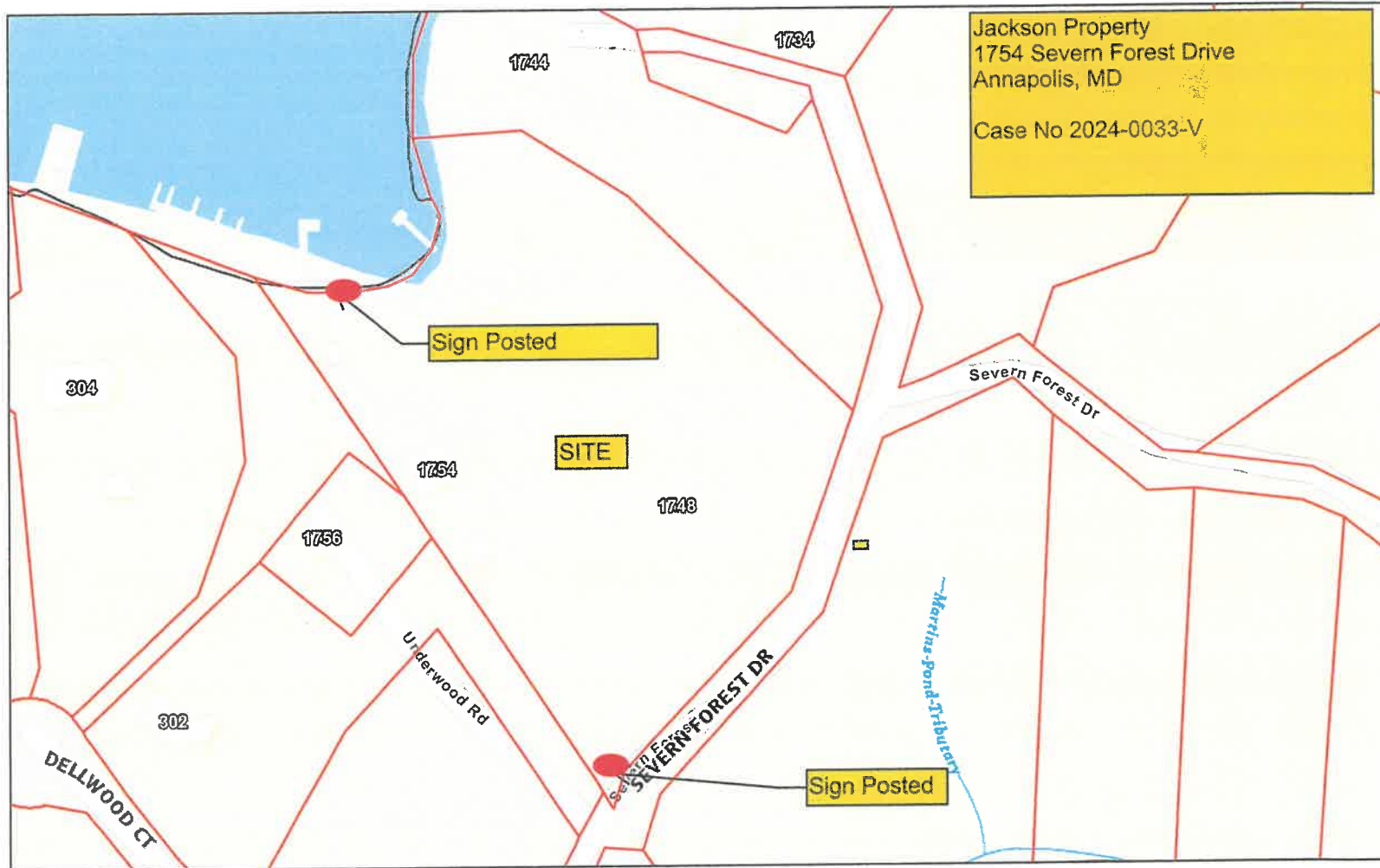


APP. EXHIBIT# 1
CASE: 2024-0033-V
DATE: 4/30/24

Anne Arundel County Engineering Record Drawing and Monu



4/15/2024, 7:53:37 AM

Local Road Label County Boundary Parcels
Streams Label Address Points



Esri Community Maps Contributors, County of Anne Arundel, VGIN, ©
OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph,

Anne Arundel County

THE COUNTY MAKES NO AND DISCLAIMS ALL EXPRESS AND IMPLIED WARRANTIES RELATING TO THE MATERIAL, INCLUDING WARRANTIES OF MERCHANTABILITY, INTEGRATION, TITLE, AND FITNESS FOR A PARTICULAR PURPOSE.

Jackson Property

1754 Severn Forest Drive Annapolis, MD

Case No 2024-0033-V



Sign Posted April 12, 2024 (Severn Forest Drive)



Sign Posted April 12, 2024 (Water front side 1754 Severn Forest Drive)

NOTICE

No. Signs Required: 2

Case No.: 2024-0033-V

DAVID JACKSON

Posting and maintaining Public Notice Signs for all Variance, Special Exception, Rezoning & Critical Area Reclassification applications is the applicant's responsibility. The sign(s) for the variance & special exception shall be posted not less than 14 DAYS PRIOR to the date of the HEARING. The signs for rezoning & critical area reclassification shall be posted not less than 30 DAYS PRIOR to the date of the HEARING.

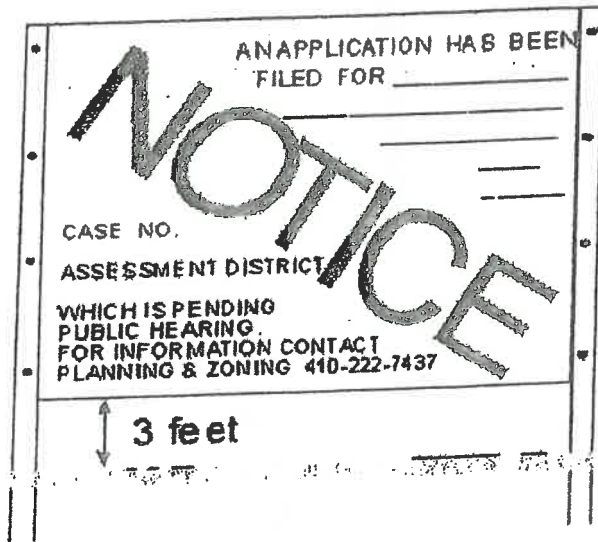
The signs must remain posted until the date of the public hearing. FAILURE to post your sign(s) may postpone your HEARING.

"Signs shall be erected not more than 10 feet from each boundary of the property that abuts a public road and not more than 10 feet from each boundary of the property that abuts a body of water; except when greater distances are required to enhance visibility. If the property does not abut a public road, the signs shall be posted where they can be readily seen by the public."

Signs shall be securely nailed stapled at 4 evenly spaced locations along the edge of the sign.

Cardboard sign furnished by the office of Planning & Zoning located on the 4th floor - Map Room

Required post
PRIOR TO
4/16/24



(3 Feet from the ground to the bottom of the sign).

(2 X 2 - wood posts)

(Applicant/Representative Receiving Sign(s) - PRINT

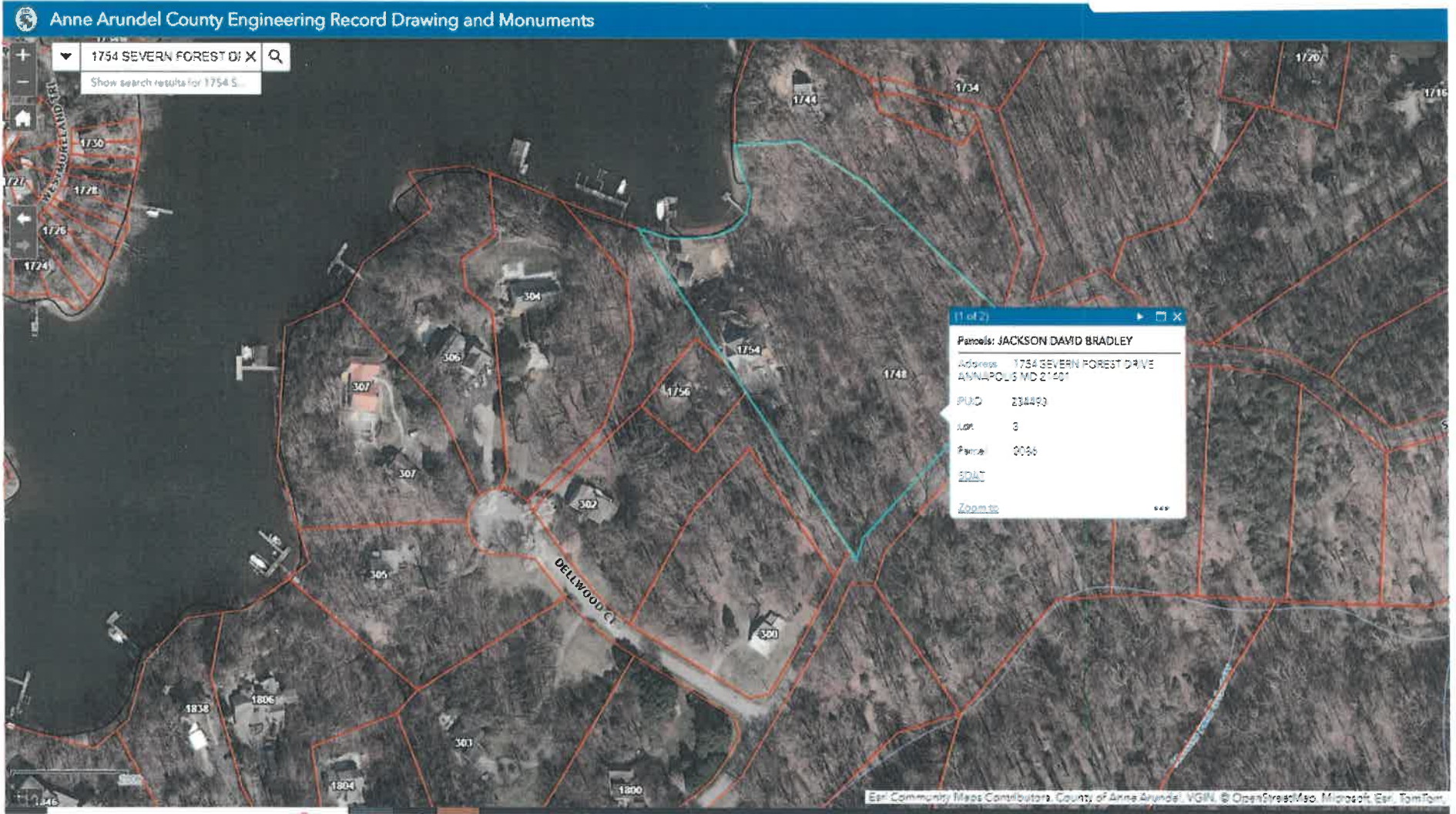
(Applicant/representative Receiving Sign(s) - SIGNATURE

