



City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078

410-939-1800

WWW.HAVREDEGRACEMD.COM

PLANNING COMMISSION AGENDA

City Hall Council Chambers

April 11, 2023

6:30 PM

1. Call to Order

2. Roll Call

3. New Business

- a. **Location:** 215 Giles Street
Owner/Applicant: Mayor and City Council of Havre de Grace (Michael Tarquini)
Permit No: 2023-0289
Account ID: 06-026850 (5.59 acres)
To hear a request by the property owner for site plan review for addition to Decoy Museum.
- b. To hear a request concerning fences and definition of “front yards” in “through lots” as defined in §205-13 Definitions and per §205-9(2) of the City Code in the R1/Residential zoning district.

4. Old Business

- None

5. Adjournment

Comprehensive Plan Workshop to follow directly after the Planning Commission meeting. Tentative end time of the workshop is 9 p.m.

The public is invited to attend and observe the meeting and comprehensive plan workshop. The meeting may be viewed live by visiting the City of Havre de Grace website at www.havredegracemd.com and click on the City YouTube Videos tab. The video will be available to view immediately following the meeting.



City of Havre de Grace

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410- 939-1800
410- 575-7043

April 6, 2023

DEPARTMENT OF PLANNING STAFF REPORT

PLANNING COMMISSION

PERMIT NO. 2023-0289

PROJECT: Site Plan review – expansion of Decoy Museum

APPLICANT/OWNER: Mayor and City Council
City of Havre de Grace
711 Pennington Avenue
Havre de Grace, Maryland 21078

Havre de Grace Decoy Museum
215 Giles Street
Havre de Grace, Maryland 21078

LOCATION: North and west of the Susquehanna River
Bounded by Market Street to the west and Lafayette Street to the north
Tax Map: 602 / Parcels: 1930

AREA: 5.59+/- acres

ZONING: RB/Residential Business District

DATE FILED: March 15, 2023

HEARING DATE: April 11, 2023 – Planning Commission

1. APPLICANT'S REQUEST:

Expansion of the existing Decoy Museum with a 4,176+/- square foot addition.

2. LAND USE - EXISTING:

The subject property is the location of the City's Decoy Museum.

3. ZONING:

The subject property is zoned RB/Residential Business. RB zoning exists adjacent to the subject property to the north and west. Northwest of the property is R1/Residential zoning.

4. **UTILITIES**

The Decoy Museum will continue to receive water and sewer services from the City.

5. **REVIEW OF APPLICABLE CODE SECTIONS:**

The Applicant is requesting approval of a Site Plan in accordance with Chapter 155 – Site Plan Approval. Specifically, Section 155-6(A)(2) requires the expansion of an existing non-residential building that increases gross floor area by greater than 20% to seek site plan approval.

The Department of Planning has reviewed the plans in accordance with the relevant City Code sections and found that the plans meet all applicable Code requirements.

6. **RECOMMENDATION and/or SUGGESTED CONDITIONS:**

The Department of Planning recommends approval of the site plan subject to the following conditions:

1. Provide the Department of Planning architectural elevations per Section 155-16(A) of the City Code. The new addition must meet the minimum requirements of this section prior to a building permit being issued;
2. Grading, erosion control, stormwater management and other utility requirements must be approved by the Department of Public Works prior to receiving a building permit;
3. Impacts of the addition on the water and sewer system must be provided to the Department of Public Works for review. This is generally done through a fixture count by the City Engineer;
4. The subject property is in the 100-year flood zone. Prior to receiving a building permit, the applicant shall work with the City's Floodplain Manager to make sure the requirements under Chapter 78 - Floodplain Management of City Code are met;
5. The property is located in the "Intensely Developed Area" (IDA) of the Chesapeake Bay Critical Area and the development is subject to mitigation requirements under Chapter 49 of the City Code. The City will work internally to make sure all mitigation assists in providing MS4 credits, where possible.
6. Gutters and roof stormwater runoff will need to tie into flow into the regenerative step pools on the east end of the property. The discharge plan will need to be approved by the Department of Public Works prior to receiving building permit approval.

