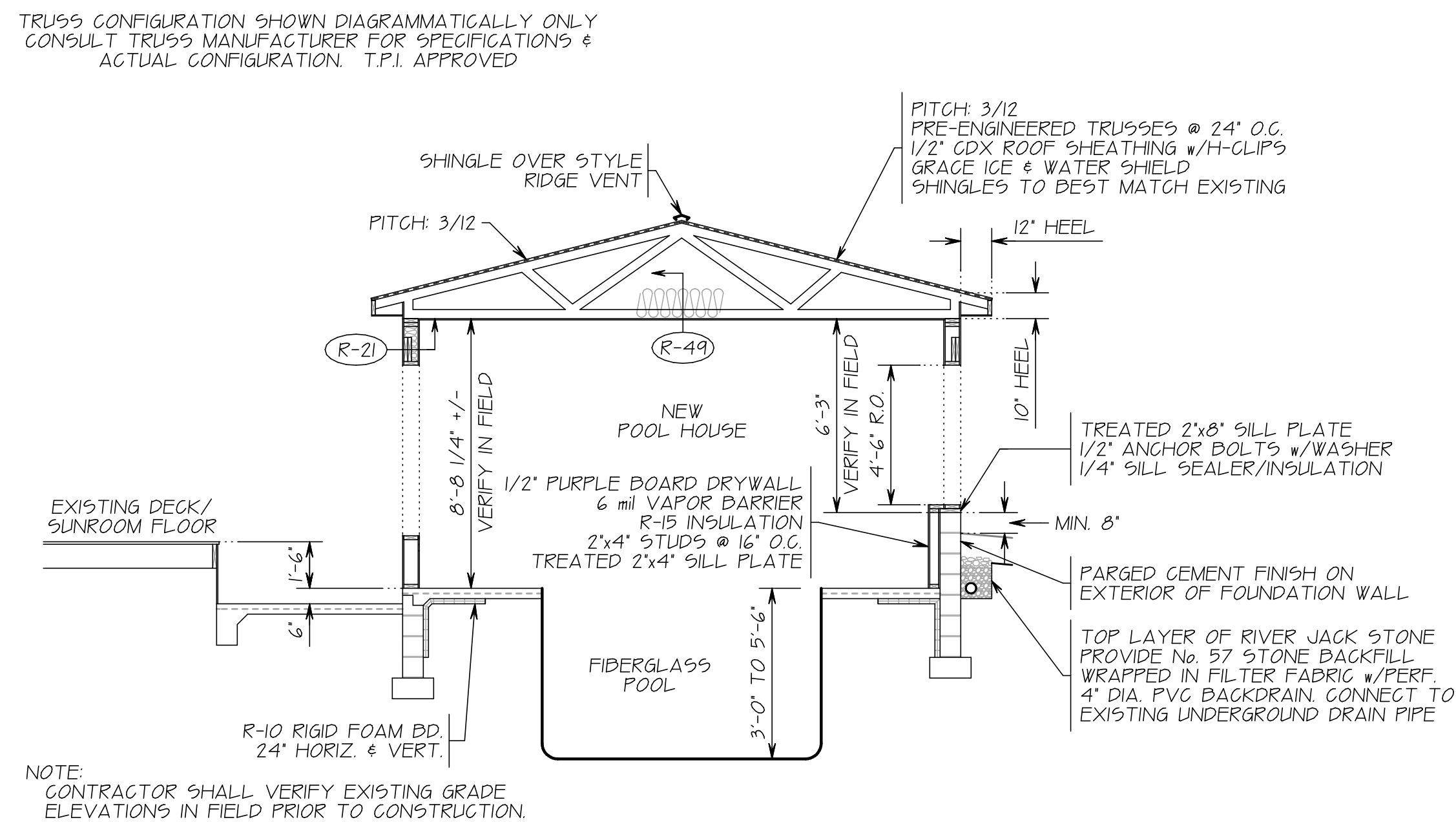
LEFT SIDE ELEVATION



FRONT ELEVATION

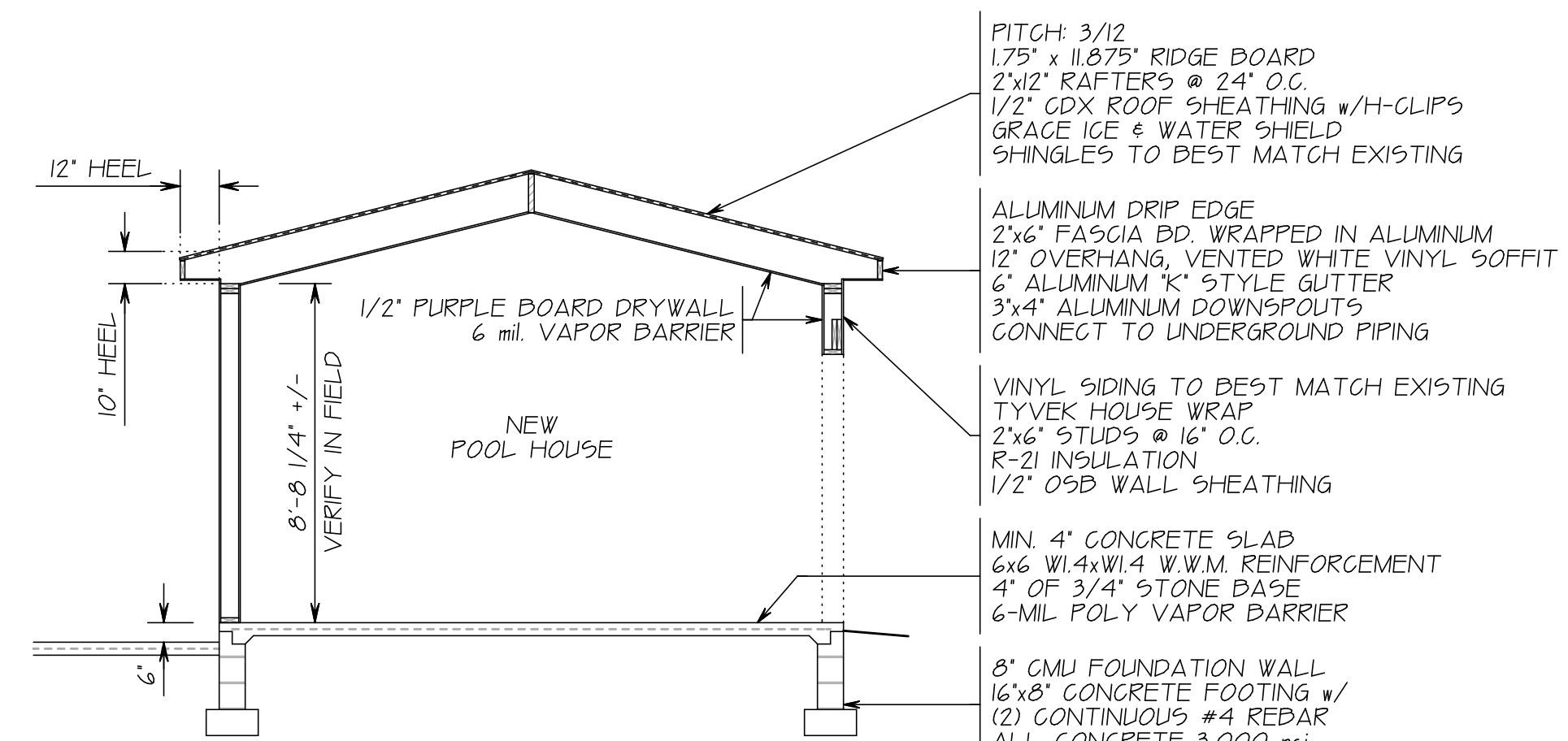


BUILDING SECTION 'A-A'



NOTE: CONTRACTOR SHALL VERIFY EXISTING GRADE ELEVATIONS IN FIELD PRIOR TO CONSTRUCTION.