(DATE)

(Office of Planning & Zoning Representative Presenting Sign(s)

(DATE)

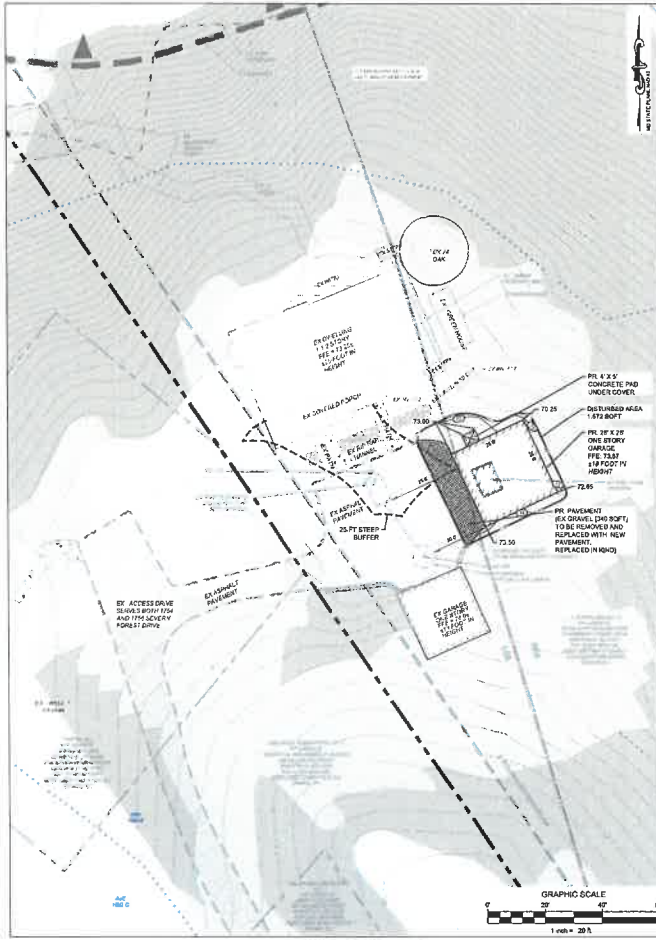
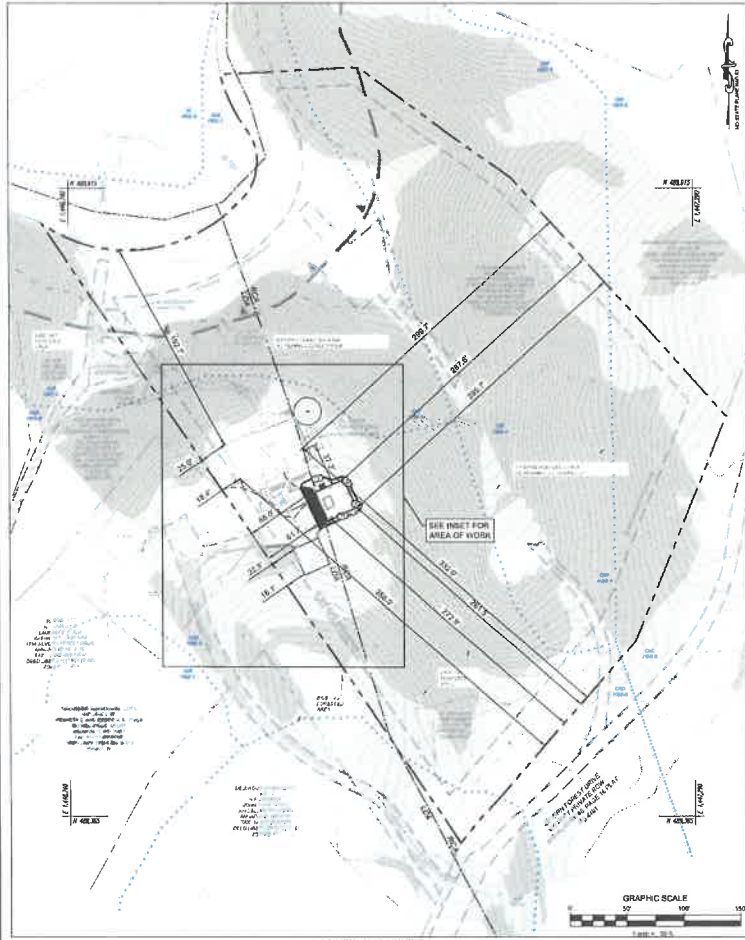
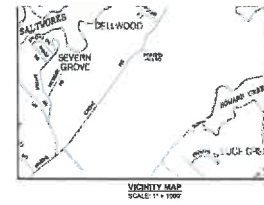
APP. EXHIBIT# 2
CASE: 2024-0033-V
DATE: 4/30/24



EXISTING IMPERVIOUS COVERAGE TABULATIONS		
COVERAGE DESCRIPTION	LDA AREA (SQUARE FEET)	RCA AREA (SQUARE FEET)
SINGLE FAMILY DWELLING	2,307	0
DETACHED GARAGE	878	0
ACCESSORY STRUCTURES (SHEED GARAGE/HOUSE)	352	221
PAVEMENT AND DRIVE	1,966	56
FLUID DRAINAGE	1,863	0
GRAVEL PATH	325	8,112
TOTAL COVERAGE	7,691	8,420
TOTAL SITE AREA	29,876 SQUARE FEET	
% LOT COVERAGE	3.1	2.8

OVERALL IMPERVIOUS COVERAGE CALCULATIONS		
	ACRES	SQUARE FEET
TOTAL SITE AREA	0.69	28,076
IMPERVIOUS COVERAGE	0.31	13,681
PROPOSED COVERAGE (LDA)	0.009	
ADDITIONAL TO BE REMOVED	0.3003	12
PROPOSED COVERAGE (RCA)	0.017	
ADDITIONAL TO BE REMOVED	0.0180	80
0.0020	0.0020	80
RESULTANT COVERAGE (LDA & RCA)	0.017	735
RESULTANT COVERAGE TOTAL	0.328	14,215
ALLOWED COVERAGE PER §17A-402(a)(1)	0.778	33,811
ALLOWED COVERAGE NOT UTILIZED	0.45	18,995
RATIO OF COVERAGE TO TOTAL AREA		
ALLOWED PER §17A-402(a)(1)	15.0 %	
EXISTING CONDITION	5.8 %	
PROPOSED CONDITION	4.2 %	

RESIDENTIAL DISTRICT ZONING BULK REGULATIONS		PROVIDED
	§17-4-601	§17-4-601
MINIMUM LOT SIZE	42,000 SQUARE FEET	28,076 SQUARE FEET
MAXIMUM COVERAGE BY STRUCTURES AND PARKING	CRITICAL AREA COVERAGE LIGHT PER CODE §17A-402 APPLY (10%)	8.7% (UNDER PROPOSED CONDITION)
MINIMUM WIDTH AT FRONT BUILDING RESTRICTION LINE FROM REAR LOT LINE FOR WATER FRONT LOTS	120 FEET	200 FEET
FRONT LOT LINE	40 FEET	182 FEET
REAR LOT LINE	35 FEET	332 FEET
SIDE LOT LINE	15 FEET	15 FEET
MINIMUM SETBACK FOR ACCESSORY STRUCTURES OTHER THAN BRICKS THAT DO NOT EXCEED 40 SQUARE FEET IN AREA AND EIGHT FEET IN HEIGHT	50 FEET	NONE PROPOSED
FRONT LOT LINE	15 FEET	NONE PROPOSED
SIDE AND REAR LOT LINE	15 FEET	NONE PROPOSED
MAXIMUM HEIGHT LIMITATIONS		
PRINCIPAL STRUCTURES	45 FEET	28 FEET
MAXIMUM NET DENSITY	ONE DWELLING PER 40,000 SQUARE FEET	



INFORMATION STATEMENT

1A. OWNER/DEVELOPER: DAVID JACKSON
1154 SEVERN FOREST DRIVE ANNAPOLIS, MARYLAND 21401
204-686-1860
D:\LA\2024\20240033-V\CDM

1B. DESIGN CONSULTANT: COLLEEN GORDON-GOLESTEN, P.E.
20 ROCKY HILLS DRIVE ANNAPOLIS, MARYLAND 21401
410-297-8867
4020PONDHOLELINTERRINGCONCRETEANDBRICKWORK

GENERAL NOTES

- PROPERTY ADDRESS: 1754 SEVERN FOREST DRIVE ANNAPOLIS, MARYLAND 21401
- TAX ACCOUNT NUMBER: 001-005-00041037
- DEED: DEED LIBER 35442 FOLD 17 AND LOT MERGER AGREEMENT LIBER 28106 FOLD 115
- PROPERTY SITE AREA: 28,076 SQ. FT. OR 5.9 AC.
- EXISTING ZONING IN RESIDENTIAL
- DATE: THE COORDINATES SHOWN HEREON WERE ESTABLISHED USING CONVENTIONAL AND GPS OBSERVATIONS BASED ON THE NATIONAL COORDINATE SYSTEM NAD83 (DATA USING TRIMBLE'S REAL-TIME KINETIC GPS AND VIRTUAL REFERENCE STATION SYSTEMS). BENCHMARK DATA: MARYLAND STATE PLANE NAD 83 - HAYWARD
- BOUNDARY: THE BOUNDARY LINES SHOWN HEREON ARE FROM THE BEST AVAILABLE STATE GIS RECORDS. TOPOGRAPHY: THE TOPOGRAPHY SHOWN WITHIN THE PROPERTY BOUNDARY HEREON IS BASED UPON TWO FIELD RUN SURVEYS BY MICRONE FROM APRIL 2021 AND FROM NOVEMBER 2022. THE FIELD RUN TOPOGRAPHY IS SUPERSEDED BY ANY ANNE ARUNDEL COUNTY CROFT CONTIGUES EXCEEDING THE SUBJECT PROPERTY BOUNDARY LINE AS NECESSARY.
- LOCATION: THE LOCATION SHOWN HEREON IS BASED UPON A FIELD RUN SURVEY PERFORMED BY MICRONE IN APRIL 2021.
- CRITICAL AREA: THE SITE IS LOCATED WITHIN THE CRITICAL AREA WITH A DUAL DESIGNATION INCLUDING LIMITED DEVELOPMENT AREA (LDA) AND SOURCE CONSERVATION AREA (SCA).
- CRITICAL AREA BUFFER: THE CRITICAL AREA BUFFER IN THE VICINITY OF THE SITE IS CLASSIFIED AS "MODIFIED BUFFER" ACCORDING TO ANNE ARUNDEL COUNTY PLANNING AND ZONING REGULATIONS § 18-15.10.15 IF THE COUNTY CODES ESTABLISHES THE BUFFER AS 100' FROM THE MEAN HIGH WATER LINE WITHOUT ANY BUFFER EXEMPTION.
- WETLAND: ANNE ARUNDEL COUNTY INDICATES THE PRESENCE OF WETLAND NEAREST THE SEVERN CREEK SHORELINE WITHIN THE CRITICAL AREA BUFFER. THE WETLAND AND ASSOCIATED WETLAND BUFFER ARE NOT WITHIN THE BOUNDARY OF THE PROPOSED GARAGE.
- SOIL PROTECTION AREA: THERE ARE NO SOILS ARE LOCATED ON THE SITE.
- SEMI FLOODPLAIN: PER SURVEYOR'S MAP EFFECTIVE 01/10/21, THE SITE IS CLASSIFIED AS "MODIFIED BUFFER" AREA DETERMINED TO BE OF MINIMAL FLOOD HAZARD WITH AREAS NEAREST THE SHORELINE INCLUDING MOST OF THE CRITICAL AREA BUFFER IN ZONE AE. THE PROPOSED ADDITIONS ARE NOT IN FLOODPLAIN.
- STEP BENCHES: THE SITE IS ENCOUNTERED WITH STEEP SLOPES GREATER THAN 15%.
- UTILITIES: WETLAND SERVICE PRIVATE WELL
SEWER SERVICE PRIVATE SEWER