Timothy
Bourcier

Digitally signed by Timothy Bourcier
DN: cn=Timothy Bourcier, o=City of
Havre de Grace, ou=Planning
Department,
email=timothyb@havedegracemd.com,
c=US
Date: 2023.04.07 15:19:33 -0400

April 6, 2023

Tim Bourcier, AICP

Date

Director



Department of Planning

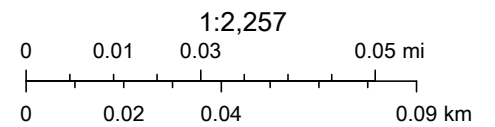
cc: Steve Gamatoria, Director of Administration
EJ Millisor, Director, Public Works
Tim Whittie, City Engineer
Marisa Willis, Planner – Floodplain Manager
Eric Lawrence, Associate Planner

215 Giles Street 2023 Aerial Photography



4/7/2023, 4:25:21 PM

-  Harford County Boundary
-  Cadastral







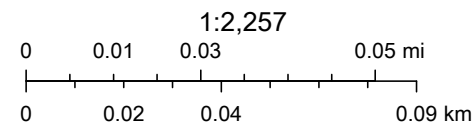
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215 Giles Street Zoning Map



4/7/2023, 4:26:04 PM

-  Harford County Boundary
 -  Cadastral
 -  R1
 -  RB
- Havre de Grace Zoning



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City of Havre de

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1800

410-939-

RE: concerning the fence request on a through lot in the R1/Residential zoning district matter. You can use that information to follow along with this email.

A resident at **609 Chesapeake Drive** requested a fence on the Commerce Street side of his property. We came across the drawing provided in your packet that illustrates a "through lot". The through lot drawing, one where both sides of the property "front two parallel roads", indicates both yards are front yards. The R1 does not allow fences in front yards.

The definition for front and rear yard (provided) aren't anymore helpful. The front yard is declared the front yard in a building permit application and the rear yard is the opposite side of that. We spoke to a neighbor and they believe their front yard is what the applicant is calling his rear yard.

We examined similar properties in the area and there are a couple of fences on through lots. None were permitted, so it is our assumption they were erected prior to the passage of this ordinance in 2009. The Department cannot determine what the Code allows or was intending to regulate. We need assistance from the Planning Commission on what their desires for fences in these situations are and then provide revisions to the Code for the Mayor and Council to review.

In summary, the Code is confusing and we are looking for a policy position on fences in these situations so we can modify the code accordingly.

I hope this makes sense. Please feel free to email me if you have any questions.

Tim Bourcier
Director of Planning
City of Havre de Grace

Chapter 205 - Lot Line & Yard Definitions

ROAD

See "street."

STREET

Any road, highway, avenue, street, parkway, lane or other way, public or private, set aside and commonly used by the public as a means of vehicular and pedestrian circulation and to provide access to any lot or lots. The establishment of a common driveway for access purposes to more than one lot shall not be considered a street as this term is defined herein.

[Amended 5-4-2009 by Ord. No. 904]

LOT, THROUGH

A lot which fronts upon two parallel roads or which fronts upon two roads which do not intersect at the boundary of the lot or which is bounded on one side by a street and on the opposite side by a navigable waterway and which has no rear lot line.

LOT LINE, FRONT §205-13

The line separating the lot from the street right-of-way upon which it fronts. In the case of a corner or double-frontage lot, it shall be the line separating said lot from the street right-of-way that is designated as the front street in the request for a building permit.

LOT LINE, REAR §205-13

The lot boundary opposite and more distant from the front lot line. In the case of a pointed or irregular lot, it shall be an imaginary line parallel to and farthest from the front lot line, not less than 10 feet long and wholly within the lot.

YARD, FRONT §205-13

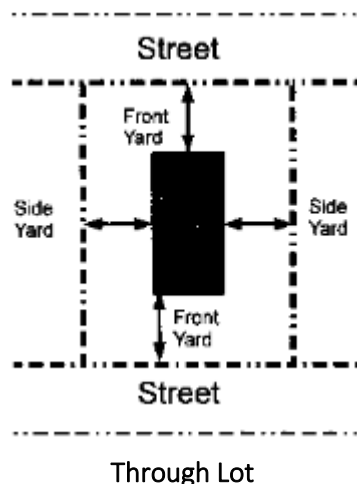
An open space extending the full width of a lot between any part of a main building and the front lot line.

YARD, REAR §205-13

An open space extending the full width of the lot between any part of a main building and the rear lot line.

THROUGH LOTS (2) §205-9.B.(2)

In the case of through lots, front yard setbacks shall be provided on all frontages.