BUILDING SECTION 'B-B'



BUILDING SECTION 'C-C'

SCALE: 1/4" = 1' 0"

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. GUGLIUZZA

CREATIVE OUTLOOKS, LLC

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All rights reserved 2024

REVISION:

DATE:

SHEET No.

2 of 2



# HOUSE LOCATION DRAWING

LOT 400  
AS SHOWN ON A PLAT ENTITLED  
FINAL PLAT

PLAT 59

SECTION D-2C

LOTS 399 thru 401 and LOTS 408 thru 413

SECTION E-1-B

LOT 432 and LOTS 817 thru 830 and PARCEL "N"

## SPRING RIDGE P.U.D.

PLAT BOOK 53 PLAT No. 41  
New Market (9th) Election District  
Frederick County, Maryland

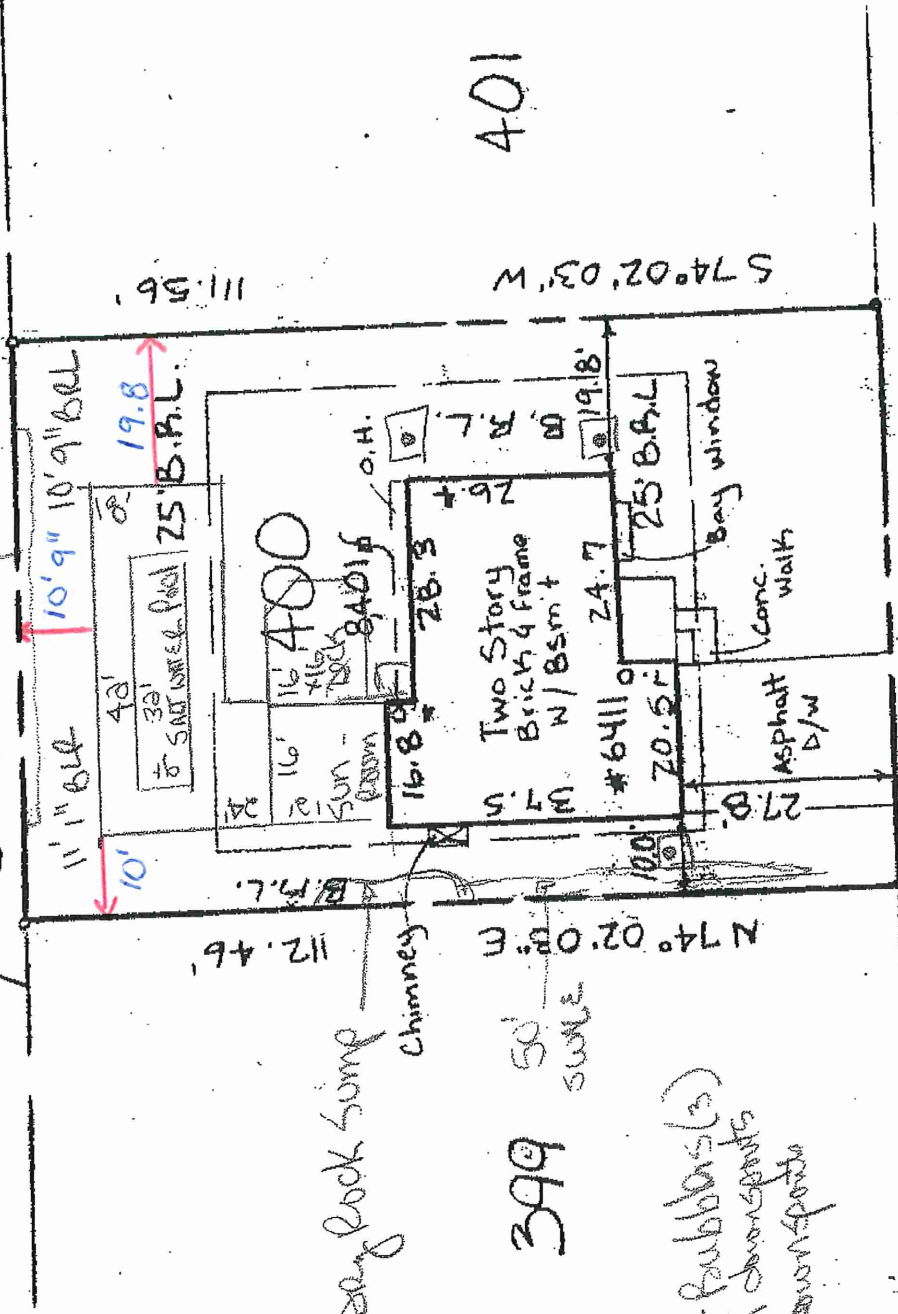
Scale: 1" = 30'