LEGEND	
EXISTING	PROPOSED
SUBJECT PROPERTY LINE	---
ADJACENT PROPERTY LINE	---
BUILDING RESTRICTION LINE	---
BUILDING/PAVEMENT OUTLINE	---
STORM DRAIN	---
ACCESS DRIVEWAY	---
TREES > 22" DIAMETER	○ TREE
CRITICAL AREA 100' BUFFER	---
CRITICAL AREA DESIGNATION	---
100-YEAR FLOODPLAIN BOUNDARY	---
MAJOR CONTOUR	---
MAJOR CONTOUR	---
SOIL TYPE BOUNDARY	---
SOIL TYPE & HYDROLOGIC SOIL GROUP	---
SLOPES OF 15.0%	---
SLOPES > 15%	---
25 STEEP SLOPE BUFFER	---

REVISIONS

REV. #	DATE	DESCRIPTION

DATE: FEBRUARY 2024

FOR: **JACKSON PROPERTY**
1754 SEVERN FOREST DRIVE ANNAPOLIS, MD 21401
2ND DISTRICT ANNE ARUNDEL COUNTY
TAX MAP 45, GRID 6, PARCEL 8B
PREPARED FOR: DAVID JACKSON

SHEET NO.: 1 OF 1

FILE NO.: C222002_Administrative Site Plan.dwg

PLOTTED: Feb 15, 2024, 8:38am O:\2022\20240033-V_David Jackson_1754 Severn Forest Dr residence_digital\CDMENG-Production\20240033-V_Administrative Site Plan.dwg Plot 1 OF 1

APP. EXHIBIT# 4
CASE: 2024-0033-V
DATE: 4/30/24

05/23/16 02:01 PM C 0002 R 0002
Val #: 0002-158639 \$11,200.00
Deed - Recordation Tax
Instrument Type: Deed

Mid-Maryland Title Company, Inc.
File No. 10764-16
Tax ID # 02 000 90041137

bertrand
Reference/Control #:
LR - Deed (with Taxes)
Surcharge 40.00
Transfer Tax 4,000.00
LR - Non-Resident Tax
- linked 0.00
SubTotal: 4,060.00

This Deed, made this 17th day of May, 2016, by and between Andrea Bertrand
GRANTOR, and David B. Jackson and Karina E. Jackson, GRANTEES.

- Witnesseth -

Total: 4,240.00
05/23/2016 02:39
CC02-SS
#6195118 CC0501 - Anne
Arundel
#4000001.00 -

That for and in consideration of the sum of One Million Six Hundred Thousand And 00/100 Dollars (\$1,600,000.00), which includes the amount of any outstanding Mortgage of Deed of Trust, if any, the receipt whereof is hereby acknowledged, the said Grantor does grant and convey to the said David B. Jackson and Karina E. Jackson, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple, all that lot of ground situate in the County of Anne Arundel, State of Maryland and described as follows, that is to say:

BEGINNING for the same at an iron pipe location North 25° 59' West, 345.78 feet from a pipe which marks the end of the North 81° 54' 30" East 115.31 foot line of the conveyance from the Safe Deposit and Trust Company of Baltimore to Charles S. Dell and Hildegarde Dell, by Deed dated March 18, 1941, and recorded among the Land Records of Anne Arundel County in Liber JHH 232, folio 408; and running from said beginning point with the easternmost line of said conveyance, North 25° 59' West 663.92 feet to a point on the shore line of Saltworks Creek; thence with the same, South 64° 55' East, 60.84 feet and South 85° 34' East, 79.71 feet to a tack set in a log bulkhead; thence leaving said Creek and running South 15° 41' East, 586.61 feet to the place of beginning. Containing 0.78 acres, more or less.

The improvements thereon being known as 1754 Severn Forest Drive, Annapolis, Maryland 21401.

TOGETHER with the use in common of a twenty foot (20') easement for ingress and egress as described in a Deed recorded among the Land Records of Anne Arundel County in Liber 5392, folio 566, from Thomas Ross Glover and Raymond Staats to Judith H. Dunn and Raymond R. Staats.

BEING the fee simple property which, by Deed dated January 31, 2012, and recorded in the Land Records of the County of Anne Arundel, Maryland, in Liber 24360, Folio 109, was granted and conveyed by Andrea D. Bertrand, as Trustee unto Andrea Bertrand.

05/23/16 02:02 PM C 0002 R 0002
Val #: 0002-158641 \$11,200.00
Deed - Recordation Tax
Instrument Type: Deed

Together with the buildings and improvements thereon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

To Have and To Hold the said tract of ground and premises above described and mentioned, and hereby intended to be conveyed, together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said David B. Jackson and Karina E. Jackson, as tenants by the entirety unto the survivor of them, his or her heirs and assigns, in fee simple.

And the Grantor hereby covenants that she has not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that she will warrant specially the property hereby granted; and that she will execute such further assurances of the same as may be requisite.

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) RPD 29605, p. 0259, MSA_CE59_30047, Date available 06/07/2016. Printed 12/22/2023.

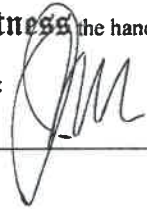
RECEIVED FOR RECORD
CIRCUIT COURT A.A. COUNTY
2016 MAY 23 P 3:39

05/23/16 02:00 PM C 0002 R 0002
Val #: 0002-158639 \$16,000.00
County Transfer Tax

ACCT. 2000-9004-1137
ALL FEES ARE PAID AS
OF 5/23/16 A.A. COUNTY
BY: [Signature]

As Witness the hand and seal of said Grantor, the day and year first above written.

WITNESS:





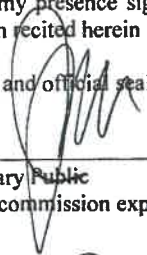
Andrea Bertrand (Seal)

STATE OF MARYLAND }
COUNTY OF ANNE ARUNDEL } ss

I hereby certify that on this 17th day of May, 2016, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Andrea Bertrand, the Grantor herein, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

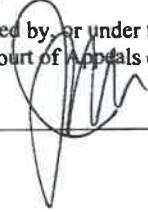
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Jerome I. Feldman
Notary Public
Anne Arundel County, MD



Notary Public
My commission expires 9/14/16

THIS IS TO CERTIFY that the within Deed was prepared by, or under the supervision of the undersigned, an Attorney duly admitted to practice before the Court of Appeals of Maryland.



Attorney

**AFTER RECORDING, PLEASE RETURN TO:
Mid-Maryland Title Company, Inc.
900 Bestgate Road
Suite 200
Annapolis, MD 21401**

BK 29605 PG 2 b 1

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor Andrea Bertrand

2. Reasons for Exemption

Resident Status

I, Transferor, am a resident of the State of Maryland.

Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence

Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness

Andrea Bertrand

Name

Signature

3b. Entity Transferors

Witness/Attest

Name of Entity

By

Name

Title

**AFFIDAVIT OF GRANTEES AS
FIRST-TIME MARYLAND HOME BUYERS**

BK 29605 PG 262

The undersigned each state under oath and penalties of perjury that the following is true to the best of the knowledge, information, and belief of each individual:

1. Each of the undersigned is a Grantee of residentially improved real property located at 1754 Severn Forest Drive, Annapolis, MD 21401, and being more particularly described as Tax ID Number 02 000 90041137, Anne Arundel County, Maryland.

2. Each of the undersigned is a first-time Maryland home buyer (defined as an individual who has never owned in the state residential real property that has been the individual's principal place of residence) who will occupy the property as Grantee's principal residence.



David B. Jackson Grantee



Karina E. Jackson Grantee

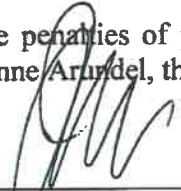
The undersigned each state under oath and penalties of perjury that the following is true to the best of the knowledge, information, and belief of each individual:

1. Each of the undersigned is a Grantee of residentially improved real property located at 1754 Severn Forest Drive, Annapolis, MD 21401, and being more particularly described as Tax ID Number 02 000 90041137, Anne Arundel County, Maryland.

2. Each of the undersigned is a co-maker or guarantor of the purchase money mortgage or purchase money deed of trust as defined in §12-108(i) of the Tax Property Article on the property who will not occupy the property as Grantee's principal residence.

Guarantor/co-maker

The above oath or affirmation was given under the penalties of perjury before me, a Notary Public in and for the State of Maryland, County of Anne Arundel, this 17th day of May, 2016.



