



City of Havre de Grace

711 PENNINGTON AVENUE, HAVRE DE GRACE, MARYLAND 21078

WWW.HAVREDEGRACEMD.COM

410- 939-1800

DEPARTMENT OF PLANNING STAFF REPORT Board of Appeals – November 6, 2025

BOA Case No. 555
Project: Conditional Use – Public Utility Structure
Applicant: Sion Partners, LLC
Location: 2010 Level Road
Tax Map: 44 / Parcels: 237, 311, & 697
(the “Property”)
Area: 63 Acres
Zoning: RB/Residential Business

2010 Level Road



10/28/2025, 9:15:25 AM

Centerline
Cadastral
Harford County Boundary

1:9,028
0 0.05 0.1 0.2 mi
0 0.07 0.15 0.3 km
Cecil County, Harford County Government, Esri, HERE, Garmin,
INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA

I. Background Information

Site Description

The Property is 63 acres and is currently being used for agricultural purposes. There is approximately 14.31 acres of forest in the northern portion of the Property and stream/non-tidal wetlands are located in the southern portion. Vehicular access is through a paved shared driveway from Level Road (MD155) and an unpaved driveway from Bulle Rock Parkway. There are no 100-year floodplain nor floodways and the Property is not located in the Chesapeake Bay Critical Area.

II. Applicant's Request:

The Applicant is requesting approval of a conditional use for a 1,620 square foot Public Utility Structure (water booster station) per §205-27K of the City Code to serve the Legacies residential subdivision that was approved by the Planning Commission on May 29, 2025.

III. Analysis

Environmental Features

The Property is not located in the Chesapeake Bay Critical Area and not encumbered by the 100-year floodplain or floodways. A Forest Stand Delineation was approved on March 24, 2021 by the Department of Planning for the parcel. This occurred in conjunction with the annexation of the Green Family's properties into the City in accordance with Annexation Resolution AR-277. Therefore, the proposed water booster station will not impact environmentally sensitive areas. Recreation and open space areas are not required for Public Facility Structures.

Zoning:

The Property is zoned RB/Residential Business and is intended to allow for compact urban residential areas with convenient public services and commercial uses that are compatible with nearby residential neighborhoods, as stated in §205-26 of the City Code. "Public Facility Structure" uses are permitted as a conditional use per §205-27K with Board of Appeals approval under §25-17(B).

Comprehensive Plan:

The Land Use Plan in Chapter 2 Land Use designates this area as medium-density residential. *Medium Density Residential provides for the opportunities of single-family detached and single family attached on smaller residential lots within the City. To a limited degree, multi-family residential uses may be acceptable if considered very carefully within the context of surrounding land uses. The maximum recommended residential density for Medium Density Residential is seven units per acre, with a base density established at 5 units per acre. Gross density does not include roads, stormwater management areas, and other infrastructure.*

The proposed water booster station is consistent with this designation, as it will serve the Legacies residential subdivision.

Land Uses Within the Neighborhood

Public Utility Structures are required elements of residential subdivisions, as they provide water/sewerage service to the dwellings. The proposed water booster station will not result in adverse impact to the neighborhood beyond what is typical in a residential development.

IV. Findings

Section 25-17(B): Conditional Use – Public Utility

A Conditional Use may be granted when the Board of Appeals finds from the evidence of record that the proposed use:

1) Is a permissible Special Exception within the zone and that the petition complies with all procedural requirements set forth in this chapter;

Public Utility Structures are allowed as a conditional use in the RB zoning district per §205-27K, subject to Board of Appeals review and approval.

2) Complies with all standards and requirements specifically set forth for such use as may be contained in this chapter and the development standards for the zoning district within which the intended use will be located;

There are no specific use requirements for Public Utility Structures in the RB zoning district. The proposed water booster station will be approved through the site plan process, subject to compliance with the RB zoning district's development standards.

3) Will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, toxicity, glare or physical activity;

Public Utility Structures are required elements of residential subdivisions, as they provide water/sewerage service to the dwellings. The proposed water booster station will not result in adverse impact beyond what is typical in a residential development.

4) Will be in harmony with the general character of the neighborhood considering population density, design, scale and bulk of any proposed new structure or conversion of existing structures; as well as the intensity and character of activity, traffic and parking conditions and number of similar uses;

The water booster station structure will be approximately 30 feet by 54 feet and be similar to such facilities in other residential developments. The location, scale, and appearance will be approved through the site plan process. Therefore, it will be in harmony with the character of the Legacies neighborhood.

5) Will be consistent with the comprehensive plan or other planning guides or capital programs for the physical development of the district;

The Land Use Plan in Chapter 2 Land Use designates this area as medium-density residential. *Medium Density Residential provides for the opportunities of single-family detached and single family attached on smaller residential lots within the City. To a limited degree, multi-family residential uses may be acceptable if considered very carefully within the context of surrounding land uses. The maximum recommended residential density for Medium Density Residential is seven units per acre, with a base density established at 5 units per acre. Gross density does not include roads, stormwater management areas, and other infrastructure.*

The proposed water booster station is consistent with this designation, as it will serve the Legacies residential subdivision.