Chapter 205 - Lot Line & Yard Definitions

R-1 / Residential District

ACCESSORY USES AND STRUCTURES §205-19

Accessory structures and fences shall not be located in a front yard and shall not occupy more than 50% of the entire yard. Accessory structures and uses customarily incidental to any principal permitted use or conditional use shall be permitted without hearing

(b) RESIDENTIAL FENCES §205-9.1.(6)(b)

A fence in a front yard shall not exceed four feet in height above the surface of the ground and shall be of open construction only. Chain link fencing shall not be located in front yards.

FENCE

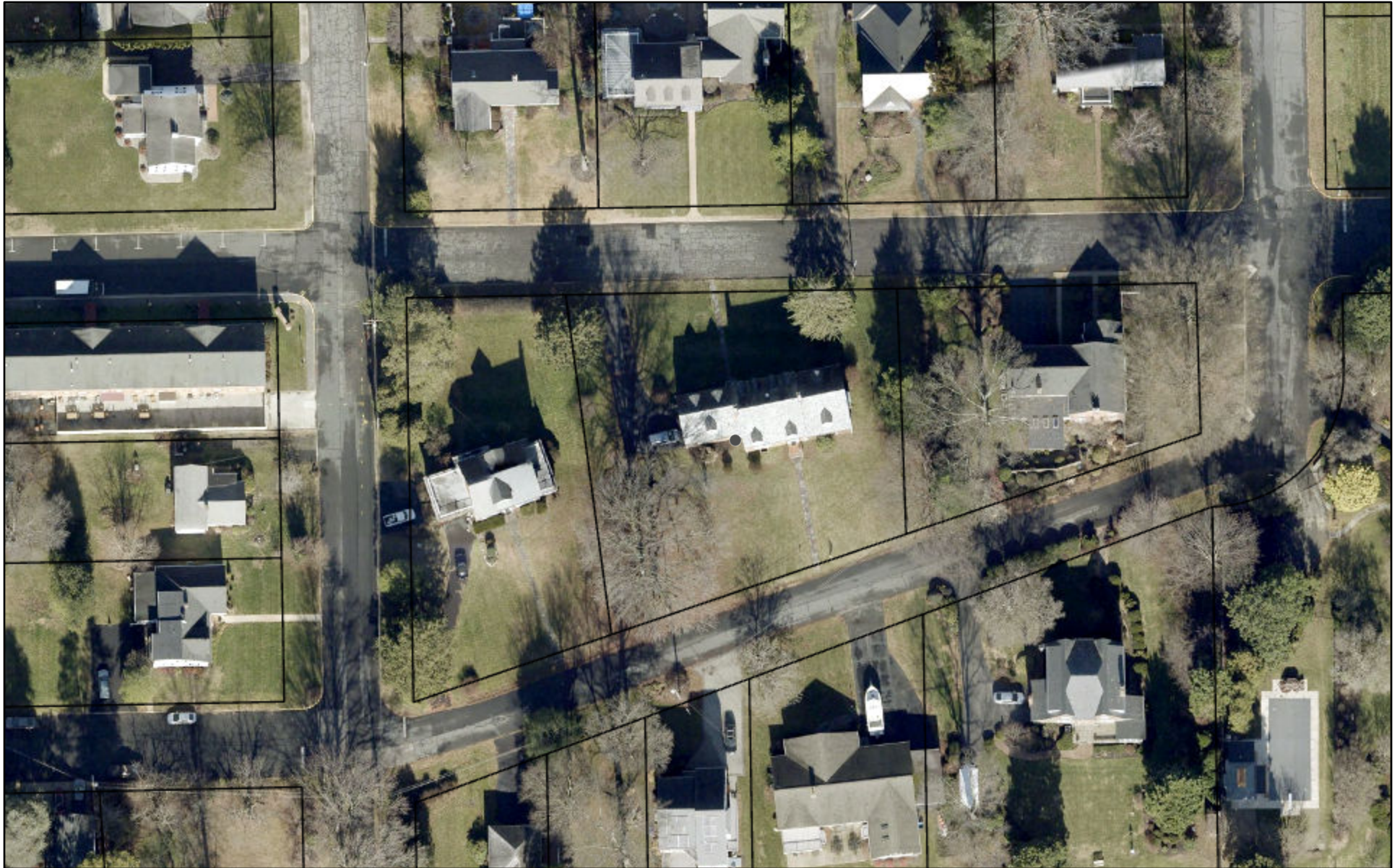
A barrier of wood, masonry, stone, wire, metal or other manufactured fencing material, or of natural material such as hedges or living bushes or shrubs, or a combination of materials erected as an enclosure or to separate areas of land.