Notary Public
My Commission Expires: 9/14/16
Jerome I. Feldman
Notary Public
Anne Arundel County, MD

State of Maryland Land Instrument Intake Sheet

Baltimore City County: Anne Arundel
 Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.
 (Type or Print in Black Ink Only—All Copies Must Be Legible)

BK 2 9 6 0 5 PG 2 6 3

1 Type(s) of Instruments		(<input type="checkbox"/> Check Box if addendum Intake Form is Attached.)							
		3 Deed	Mortgage	1 Other Easement	2 Other Easement				
		4 Deed of Trust	Lease						
2 Conveyance Type Check Box		<input checked="" type="checkbox"/> Improved Sale Arms-Length [1]	<input type="checkbox"/> Unimproved Sale Arms-Length [2]	<input type="checkbox"/> Multiple Accounts Arms-Length [3]	<input type="checkbox"/> Not an Arms-Length Sale [9]				
3 Tax Exemptions (if applicable)		Recordation							
Cite or Explain Authority		State Transfer							
		County Transfer							
4 Consideration and Tax Calculations		Consideration Amount		Finance Office Use Only Transfer and Recordation Tax Consideration					
		Purchase Price/Consideration	\$ 1,600,000.00	Transfer Tax Consideration	\$				
		Any New Mortgage	\$ 517,500.00	X () % =	\$				
		Balance of Existing Mortgage	\$	Less Exemption Amount	- \$				
		Other:	\$	Total Transfer Tax	= \$				
		Other:	\$	Recordation Tax Consideration	\$				
		Full Cash Value:	\$	X () per \$500 =	\$				
				TOTAL DUE	\$				
5 Fees		Amount of Fees	Doc. 1	Doc. 2	Agent:				
		Recording Charge	\$ 20.00	\$ 20.00	Tax Bill:				
		Surcharge	\$ 40.00	\$ 40.00	C.B. Credit:				
		State Recordation Tax	\$ 11,200.00	\$	Ag. Tax/Other:				
		State Transfer Tax	\$ 4,000.00	\$					
		County Transfer Tax	\$ 16,000.00	\$					
		Other	\$	\$					
		Other	\$	\$					
6 Description of Property		District	Property Tax ID No. (1)	Grantor Liber/Folio	Map	Parcel No.	Var. LOG		
SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).		02	90041137	24360/109	45	86	<input type="checkbox"/> (S)		
		Subdivision Name		Lot (3a)	Block (3b)	Sect/AR (3c)	Plat Ref.	SqFt/Acreage (4)	
		Savern Forest							0.78
		Location/Address of Property Being Conveyed (2)							
		1754 Severn Forest Drive, Annapolis, MD 21401					Water Meter Account No.		
		Other Property Identifiers (if applicable)							
		Residential <input checked="" type="checkbox"/> or Non-Residential <input type="checkbox"/>	Fee Simple <input checked="" type="checkbox"/> or Ground Rent <input type="checkbox"/>	Amount:	N/A				
		Partial Conveyance? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Description/Amt. of SqFt/Acreage Transferred: N/A						
		If Partial Conveyance, List Improvements Conveyed: N/A							
7 Transferred From		Doc. 1 – Grantor(s) Name(s)			Doc. 2 – Grantor(s) Name(s)				
		Andrea Bertrand			David B. Jackson				
					Karina E. Jackson				
		Doc. 1 – Owner(s) of Record, if Different from Grantor(s)			Doc. 2 – Owner(s) of Record, if Different from Grantor(s)				
8 Transferred To		Doc. 1 – Grantee(s) Name(s)			Doc. 2 – Grantee(s) Name(s)				
		David B. Jackson			Leo W. Durn, III, Trustee				
		Karina E. Jackson							
		New Owner's (Grantee) Mailing Address							
		199 East Flagler St 128, Miami, FL 33131							
9 Other Names to Be Indexed		Doc. 1 – Additional Names to be Indexed (Optional)			Doc. 2 – Additional Names to be Indexed (Optional)				
					Bay Capital Mortgage Corporation				
10 Contact/Mail Information		Instrument Submitted By or Contact Person				<input checked="" type="checkbox"/> Return to Contact Person			
		Name:	Susan Delph			<input type="checkbox"/> Hold for Pickup			
		Firm:	Mid-Maryland Title Company, Inc.			<input type="checkbox"/> Return Address Provided			
		Address:	900 Bestgate Road, Suite 200						
			Annapolis, MD 21401						
			Phone: (410) 573-0017						
11 Assessment Information		IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER							
		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Will the property being conveyed be the grantee's principal residence?						
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does transfer include personal property? If yes, identify:						
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).						
		Assessment Use Only – Do Not Write Below This Line							
		Terminal Verification	Agricultural Verification	Whole	Part	Tran. Process Verification			
		Transfer Number	Date Received:	Deed Reference:		Assigned Property No.:			
		Year	20	20	Geo.	Map	Sub		
		Land			Zoning	Grid	Plat		
		Buildings			Use	Parcel	Section		
		Total			Town Cd.	Ex. St.	Ex. Cd.		
		REMARKS:							

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) RPD 29605, p. 0263, MSA_CE-59_30047, Date available 06/07/2016, Printed 12/22/2023.

Space Reserved for County Validation

APP. EXHIBIT# 5
CASE: 2024-0033-V
DATE: 4/30/24

THIS DEED

SAP CGC
Mar 30, 2021 09:12 am

02-000-90251954 and 02-000-90251954
Tax Account No./Parcel Identifier

Made this 12th day of February, 2021, by and between

Stephen L. Hooper and Carol H. McKelvie, Successor Trustees under The Madeline C. Hooper Living Trust dated May 24, 1999

party(ies) of the first part, and

David Bradley Jackson and Patricia Kay Hunter Jackson, as tenants by the entireties, the survivor of them, and unto the survivor's personal representatives, heirs, and assigns

party(ies) of the second part:

WITNESSETH, that in consideration of the sum of One Million One Hundred Fifty Thousand And No/100 Dollars (\$1,150,000.00) receipt of which is hereby acknowledged, and which party(ies) of the first part certify under the penalties of perjury as the actual consideration paid or to be paid, including the amount of any mortgage or deed of trust outstanding, the said party(ies) of the first part do(es) grant and convey unto the party(ies) of the second part in fee simple as tenants by the entireties, the survivor of them, and unto the survivor's personal representatives, heirs, and assigns all that property situate in Anne Arundel County, State of Maryland, described as:

All that lot of ground situate and lying in Anne Arundel County, State of Maryland, and described as follows that is to say:

BEING KNOWN AND DESIGNATED as Lot No. 3, as shown on the Plat Entitled "Plat 2 of 2 Amended Plat - HOOPER FAMILY SUBDIVISION - Lots 3 and 4" as recorded among the Land Records of Anne Arundel County, Maryland in Plat Book 367 page 16 at Plat No. 18892.

Being part of the same lot of ground which by deed dated February 15, 2000 and recorded February 22, 2000 among the Land Records of Anne Arundel County, Maryland in Liber RPD 9639 folio 690 was granted and conveyed by Madeline Cadwell Hooper unto Madeline Cadwell Hooper, Trustee under The Madeline C. Hooper Living Trust dated May 24, 1999.

Being part of the same lot of ground which by deed dated May 15, 1970 and recorded June 8, 1970 among the Land Records of Anne Arundel County, Maryland in Liber 2345 folio 749 was granted and conveyed by Emily E. Cadle, Single, Trustee unto Madeline Cadwell Hooper.

Being also the same lot of ground which by deed dated May 15, 1970 and recorded June 8, 1970 among the Land Records of Anne Arundel County, Maryland in Liber 2345 folio 746 was granted and conveyed by Vivien Marguerite Cadwell, widow and Madeline Cadwell Hooper, under the Last Will and Testament of Cardiff L. Cadwell, deceased; Zenus B. Hooper, husband of Madeline Cadwell Hooper unto Emily E. Cadle, single, Trustee.

Tax/Map ID(s): 02-000-90251954

Being commonly known as 1748 Severn Forest Drive, Annapolis, Maryland 21401

which has an address of 1748 Severn Forest Dr, Annapolis, MD 21401

SUBJECT to covenants, easements and restrictions of record.

ACCT. 02-000-90251954
ALL LIENS ARE PAID AS
OF 03-12-2021 A.A. COUNTY
BY: LO

Deed
MDD1019.doc / Updated: 05.14.20

DEED
(continued)

TO HAVE AND TO HOLD said land and premises above described or mentioned and hereby intended to be conveyed, together with the buildings and improvements thereupon erected, made or being, and all and every title, right, privileges appurtenances and advantages thereunto belonging, or in anywise appertaining, unto and for the proper use only, benefit and behalf forever of said party(ies) of the second part in fee simple, as tenants by the entireties, the survivor of them, and unto the survivor's personal representatives, heirs, and assigns.

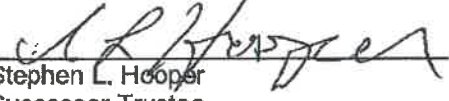
AND the said party(ies) of the first part covenants that it will warrant specially the property hereby conveyed and that it will execute such further assurances of said land as may be requisite or necessary.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

WITNESS:

Stephen L. Hooper and Carol H. McKelvie, Successor Trustees under The Madeline C. Hooper Living Trust dated May 24, 1999

BY: _____
Carol H. McKelvie
Successor Trustee

BY: 
Stephen L. Hooper
Successor Trustee

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) SAP 36442, p. 0018, MSA_CE59_36884. Date available 04/06/2021. Printed 12/22/2023.

DEED
(continued)

TO HAVE AND TO HOLD said land and premises above described or mentioned and hereby intended to be conveyed, together with the buildings and improvements thereupon erected, made or being, and all and every title, right, privileges appurtenances and advantages thereunto belonging, or in anywise appertaining, unto and for the proper use only, benefit and behalf forever of said party(ies) of the second part in fee simple, as tenants by the entireties, the survivor of them, and unto the survivor's personal representatives, heirs, and assigns.

AND the said party(ies) of the first part covenants that it will warrant specially the property hereby conveyed and that it will execute such further assurances of said land as may be requisite or necessary.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

WITNESS:

Stephen L. Hooper and Carol H. McKelvie, Successor Trustees under The Madeline C. Hooper Living Trust dated May 24, 1999

BY: Carol H. McKelvie
Carol H. McKelvie
Successor Trustee

BY: _____
Stephen L. Hooper
Successor Trustee

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) SAP 36442, p. 0019, MSA_CE59_36884, Date available 04/06/2021, Printed 12/22/2023.

DEED
(continued)

STATE OF MARYLAND
COUNTY OF Anne Arundel, to wit:

I hereby certify that on this 12th day of February, 2021, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Stephen L. Hooper Co-Successor Trustee under "The Madeline C. Hooper Living Trust dated May 24, 1999, the Grantor herein, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be his/her act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Amy T. Voight

Notary Public
My Commission Expires:



[SEAL]

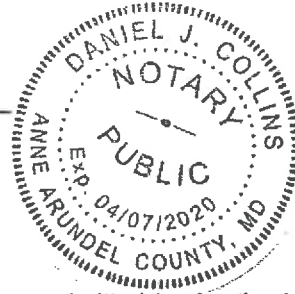
STATE OF MARYLAND
COUNTY OF Anne Arundel, to wit:

I hereby certify that on this 12th day of February, 2021, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Carol H. McKelvie, Co-Successor Trustee under "The Madeline C. Hooper Living Trust dated May 24, 1999, the Grantor herein, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the same for the purposes therein contained, and further acknowledged the foregoing Deed to be his/her act, and in my presence signed and sealed the same, giving oath under penalties of perjury that the consideration recited herein is correct.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Daniel J. Collins

Notary Public
My Commission Expires:



[SEAL]

I certify that this instrument was prepared under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland.