6) Will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area;

Public Facility Structures are required elements of residential development and commonly found in close proximity to dwellings. Therefore, the proposed structure will not adversely affect the health, safety, security, morals or general welfare of residents, visitors or workers in the area.

7) Will be served by adequate public services and facilities, including police and fire protection, water and sanitary sewer, storm drainage, public roads and other public improvements; and

The proposed public utility structure is not subject to adequate public facilities requirements.

8) Will consider the environmental impact, the effect on sensitive features and opportunities for recreation and open space.

The Property is not located in the Chesapeake Bay Critical Area and not encumbered by the 100-year floodplain or floodways. A Forest Conservation Plan has been approved. Therefore, the proposed water booster station will not impact environmentally sensitive areas. Recreation and open space areas are not required for Public Facility Structures.

9) Will consider the preservation of cultural and Historic Landmarks.

The property does not contain any cultural or historic landmarks that require preservation.

10) That the petitioner has demonstrated a need for the requested use.

§25-16J of the City Code: *“The petitioner for a special exception, variance or administrative review shall have the burden of proof that shall include the burden of going forward with the evidence and the burden of persuasion on all issues of fact which are to be determined by the Board of Appeals.”*

The proposed water booster station is necessary to provide adequate water pressure to dwellings in the Legacies subdivision as required by Chapter 2 Adequate Public Facilities of the City Code.

RECOMMENDATION

The Department of Planning has examined the appropriateness of the Applicants' request and per §25-16E of the City Code recommends **APPROVAL** for the **conditional use** request for a **Public Utility Structure** on the Subject Property located at 2010 Level Road for the reasons found in the above analysis.

§25-21: Appeals from Board Decisions:

Any party aggrieved by any decision of the Board of Appeals may within 30 days of the date of the Board's decision appeal the decision to the Circuit Court for Harford County and thereafter to the appellate courts of this state for further review. Appeals shall be subject to the provisions of the Maryland Rules of Procedure governing administrative appeals.