818

Large Live Oak Street

817

515°17'05"E 75.01'



Bay Rock Sump

Chimney

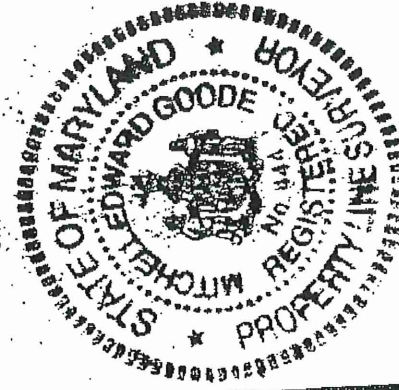
399

50' SWALE

Downspout Puddles (3)

Random downspouts

Flow downspouts



BARRINGTON 50 B/W DRIVE

### NOTE TO CONSUMER:

This plat is of benefit to a consumer only insofar as it is required by a lender or title insurance company or its agent in connection with contemplated transfer, financing or refinancing. It is not to be relied upon for the establishment or location of fences, gates, buildings, other existing or future improvements, and does not provide for the accurate identification of property boundary lines, but each identification may not be required for the transfer of title or securing of a mortgage.

I hereby certify that the property delineated hereon is in accordance with the plat of subdivision and/or deed of record that the improvements were located by accepted field practices and includes permanent visible structures and encroachments if any. This plat is not for determining property lines but prepared for the exclusive use of the present owners of the property and does not constitute a mortgage or guarantee the title thereto and as to them warrant the accuracy of this plat.

12/11/95  
11/2/95

DATE

RECORDED IN PLAT BOOK

TITLE REPORT NOT FURNISHED

PLAT 41

DRAWN BY

CHECKED BY

MITCHELL E. GOODE, Property Line Surveyor N4444

This property does not lie with limits of a flood hazard area as delineated on the maps of the Flood Insurance Program.

SHAFER DATA ASSOCIATES  
ENGINEERS • LAND PLANNERS • SURVEYORS  
818 West Diamond Avenue, Suite 200  
Gaithersburg, Maryland, 20878  
(301) 217-0944

WALL CHECK: 11-01-95  
FINAL: 11/30/95

SCALE

# 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.

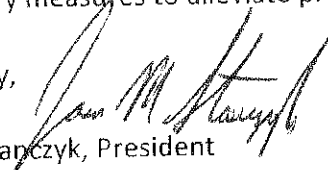
The Board voted unanimously to conditionally approve your request, citing the information you presented which addressed previous Board concerns. The new structure conforms to the setback lines, is attached to the house, and both the siding and roof will match the existing structure. Further, the Board 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 17<sup>th</sup> 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  
Mailing Address: 6411 BARRINGTON DR  
FREDERICK MD 21701-

Use: RESIDENTIAL  
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

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0078	0005	0722	9020011.11	0000	D2C		400	2022	
									Plat Ref: 0053/ 0042

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1996	2,156 SF		8,401 SF	000000

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
2	YES	STANDARD UNIT	SIDING/	5	2 full/ 1 half	1 Attached	

### Value Information

	Base Value	Value	Phase-In Assessments	
		As of	As of	As of
		01/01/2022	07/01/2023	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