Daniel J. Collins

Daniel J. Collins, Esq.

Grantors' Address:
Grantees' Address: 1748 Severn Forest Dr, Annapolis, MD 21401
Title Insurer: Chicago Title Insurance Company

File No.: MDE21002256

DEED
(continued)

REMIT TO:
Liberty Title and Escrow Company
3168 Braverton Street, Suite 400
Edgewater, MD 21037

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) SAP 36442, p. 0021, MSA_CE59_36884. Date available 04/06/2021. Printed 12/22/2023.

MARYLAND FORM WH-AR

Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate Affidavit of Residence or Principal Residence

2021

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor The Madeline C. Hooper Living Trust dated May 24, 1999

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).

1748 Severn Forest Dr, Annapolis, MD 21401

3. Reasons for Exemption

- Resident Status [] As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.
[X] Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.
Principal Residence [] Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Witness Name **Date
Signature

3b. Entity Transferors

Witness/Attest The Madeline C. Hooper Living Trust dated May 24, 1999
Name of Entity
By Stephen L. Hooper 2/12/2021
Name **Date
Successor Trustee
Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

MARYLAND FORM WH-AR

Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate Affidavit of Residence or Principal Residence

2021

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor The Madeline C. Hooper Living Trust dated May 24, 1999

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).

1748 Severn Forest Dr, Annapolis, MD 21401

3. Reasons for Exemption

Resident Status [] As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.

[X] Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence [] Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferors

Table with columns: Name, Address, Signature, Date

3b. Entity Transferors

The Madeline C. Hooper Living Trust dated May 24, 1999

Handwritten signature: Carol H. McKelvie 03/21/2021

Carol H. McKelvie

Signature Title

To be signed by Transferor

Note: Transferor's signature was verified on the same day as the recording of this instrument with the Clerk of the Court.


To the Clerk of the Court: This instrument Form WH-AR should be considered a valid certification for purposes of Section 10-912.

APP. EXHIBIT# 6
CASE: 2024-0033-V
DATE: 4/30/24

BOOK 387 PAGE 15 PLAT #18991

SURVEYOR'S NAME AND ADDRESS:
RAYMOND D. FOWLER
PROFESSIONAL LAND SURVEYOR #21134
EXPIRATION DATE 4/3/2025
1410 FOREST DRIVE, SUITE 35
ANNAPOLIS, MARYLAND 21403

A LICENSEE EITHER PERSONALLY PREPARED THIS PLAT OR WAS IN RESPONSIBLE CHARGE OVER ITS PREPARATION AND THE WORK REFLECTED IN IT, ALL IN COMPLIANCE WITH REQUIREMENTS SET FORTH IN COMAR, TITLE 09, SUBTITLE 12, CHAPTER 09 MINIMUM STANDARDS OF PRACTICE



DEDICATION BY OWNERS

THE UNDERSIGNED, BEING THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED ON THIS RECORD PLAT, WITH THE EXCEPTION OF LIENHOLDERS, ADOPTE(S) THIS RECORD PLAT; ESTABLISH(ES) THE MINIMUM BUILDING RESTRICTION LINES:

TO THE BEST OF MY/OUR KNOWLEDGE, INFORMATION, AND BELIEF, THE REQUIREMENTS OF §3-108 OF THE REAL PROPERTY ARTICLE OF THE STATE CODE, CONCERNING THE MAKING OF PLATS AND SETTING OF MARKERS, HAVE BEEN SATISFIED. THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, LIENS, MORTGAGES, TRUSTS, EASEMENTS, OR RIGHTS-OF-WAY AFFECTING THE PROPERTY INCLUDED IN THIS RECORD PLAT OTHER THAN THE FOLLOWING:

- A POLE LINE AGREEMENT BY AND BETWEEN GEORGE E. RULLMAN TRUSTEE AND CONSOLIDATED GAS ELECTRIC LIGHT AND POWER COMPANY OF BALTIMORE, DATED JANUARY 22nd, 1940 AND RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND IN LIBER JHH 778 FOLIO 433.
- USE IN COMMON RIGHT-OF-WAY BETWEEN VIVIAN MARGUERITE CADWELL, MADELINE CADWELL, HOOPER AND ZENOBIA E. HOOPER SECOND PARTY, AND EMILY E. CADLE THIRD PARTY DATED MAY 15th, 1970 AND RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY MARYLAND IN LIBER MSH 2345 PAGE 748, AND BETWEEN EMILY E. CADLE AND MADELINE CADWELL HOOPER DATED MAY 15th 1970 IN LIBER MSH 2345 FOLIO 748 AND RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND.
- USE IN COMMON OF A 40' RIGHT-OF-WAY BY AND BETWEEN CAROL L. CADWELL AND MARIE S. CADWELL TO HENRY A. BOWIE AND DORIS L. BOWIE, LEWIS W. EARP AND CATHERINE R. EARP, DATED AUGUST 21st, 1958 AND RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND IN LIBER GTC 1324 FOLIO 516.
- USE IN COMMON OF A 45' RIGHT-OF-WAY BY AND BETWEEN CAROL L. CADWELL AND MARIE S. CADWELL TO THE BELLE GROVE CORPORATION DATED MARCH 24th, 1960 AND RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND IN LIBER GTC 1408 FOLIO 312.
- USE IN COMMON OF A 12.5' RIGHT-OF-WAY BY AND BETWEEN SAFE DEPOSIT AND TRUST CO. TO CHARLES S. AND HILDEGARDE W. DELL DATED OCTOBER 3rd, 1956 AND RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND IN LIBER GTC 970 FOLIO 475.
- USE IN COMMON 40' RIGHT-OF-WAY BY AND BETWEEN THE BELLE GROVE CORPORATION TO CAROL L. AND MARIE S. CADWELL DATED JULY 15th, 1960 AND RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND IN LIBER BOOK GTC 1407, FOLIO 596.
- EASEMENT AND AGREEMENT TO DISCHARGE STORM WATER BY AND BETWEEN MADELINE C. HOOPER AND ANNE ARUNDEL COUNTY, MARYLAND DATED DECEMBER 21st, 1962 AND RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND IN LIBER WGL 354, PAGE 687.
- A RIGHT-OF-WAY AGREEMENT BY AND BETWEEN MADELINE C. HOOPER AND BALTIMORE GAS & ELECTRIC COMPANY, DATED FEBRUARY 2nd, 1984 AND RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND IN LIBER EAC 3726 FOLIO 896.
- PLAT SHOWING RIGHT TO DISCHARGE STORM WATER BY AND BETWEEN MADELINE C. HOOPER AND ANNE ARUNDEL COUNTY, MARYLAND DATED SEPTEMBER 14th, 1982 AND RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND IN LIBER 4511, PAGE 619.

ALL OWNERS OF THE PROPERTY WITH THE EXCEPTION OF LIENHOLDERS, IF ANY HAVE AFFIXED THEIR SIGNATURES AND SEALS ON THIS RECORD PLAT.

WE ASSENT TO AND DO HEREBY JOIN IN THIS RECORD PLAT FOR RESIDUE PARCEL 0404

WITNESS: _____ DATE: 6/25/2019 OWNER: Stephen L. Hooper (Seal)
FOR MADELINE C. HOOPER

WITNESS: _____ DATE: _____ OWNER: Carol M. Elvie
FOR MADELINE C. HOOPER

Drum, Loyka & Associates, LLC
CIVIL ENGINEERS - LAND SURVEYORS
1410 Forest Drive, Suite 35
Annapolis, Maryland 21403
Phone: 410-280-3122 • Fax: 410-280-1952
www.drumloyka.com

CRITICAL AREA NOTE:
THIS SITE IS LOCATED ENTIRELY WITHIN THE RESOURCE CONSERVATION AREA (RCA) OF THE CHESAPEAKE BAY CRITICAL AREA, AND WILL BE SUBJECT TO ALL CRITICAL AREA REQUIREMENTS IN EFFECT AT THE TIME OF GRADING AND/OR BUILDING PERMIT APPLICATION.

PRIVATE DRIVE RIGHT-OF-WAY NOTE:
THE EXISTING 40' RIGHT-OF-WAY SHOWN ON THE PREVIOUSLY RECORDED PLAT (BK. 0086, PAGE 0016, PLAT NO. 4491) IS INTENDED TO PROVIDE ACCESS TO AND FROM LOTS 1 THROUGH 4. THE OWNERS OF THESE LOTS ARE RESPONSIBLE FOR MAINTENANCE OF THE PRIVATE ROADWAY AND ARE NOT ELIGIBLE TO RECEIVE COUNTY SERVICES PROVIDED TO LOT OWNERS ADJACENT COUNTY ROADS. FURTHER SUBDIVISION OR ACCEPTANCE INTO THE COUNTY ROAD SYSTEM MAY BE ACCOMPLISHED ONLY IF THE PRIVATE ROADWAY IS IMPROVED TO COUNTY ROAD STANDARDS AT THE LOT OWNERS EXPENSE.

UNDERGROUND ELECTRIC & TELEPHONE AGREEMENTS:
THIS PLAT IS SUBJECT TO AN AGREEMENT WITH BALTIMORE GAS AND ELECTRIC COMPANY DATED MAY 15, 1970, AND RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER 3728 AT FOLIO 898.

SEPTIC AREA NOTE:
THE SEPTIC AREAS SHALL REMAIN UNENCUMBERED BY BUILDINGS, EASEMENTS, RIGHTS-OF-WAY, AND OTHER PERMANENT OR PHYSICAL OBJECTS.

COASTAL FLOODPLAIN HIGH HAZARD NOTE:
LOTS 3 AND 4 ARE AFFECTED BY A COASTAL FLOODPLAIN AND / OR A COASTAL HIGH HAZARD AREA AS ESTABLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) PER THE FLOOD INSURANCE RATE MAPS (MAP NO. FM24000C0189F). THE ELEVATION IS 5.7 AND ELEV. 7.6, NAVD 88. THE FIRST FLOOR ELEVATIONS OF ALL STRUCTURES LOCATED IN THESE AREAS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 16, TITLE 1 OF THE ANNE ARUNDEL COUNTY CODE.