Thopp Gaur

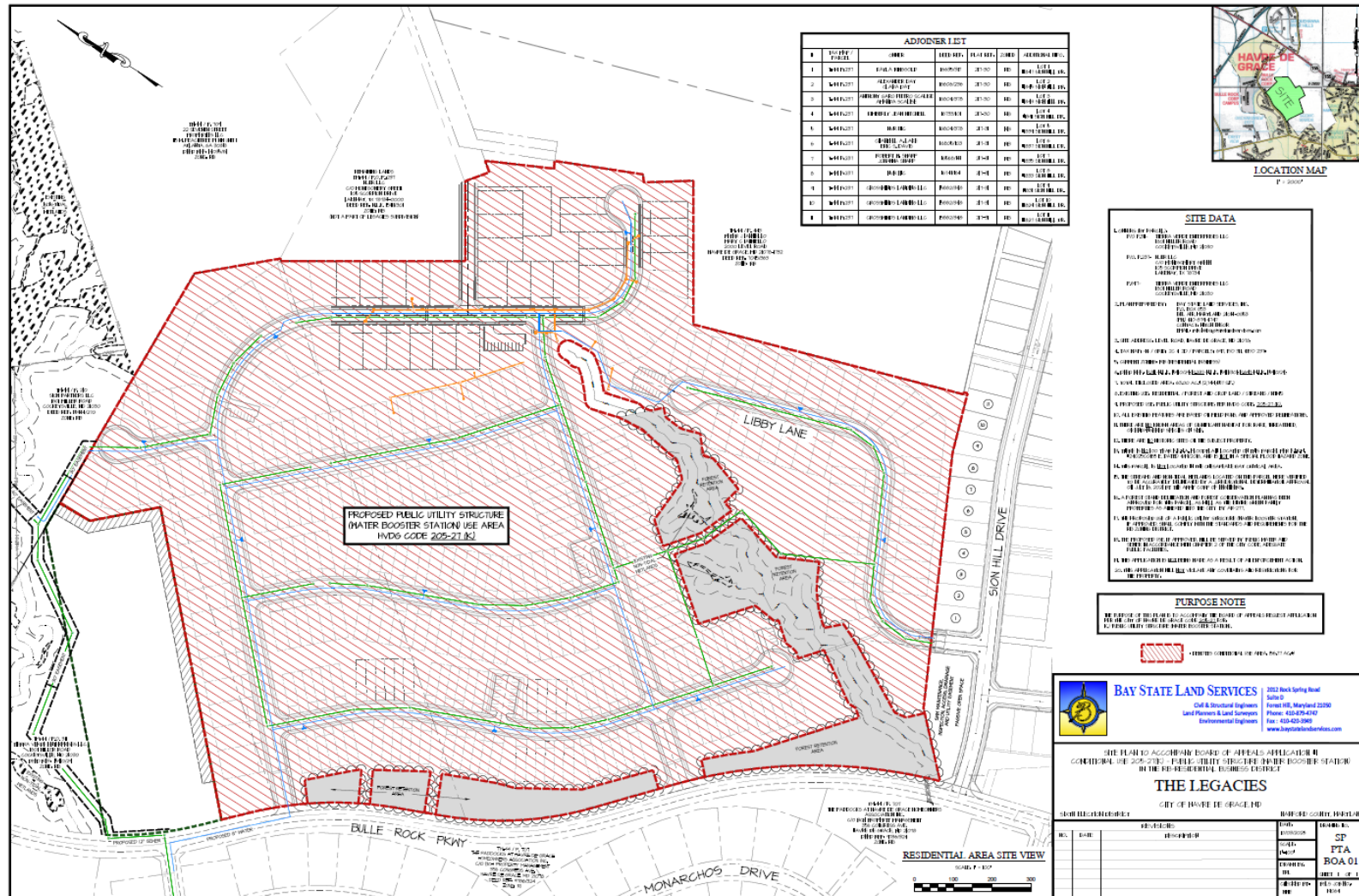
10/29/2025

Geoff Goins
Director
Department of Planning

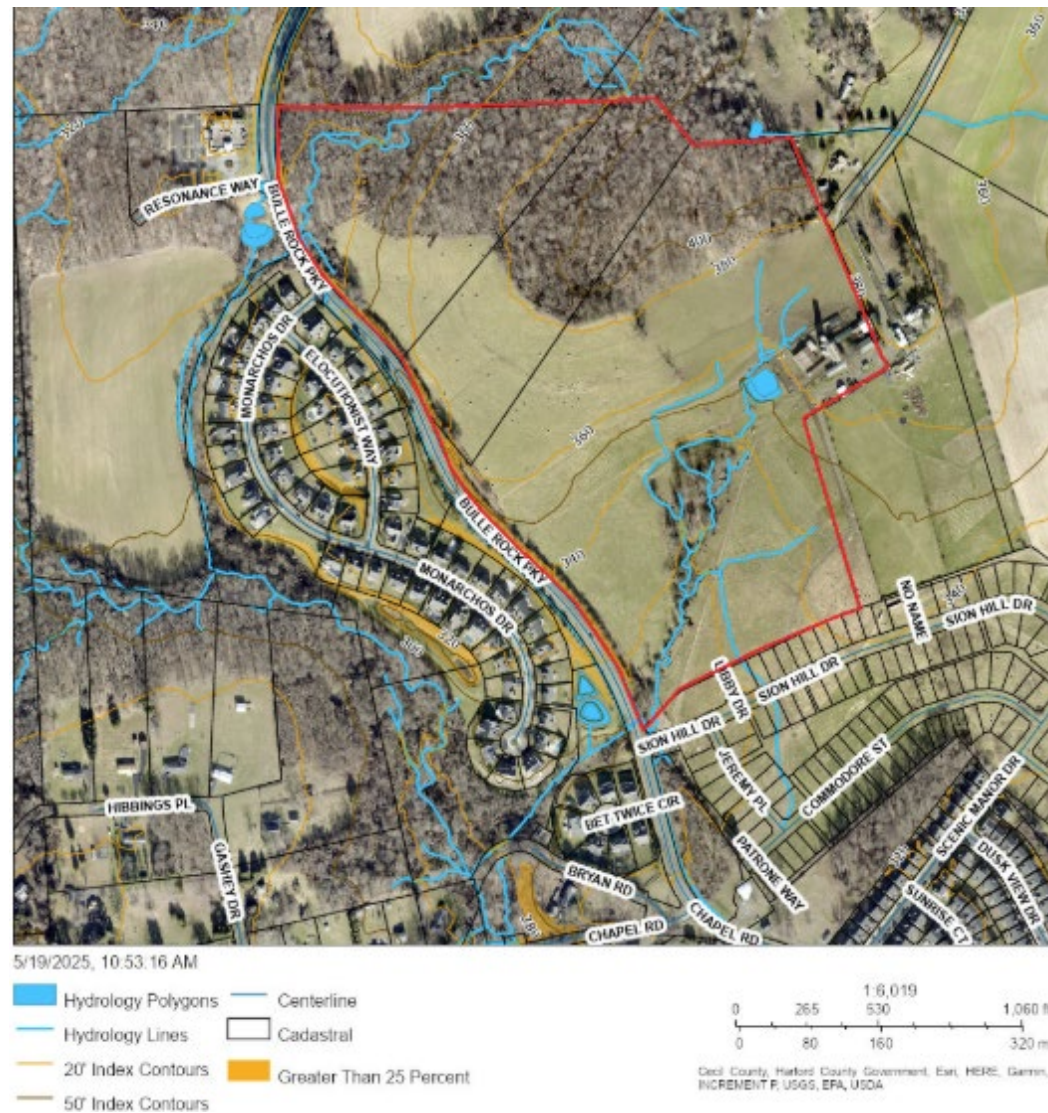
cc: Board of Appeals Members
Department of Planning Staff
Department of Public Works Staff
City Administration Staff
City Attorney

Eric McLaughlin, PKLaw
Jonathan Green, Property Owner
Don Sample, Property Owner
Mitch Ensor, BSLS

ATTACHMENT 1 – SITE PLAN



ATTACHMENT 2 - ENVIRONMENTAL FEATURES



ATTACHMENT 3 – ZONING MAP