145,690 views  
Published yesterday at 2:15 PM

SHARE

Untitled layer

Line 2

Point 3

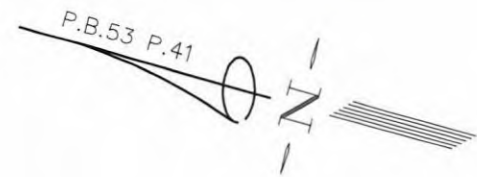
Point 4



Made with Google My Maps

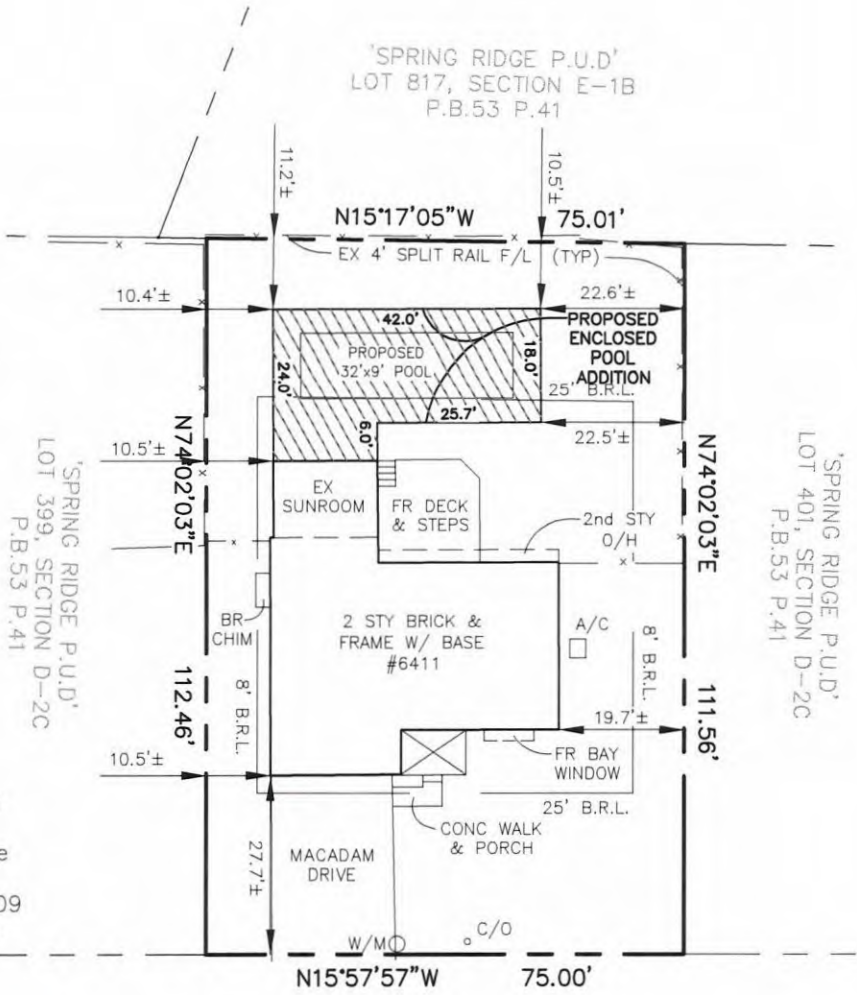


24-1190 Naczi Property Variance Request, Spring Ridge, Lot XX, Section XX, #6411 Barrington Drive, Frederick\Carlson Project\SurveyBase.dwg, 7/25/2024 2:31:11 PM



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.



BARRINGTON DRIVE  
(50' R/W)

For B&R Design Group  
Carl F. Thomas  
Property Line Survey  
MD. Reg. No. 41  
License Expires: 11/1/2024