BEST AVAILABLE TECHNOLOGY NOTE:
THE ON-SITE SEWAGE DISPOSAL SYSTEM SERVING LOTS 3 & 4 WILL REQUIRE A NITROGEN REDUCING UNIT APPROVED AS BEST AVAILABLE TECHNOLOGY ("BAT") FOR SITE DEVELOPMENT OR WILL BE SUBJECT TO THE APPLICABLE REGULATIONS AT THE TIME OF DEVELOPMENT. THE PROPERTY OWNER SHALL MAINTAIN AND OPERATE THE BAT SYSTEM FOR THE LIFE OF THE SYSTEM THROUGH THE USE OF A CERTIFIED SERVICE PROVIDER. THE OWNER SHALL INSURE THAT THE BAT SYSTEM IS INSPECTED AND HAS NECESSARY OPERATION AND MAINTENANCE PERFORMED AT A MINIMUM OF ONCE A YEAR.

STORMWATER MANAGEMENT REGULATION NOTE:
THIS PLAT WAS REVIEWED UNDER THE 2010 REGULATIONS FOR STORMWATER MANAGEMENT. NO DEVELOPMENT OR IMPERVIOUS AREA IS PROPOSED WITH THIS PLAT. ANY PROPOSED DEVELOPMENT WILL ADDRESS ESD TO THE MEP IN ACCORDANCE WITH ARTICLE 16, SECTION 4 AT THE TIME OF FUTURE BUILDING AND/OR GRADING PERMIT.

- MODIFICATION NOTE:**
- MODIFICATION #18998 WAS GRANTED BY THE PLANNING AND ZONING OFFICER ON MAY 8, 2019 TO: ARTICLE 17-3-8(1)(4) TO ALLOW THE ABOVE REFERENCED PROJECT TO PROCEED THROUGH THE AMENDED PLAT PROCESS AS IT IS LOCATED COMPLETELY WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
 - MODIFICATION #18976 WAS GRANTED BY THE PLANNING AND ZONING OFFICER ON JULY 24, 2019 TO: ARTICLE 17, SECTION 2-103 REQUIRING COMPLIANCE WITH OTHER LAW, SPECIFICALLY A MODIFICATION TO THE COUNTY DESIGN MANUAL, CHAPTER 3, ROADS AND STREETS FOR RELIEF FROM ROAD FRONTAGE IMPROVEMENTS AND PAVEMENT WIDTH.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT THIS RECORD PLAT IS CORRECT; THAT IT IS A SUBDIVISION OF ALL OF THE LANDS CONVEYED TO MADELINE CADWELL HOOPER, TRUSTEE UNDER THE "MADELINE C. HOOPER LIVING TRUST, DATED MAY 24, 1999 FROM MADELINE CADWELL HOOPER BY DEED DATED 15 FEBRUARY 2000 AND RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND IN LIBER RPD 9689, FOLIO 890, CONTAINING 373,529.86 SQUARE FEET OR 8.64 ACRES OF LAND, MORE OR LESS; SUBJECT TO RIPARIAN RIGHTS, AND ALSO BEING ALL OF THE "RESIDUE" LANDS SHOWN ON A SUBDIVISION RECORD PLAT ENTITLED "THE HOOPER FAMILY SUBDIVISION - OFF SEVERN GROVE ROAD", RECORDED OCTOBER 1981, AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND IN PLAT BOOK 068, AT PAGE 016, AS PLAT NUMBER 0481.

AND THAT THE REQUIREMENTS OF §3-108 OF THE REAL PROPERTY ARTICLE OF THE STATE CODE, CONCERNING THE MAKING OF PLATS AND SETTING OF MARKERS, HAVE BEEN SATISFIED.

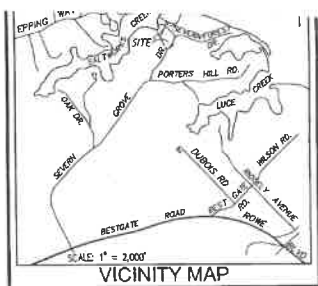
RAYMOND D. FOWLER, PROFESSIONAL LAND SURVEYOR, MD REG. NO. 21134
(EXP. 2 JUL 2025) FOR DRUM LOYKA AND ASSOCIATES, 1410 FOREST DRIVE, SUITE 35, ANNAPOLIS, MD 21403

DATE: 09-05-19

FOR PRIVATE WELL & PRIVATE SEPTIC

APPROVED BY: Edward E. Curtis 9/12/19
DIRECTOR, ENVIRONMENTAL HEALTH
ANNE ARUNDEL COUNTY DEPARTMENT OF HEALTH

APPROVED: Steve Kni-Ziegler 10/11/19
STEVE KNI-ZIEGLER, AICP
PLANNING AND ZONING OFFICER, OFFICE OF PLANNING & ZONING



***NOTE OF PURPOSE**

THE PURPOSE OF THIS PLAT IS TO CREATE 2 BUILDABLE LOTS FROM THE EXISTING RESIDUE PARCEL AS RECORDED PER PLAT ENTITLED HOOPER FAMILY SUBDIVISION, RECORDED IN PLAT BK. 0086, PAGE 0016, PLAT NO. 4491.

- GENERAL NOTES:**
- THE BEARINGS AND DISTANCES REFERRED HEREON ARE BASED ON THE MARYLAND STATE COORDINATE SYSTEM (NAD 83) AND NATIONAL GEODETIC MONUMENT "LOVY" (NAD 83) AND CONVENTIONAL LAND SURVEYING PRACTICES. BEARINGS MAY NOT REFLECT THOSE CALLED OUT IN SUBJECT DEEDS. VERTICAL CONTROL IS BASED ON NATIONAL GEODETIC MONUMENT "LOVY", ELEV. 415.57' (NAD 83).
 - THIS PLAN IS SUBJECT TO ALL NOTES, MODIFICATIONS, COVENANTS, CONDITIONS, AND RESTRICTIONS AS SHOWN ON THE PREVIOUSLY RECORDED PLAT ENTITLED "HOOPER FAMILY SUBDIVISION" RECORDED IN PLAT BK. 0086, PAGE 0016, PLAT NO. 4491, WHICH ARE NOT SPECIFICALLY MODIFIED BY THE RECORDATION OF THIS PLAT.
 - EXISTING RESIDUE PARCEL BECOMES LOTS 3 & 4.
 - THE STREET NAMES & ADDRESSES NOTED ON THE PLAT REPRESENT OFFICIAL ADDRESS DATA AT THE TIME OF PLAT APPROVAL. THE PLANNING & ZONING OFFICER MAY CHANGE STREET NAMES & PROPERTY ADDRESSES TO ENSURE THE PUBLIC HEALTH, SAFETY & WELFARE PER ARTICLE 17-3-302 (5).
 - ALL SETBACKS SHALL BE IN ACCORDANCE WITH REGULATIONS (LAW) AT THE TIME OF BUILDING AND / OR GRADING PERMIT.

AREA TABULATION

PROPERTY: TAX MAP 0045, PARCEL 0404
EX. CROSS AREA OF SITE:
-EX. RESIDUE PARCEL 404 TOTAL AREA=373,531 S.F. (8.63 AC.)

ZONING: R1 (ENTIRE SITE)
SITE LIES WITHIN THE CRITICAL AREA DESIGNATION RCA PRIVATE WATER WELL AND SEPTIC SYSTEM

PROPOSED AREA CALCULATIONS:
-PROP. LOT 3=182,286 S.F. (4.14 AC.)
-PROP. LOT 4=181,785 S.F. (4.17 AC.)
TOTAL AREA IN LOTS=364,071 S.F. (8.38 AC.)

PLAT 1 OF 2
AMENDED PLAT
HOOPER FAMILY
SUBDIVISION-LOTS 3 & 4

SUBDIVISION NO. S1981-289
PROJECT NO. P2019-0017-00-NF
TAX MAP 0045, GRID 0003, PARCEL 0404
SCALE: AS SHOWN DATE: SEPT. 05, 2019
NAD 83 ZIP CODE: 21401
2ND DISTRICT, ANNE ARUNDEL CO. MARYLAND

RECORDED IN BOOK _____ PAGE _____ PLAT NO. _____

R254786

MSA C21081-5900-2

ANNE ARUNDEL COUNTY CIRCUIT COURT Subdivision Plats (County Copy), AA Plat 18991 - 18992; Plat Book 367, pp. 15-16, MSA - C21081-5900. Date available: 2019/10/11. Printed: 12/22/2023.