FENCE, OPEN CONSTRUCTION



A fence, including gates, which contains no greater than 60% opaque material as measured horizontally along each three feet of the length of the fence.

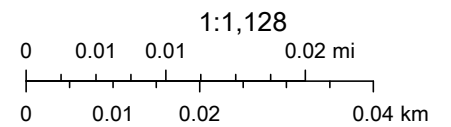
[Added 5-4-2009 by Ord. No. 904]

609 Chesapeake Drive 2023 Aerial Photograph



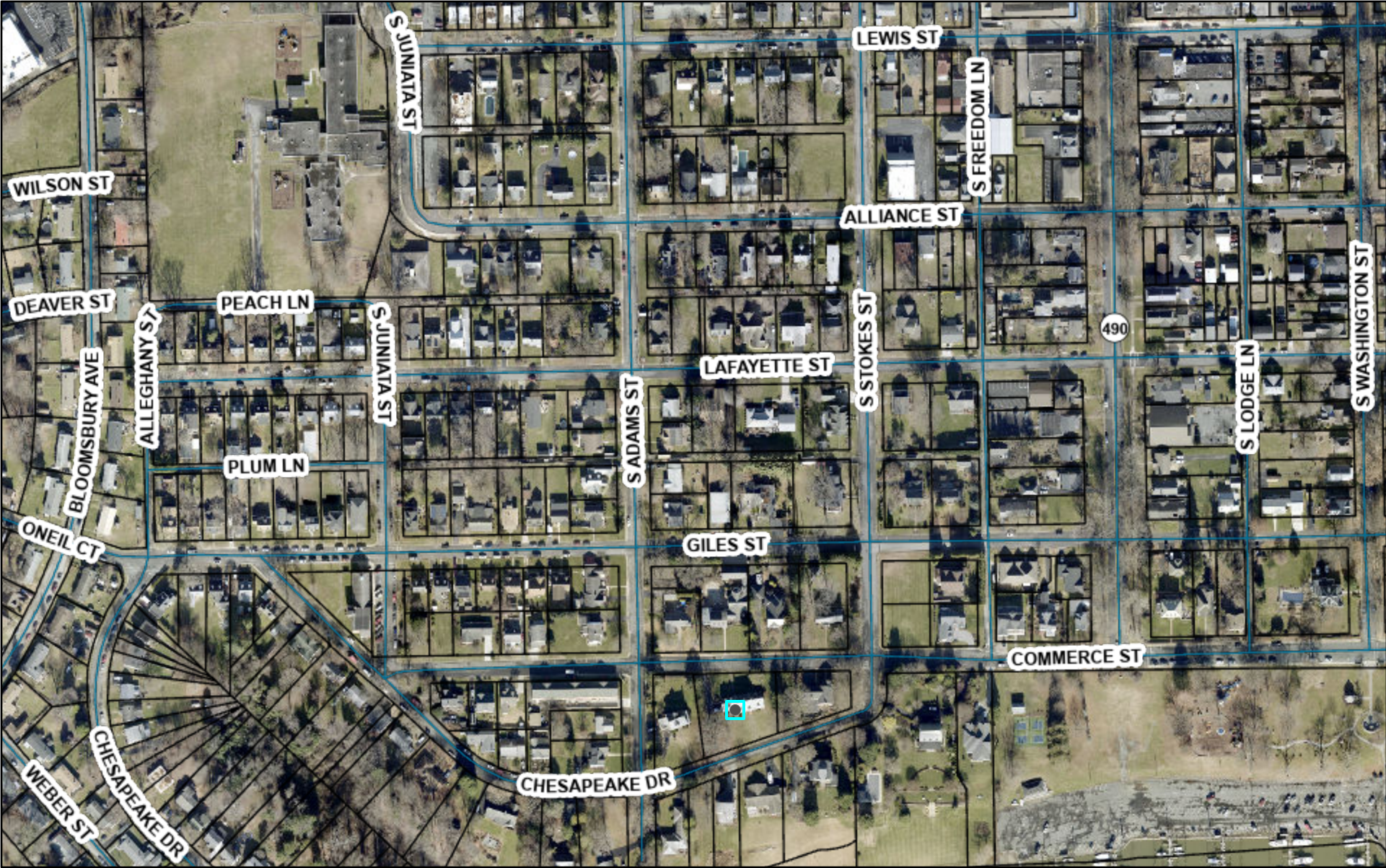
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-  Harford County Boundary
-  Cadastral