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

TAX ID #09-289003

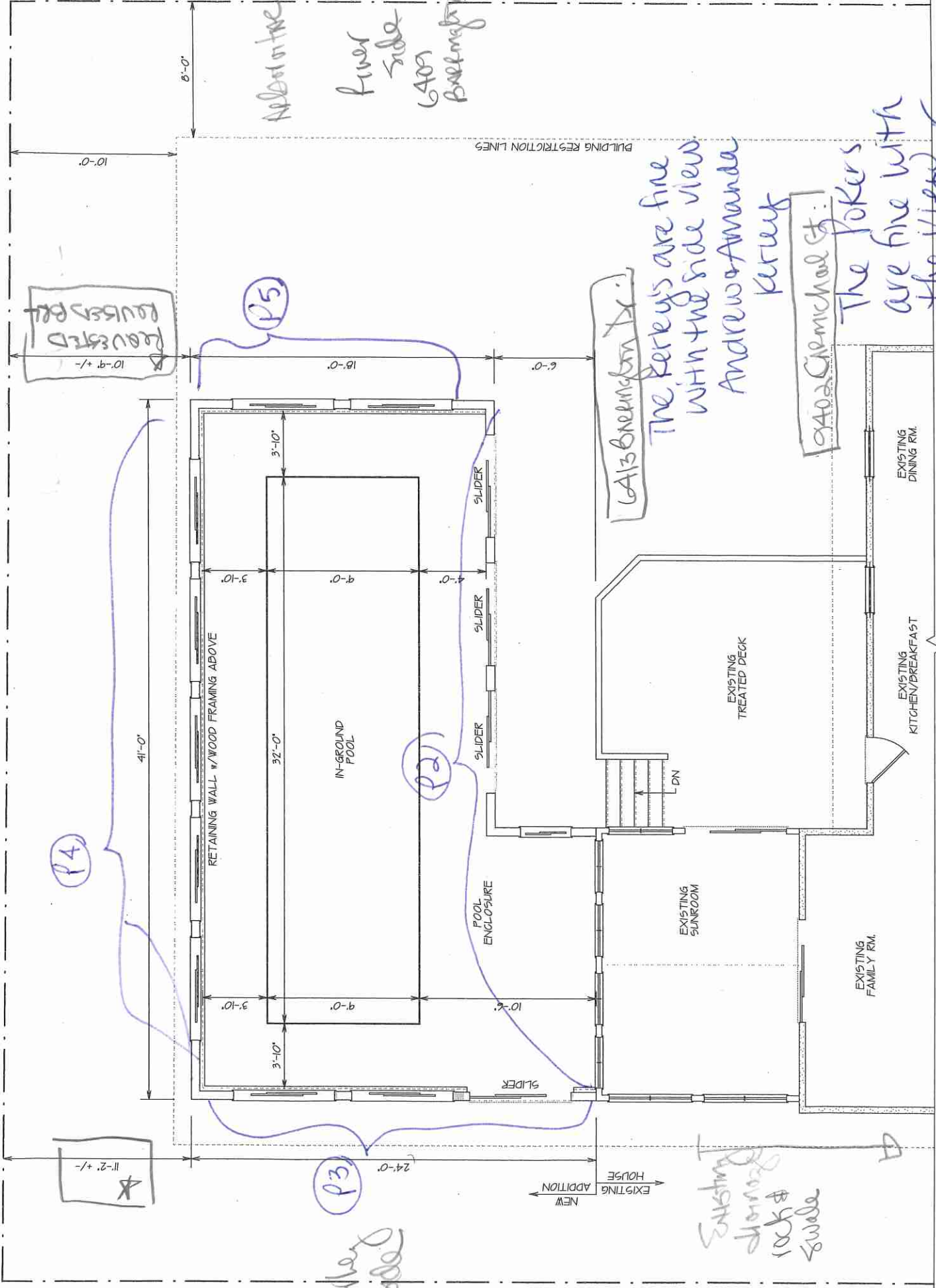
SCALE: 1" = 30'  
REFERENCE: P.B. 53 P. 41  
DRAWN BY: C. THOMAS  
CHECKED BY: C. THOMAS



**B & R**  
DESIGN GROUP  
CIVIL ENGINEERS ▾ PLANNERS ▾ SURVEYORS  
300 West Patrick Street Frederick, Maryland 21701  
Phone: 301-668-0505

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

Poker Side



6411 Barrington Dr.

Run & Krissy Podes 11/12/23



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**From:** Leatrice Urbanowicz <lmurbanowicz@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