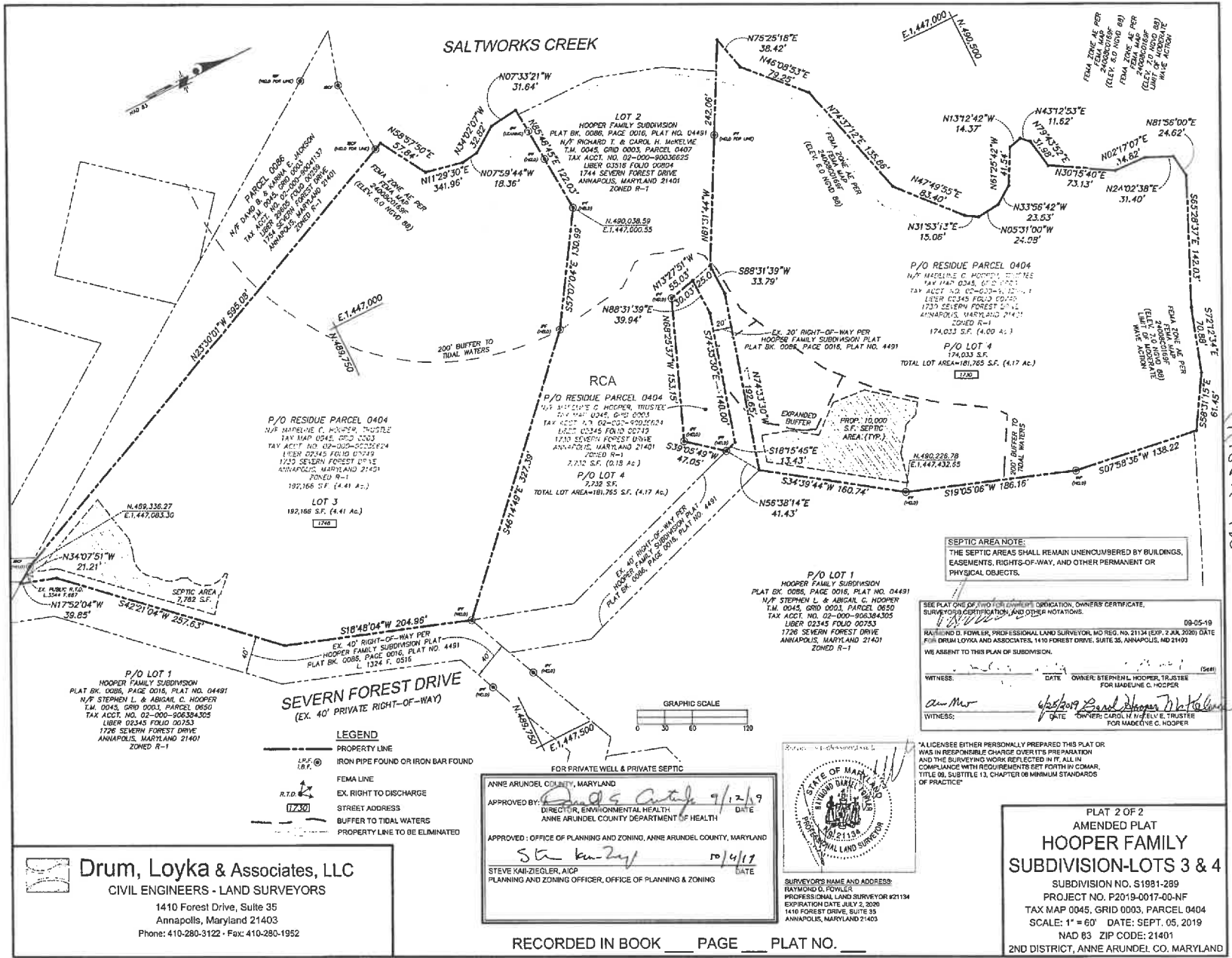


RECEIVED FOR RECORDATION
COUNTY CLERK'S OFFICE
MAY 11 11 11 AM '19

PLAT BOOK 367, PAGE 15, MSA - C21081-5900, DATE AVAILABLE: 2019/10/11. PRINTED: 12/22/2023.



RECORD OF RETURN
COURT COUNTY OF ANNE ARUNDEL
2018 OCT 11 A. 11



PLAT 2 OF 2
AMENDED PLAT
HOOPER FAMILY
SUBDIVISION-LOTS 3 & 4

Drum, Loyka & Associates, LLC
CIVIL ENGINEERS - LAND SURVEYORS
1410 Forest Drive, Suite 35
Annapolis, Maryland 21403
Phone: 410-280-3122 • Fax: 410-280-1952

APPROVED BY: *[Signature]* 9/12/19
DIRECTOR, ENVIRONMENTAL HEALTH
ANNE ARUNDEL COUNTY DEPARTMENT OF HEALTH

APPROVED: OFFICE OF PLANNING AND ZONING, ANNE ARUNDEL COUNTY, MARYLAND
[Signature] 10/4/19
STEVE KAI-ZIEGLER, AICP
PLANNING AND ZONING OFFICER, OFFICE OF PLANNING & ZONING



PLAT 2 OF 2
AMENDED PLAT
HOOPER FAMILY
SUBDIVISION-LOTS 3 & 4
SUBDIVISION NO. S1981-289
PROJECT NO. P2019-0017-00-NF
TAX MAP 0045, GRID 0003, PARCEL 0404
SCALE: 1" = 60' DATE: SEPT. 05, 2019
NAD 83 ZIP CODE: 21401
2ND DISTRICT, ANNE ARUNDEL CO. MARYLAND

RECORDED IN BOOK 367 PAGE 18 PLAT NO. 18852
8294787 MSA C2081-5900-2

ANNE ARUNDEL COUNTY CIRCUIT COURT Subdivision Plats (County Copy), AA Plat 18851-18852; Plat Book 367, pp. 15-16; MSA_C2081_5900. Date available 2019/10/11. Printed 12/22/2023.

APP. EXHIBIT# 7
CASE: 2024-0033-V
DATE: 4/30/24

LOT MERGER AGREEMENT

THIS LOT MERGER AGREEMENT, is made this 17th day of August, 2022, by and between David Bradley Jackson & Patricia Kay Hunter Jackson, ("Property Owner"), and ANNE ARUNDEL COUNTY, MARYLAND, a body corporate and politic of the State of Maryland, (the "County").

LR - Agreement
Recording Fee 20.00
Name: jackson
Ref:
LP - Agreement 40.00
Sub Total: 60.00
Total: 60.00
09/12/2022 08:19
CC02-WO
#16597368 CC0501 -
Anne Arundel
County/CC05.01.08 -
Single 08

WHEREAS, Property Owner owns two or more contiguous lots located in a residential zoning district of the County and desires to use the lots to serve a single principal use, as provided in Subtitle 2, Title 4 of Article 18 of the Anne Arundel County Code (2005, as amended) (the "Lot Merger Law"); and

WHEREAS, the Lot Merger Law requires contiguous residential lots serving a single principal use to be merged by agreement as a condition precedent to approval of a grading or building permit or resolution of an enforcement action under Article 17 of the County Code; and

WHEREAS, Property Owner has applied for Building or Grading Permit Number N/A or is resolving a enforcement action under Article 17, and intends this Agreement to satisfy the requirements of the Lot Merger Law.

NOW, WITNESSETH, THAT the County and Property Owner agree as follows:

1. The Property Owner and the County agree that the contiguous lots described as Lot 3 and .78 acres 1754 Severn Forest Drive and as more fully described in a deed from Stephen L. Hooper & Carol H. McKelvie, Successor Trustees under the Madeline C. Hooper Living Trust to David Bradley Jackson & Patricia Kay Hunter Jackson, dated February 12, 2021, and as more fully described in deed from David B. Jackson of the David B. Jackson Trust to David Bradley Jackson and Patricia Kay Hunter Jackson, and recorded among the Land Records of Anne Arundel County in Book 36442, Page 17 and Book 35496, Page 396 (the "Lots"), are subject to the terms and conditions of this Agreement.

No Taxes Necessary
1.0000 9-1-22
Controller [Nov. 2016]
Tax Division

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) SAP 39106, p. 0115, MSA_CE59_39548. Date available 09/20/2022. Printed 12/23/2023. 09/02/22 09:53 AM C 0017 R 0001
Val #: 0001-036889 \$0.00
Agreement - Record. Tax - Exempt - Mail
Inst Type: Agreement

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) SAP 39106, p. 0116, MSA_CE59_39548. Date available 09/20/2022. Printed 12/23/2023.

2. Upon execution of this Agreement, the Lots shall be merged for the purpose of serving a single principle use. Hereafter the Lots shall be treated as a single lot for the purposes of Article 18 of the County Code and may not be unmerged except in compliance with the laws of Anne Arundel County.

3. This Agreement shall be recorded in the Land Records of Anne Arundel County at the expense of the Property Owner.

4. The terms of this Agreement shall constitute a covenant running with the land and said covenant shall be binding upon and inure to the benefit of the parties to this Agreement, their legal representatives, successors, and assigns.

5. Other than as provided herein, the merger of the Lots shall not affect the legal description or title to the Lots.

IN WITNESS WHEREOF, the parties do hereunto set their hands on the date and year first above written.


PROPERTY OWNER SIGNATURE

David Bradley Jackson
PRINT NAME


PROPERTY OWNER SIGNATURE

Patricia Kay Hunter Jackson
PRINT NAME

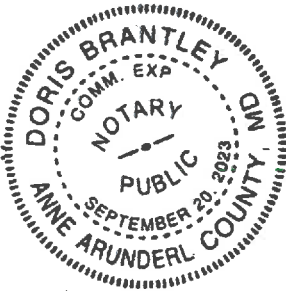
STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I HEREBY CERTIFY, that on this 1 day of April, 2022, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared

David Bradley Jackson, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Agreement and acknowledged that he/she executed the same for the purposes therein.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires:



[Signature]

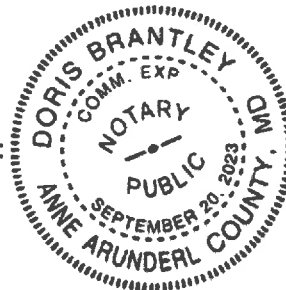
Notary Public

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I HEREBY CERTIFY, that on this 1 day of April, 2022, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared **Patricia Kay Hunter Jackson**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Agreement and acknowledged that he/she executed the same for the purposes therein.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires:



[Signature]

Notary Public


REVIEWED FOR FORM AND LEGAL SUFFICIENCY:

APPROVED FOR FORM AND LEGAL SUFFICIENCY
GREGORY J. SWAIN, COUNTY ATTORNEY

BY *[Signature]* Date 8/16/22

Lauren K. Troxell
Assistant County Attorney

ANNE ARUNDEL COUNTY, MARYLAND

By: 
Steve Kaii-Ziegler, AICP,
Planning & Zoning Officer
for Stuart Pittman, County Executive

STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I HEREBY CERTIFY, that on this 1th day of August, 2022, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared **STEVE KAII-ZIEGLER, AICP**, Planning and Zoning Officer for **STUART PITTMAN**, County Executive of Anne Arundel County, Maryland, a political subdivision of the State of Maryland, that he, on behalf of the County Executive, has been authorized to execute this Agreement for the purposes herein contained.

AS WITNESS my Hand and Notarial Seal.


Notary Public



My commission expires:

State of Maryland Land Instrument Intake Sheet

Baltimore City County ANNE ARUNDEL
Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.
(Type or Print in Black Ink Only--All Copies Must Be Legible)

1 Type(s) of Instruments
2 Conveyance Type Check Box
3 Tax Exemptions (if applicable)

4 Consideration and Tax Calculations
Consideration Amount
Purchase Price/Consideration
Any New Mortgage
Balance of Existing Mortgage
Other:
Full Cash Value:
Finance Office Use Only
Transfer and Recordation Tax Consideration
Transfer Tax Consideration
Less Exemption Amount
Total Transfer Tax
Recordation Tax Consideration
TOTAL DUE

5 Fees
Amount of Fees
Recording Charge
Surcharge
State Recordation Tax
State Transfer Tax
County Transfer Tax
Other
Other

6 Description of Property
SDAT requires submission of all applicable information.
A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

7 Transferred From
Doc. 1 - Grantor(s) Name(s)
Doc. 2 - Grantor(s) Name(s)
Doc. 1 - Owner(s) of Record, if Different from Grantor(s)
Doc. 2 - Owner(s) of Record, if Different from Grantor(s)

8 Transferred To
Doc. 1 - Grantee(s) Name(s)
Doc. 2 - Grantee(s) Name(s)
New Owner's (Grantee) Mailing Address

9 Other Names to Be Indexed
Doc. 1 - Additional Names to be Indexed (Optional)
Doc. 2 - Additional Names to be Indexed (Optional)

10 Contact/Mail Information
Instrument Submitted By or Contact Person
Name: ANNE ARUNDEL COUNTY
Firm: OFFICE OF PLANNING & ZONING - DEVELOPMENT DIVISION
Address: MS 6305
Phone: ()
Return to Contact Person
Hold for Pickup
Return Address Provided

11 IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER
Assessment Information
Will the property being conveyed be the grantee's principal residence?
Does transfer include personal property? If yes, identify:
Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).