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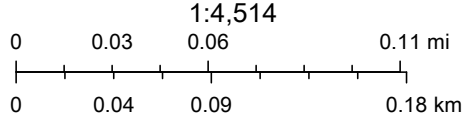
609 Chesapeake Drive Street Map



4/5/2023, 8:58:16 AM

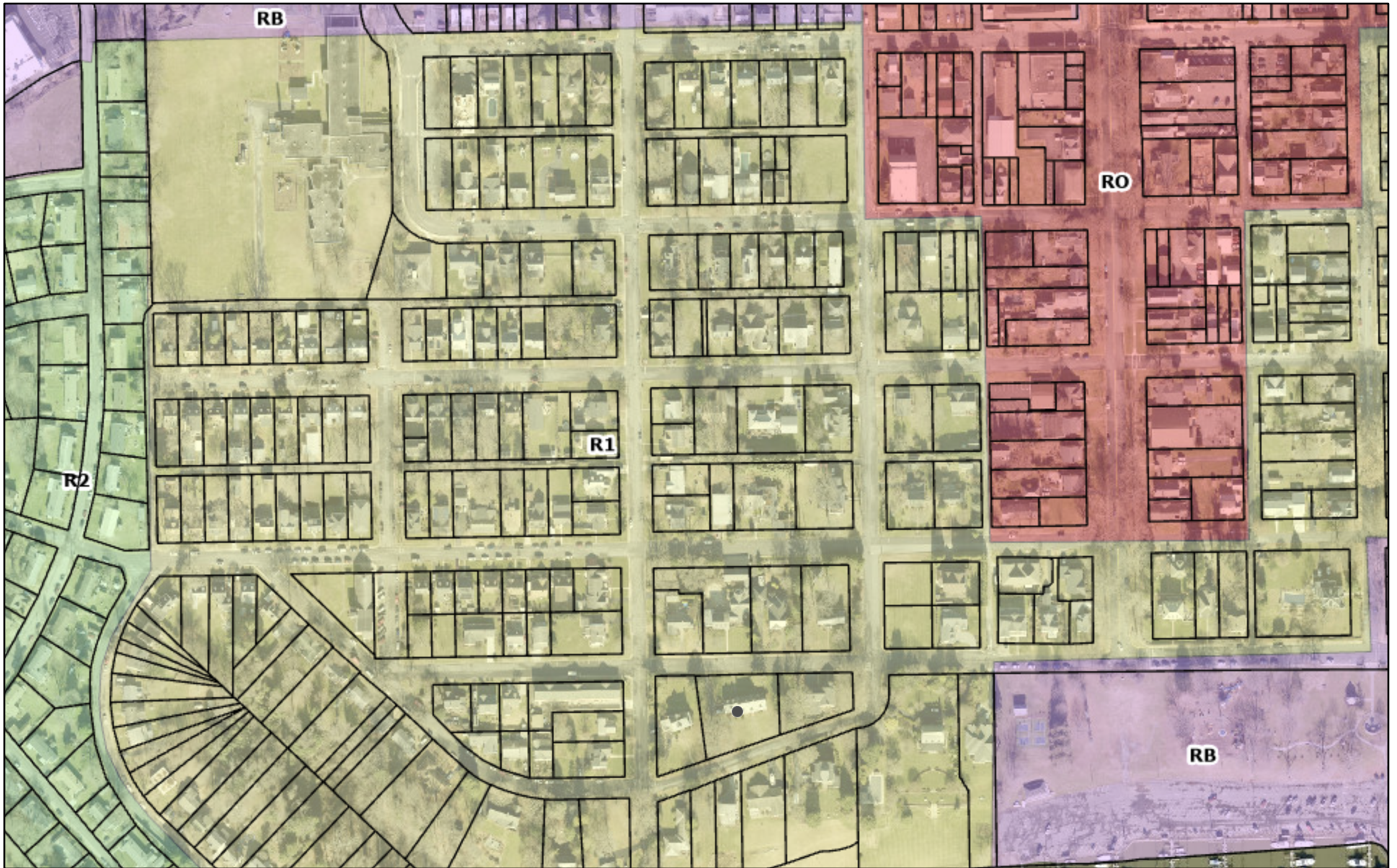
Centerline Cadastral

Harford County Boundary



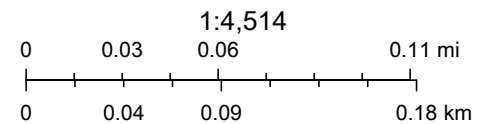
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609 Chesapeake Drive Zoning Map

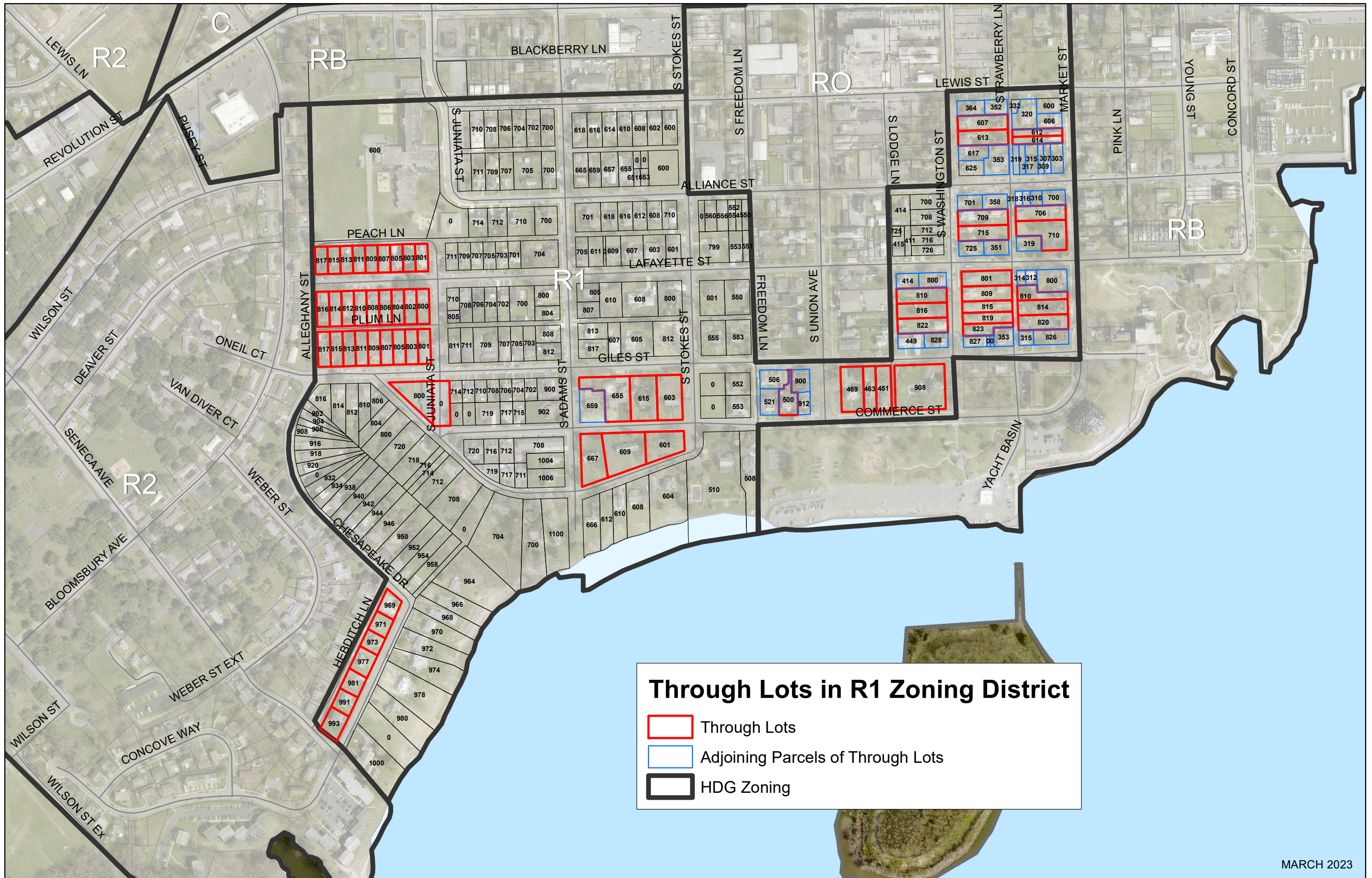


4/5/2023, 9:01:13 AM

- Harford County Boundary
- Cadastral
- Havre de Grace Zoning
 - R1
 - R2
 - RB
 - RO



Cecil County, Harford County Government, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA



Through Lots in R1 Zoning District

- Through Lots
- Adjoining Parcels of Through Lots
- HDG Zoning