Assessment Use Only - Do Not Write Below This Line
Terminal Verification
Agricultural Verification
Whole
Part
Tran. Process Verification
Transfer Number
Date Received:
Deed Reference:
Assigned Property No.:

REMARKS:

ANNE ARUNDEL COUNTY CIRCUIT COURT (Land Records) SAP 39106, p. 0119, MSA_CE59_39548. Date available 09/20/2022. Printed 12/23/2023.

Space Reserved for Circuit Court Clerk Recording Validation

Space Reserved for County Validation


APP. EXHIBIT# 8
CASE: 2024-0033-V
DATE: 4/30/24

Laurance Leonard, Jr.
1756 Severn Forest Drive
Annapolis, MD 21401

Jan. 10, 2024

To whom it may concern,

I do not object to the construction of the proposed garage on the Jackson's property next door at 1754 Severn Forest Dr.



01/13/2024

Laurence Leonard, Jr.

APP. EXHIBIT# 9
CASE: 2024-0033.v
DATE: 4/30/24

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

CASE NUMBER 2016-0186-V

DAVID B. JACKSON AND KARINA E. JACKSON

SECOND ASSESSMENT DISTRICT

DATE HEARD: SEPTEMBER 15, 2016

ORDERED BY:

DOUGLAS CLARK HOLLMANN
ADMINISTRATIVE HEARING OFFICER

PLANNER: **SARA ANZELMO**

DATE FILED: **OCTOBER 7, 2016**

PLEADINGS

David B. Jackson and Karina E. Jackson, the applicants, seek a variance (2016-0186-V) to allow an accessory structure (garage) with less setbacks than required and with disturbance to slopes 15% or greater on property located on the northwest side of Severn Forest Drive, northeast of Dellwood Court, Annapolis.

PUBLIC NOTIFICATION

The hearing notice was posted on the County's website in accordance with the County Code. The file contains the certification of mailing to community associations and interested persons. Each person designated in the application as owning land that is located within 175 feet of the property was notified by mail, sent to the address furnished with the application. The applicants testified that the property was posted for more than 14 days prior to the hearing. I find and conclude that there has been compliance with the notice requirements.

FINDINGS

A hearing was held on September 15, 2016, in which witnesses were sworn and the following evidence was presented with regard to the proposed variances requested by the applicants.

The Property

The applicants own the subject property, which has a street address of 1754 Severn Forest Drive, Annapolis, Maryland 21401. The subject property is identified as Parcel 86 in Block 9 on Tax Map 45 in the Severn Forest subdivision. This waterfront lot is zoned R1-Residential District and is designated in the

Chesapeake Bay Critical Area as limited development area (LDA). It is also mapped in a buffer modification area (BMA).

The Proposed Work

The applicants seek variances to construct a 24' by 24' detached garage that will be located 5 feet from the east side lot line and disturb 1,962 square feet of slopes 15% or greater as shown on the site plan admitted into evidence at the hearing as County Exhibit 2.

The Anne Arundel County Code

§ 18-13-104 requires that there shall be a minimum 100-foot buffer landward from the mean high-water line of tidal waters, tributary streams, and tidal wetlands. The 100-foot buffer is expanded beyond 100-feet to include contiguous sensitive areas, such as slopes of 15% or greater, and hydric soils and highly erodible soils whose development may impact streams, wetlands, or other aquatic environments. If there are contiguous slopes of 15% or greater, the buffer is expanded by the greater of 4 feet for every 1% of slope or to the top of the slope, and shall include all land within 50 feet of the top of the slopes.

§ 17-8-201 provides that development in the LDA may not occur within slopes of 15% or greater unless development will facilitate the stabilization of the slope or the disturbance is necessary to allow connection of a public utility.

§ 18-4-501 provides that the side lot line setbacks for an accessory structure in the R1 district shall be 15 feet.

The Variances Requested

The work proposed will require the following variances:

1. A critical area variance to the prohibition in § 17-8-201 against disturbance to **steep slopes** to disturb 1,962 square feet of steep slopes to construct the proposed garage as shown on County Exhibit 2; and
2. A zoning variance of ten (10) feet to the 15-foot side lot line setback requirements of § 18-4-501 to allow the garage to be constructed as close as 5 feet from the **east side lot line** as shown on County Exhibit 2.

The Evidence Submitted At The Hearing

Sara Anzelmo, a planner with the Office of Planning and Zoning (OPZ), testified in favor of granting the requested variances. The property is currently improved with a 1½ story single-family dwelling, a driveway, a walkway, and a pier. The subject property is pie-shaped, narrow, and undersized for the R1 district. Specifically, the 33,783 square foot lot size is less than the minimum 40,000 square foot area required; and, the lot width is less than the minimum 125 foot width at the front building restriction line.

The existing critical area lot coverage is 4,352 square feet, and the applicants propose to add 576 square feet of new lot coverage for the garage and 261 square feet for the increased driveway area. Therefore, the post-construction critical area lot coverage will be 5,189 square feet, which falls below the maximum 5,445 square feet allowed under § 17-8-402.

Ms. Anzelmo testified that the applicants' letter of explanation states that the garage is proposed in a location that will reduce its visual presence and that it will be positioned toward the lower end of the slope in order to minimize the disturbance to steep slopes. The applicants stated that the additional driveway area is needed in order to allow for sufficient turnaround area.

A review of the County 2016 aerial photograph shows a neighborhood consisting of irregularly shaped lots encumbered by steep slopes, and variances are fairly common along both sides of Saltworks Creek. The existing dwelling appears to have been constructed in 1991.

Ms. Anzelmo testified that the property was the subject of two prior variance applications. Approval was granted under Case No. 2003-0523-V to allow a dwelling addition with less setbacks and buffer than required and to allow a detached garage with less setbacks and with disturbance to slopes of 15% or greater. The dwelling was built but not the garage. Approval was also granted under Case No. 2005-0414-V to allow an extension in time for the previously approved variances.

The Department of Health does not have an approved plan for this project, but has no objection to the variance request as long as a plan is submitted and approved by the Department.

The Soil Conservation District has no objection to the variance request.

The Development Division (Critical Area Team) commented that development on the property would be difficult without the required approvals for

development in steep slopes. The proposed garage location is further from the shoreline than the existing improvements on the property and with minimal clearing proposed. The existing and proposed lot coverage amounts should be calculated separately for the LDA and the RCA and submitted at the time of building permit review.

The Critical Area Commission does not oppose the variance request, provided that the lot is properly grandfathered. Much of the site is encumbered by steep slopes, and the proposed garage location is further from the shoreline than the existing improvements. However, it does appear that impacts could be minimized by locating the garage closer to or partially covering the existing parking area. Should the Hearing Officer find that this request meets all of the required standards, mitigation must be provided in accordance with COMAR 27.01.09.01-2. Additionally, mitigation for clearing must be provided at a 1:1 ratio.

Ms. Anzelmo testified that the lot is pie-shaped, undersized, narrow, and encumbered by steep slopes; thus, construction of a garage of any size is impossible without relief from the Code. A literal interpretation of the County's critical area program will deprive the applicants of rights that are commonly enjoyed by other properties in similar areas by denying the right to construct a detached garage, which is a typical amenity within the surrounding neighborhood. The granting of the variances will not confer on the applicants any special privilege that would be denied by COMAR, Title 27. The variance requests are

not based on conditions or circumstances that are the result of actions by the applicants and do not arise from any condition relating to land or building use on any neighboring property. The granting of the variances will not adversely affect water quality or impact fish, wildlife or plant habitat and will be in harmony with the general spirit and intent of the County's critical area program. The applicants have overcome the presumption that the specific development does not conform to the general purpose and intent of the critical area law and have evaluated and implemented site planning alternatives.

With regard to the requirements for all variances, the requests are considered to be the minimum necessary to afford relief. The proposed 24' by 24' garage is typical in size, and the variances are unavoidable due to the presence of steep slopes and the narrowness of the lot. Approval of the variances will not alter the essential character of the neighborhood, as the garage will be constructed approximately 273 feet from the road and will be integrated with the natural landscape. Approval of the variances will not substantially impair the appropriate use or development of adjacent property, as the proposed garage will be located approximately 230 feet from the closest dwelling to the east and approximately 120 feet from the closest dwelling to the west. The variances will not reduce forest cover in the limited development area or resource conservation area, will not be contrary to acceptable clearing and replanting practices, and will not be detrimental to the public welfare.

Based upon the standards set forth in § 18-16-305 under which a variance may be granted, Ms. Anzelmo testified that OPZ recommends that the variances be approved.

The applicants were assisted at the hearing by their architect, Catherine Purple Cherry. Evidence was presented that the variances are unavoidable due to the presence of steep slopes and the narrowness of the lot. The size, shape, and necessity of the turnaround area in front of the garage was discussed at length, with the applicants contending that the space was needed to safely access the garage. See Applicants' Exhibit 1 which graphically shows the required turning movements and the need for the proposed space.

There was no other testimony taken or exhibits received in the matter. The Hearing Officer did not visit the property.

DECISION

State Requirements for Critical Area Variances

§ 8-1808(d)(2) of the Natural Resources Article, Annotated Code of Maryland, provides in subsection (ii), that “[i]n considering an application for a variance [to the critical area requirements], a local jurisdiction shall presume that the specific development in the critical area that is subject to the application and for which a variance is required does not conform to the general purpose and intent of this subtitle, regulations adopted under this subtitle, and the requirements of the jurisdiction’s program.”

The question of whether the applicants are entitled to the variances requested begins, therefore, with the understanding that, in addition to the other specific factors that must be considered, the applicants must overcome the presumption, “that the specific development in the critical area that is subject to the application ... does not conform to the general purpose and intent of [the critical area law].”¹ Furthermore, the applicants carry the burden of convincing the Hearing Officer “that the applicants have satisfied each one of the variance provisions.”² (Emphasis added.)

County Requirements for Critical Area Variances

§ 18-16-305(b) sets forth six separate requirements (in this case) that must be met for a variance to be issued for property in the critical area. They are (1) whether a denial of the requested variance would constitute an unwarranted hardship, (2) whether a denial of the requested variance would deprive the applicants of rights commonly enjoyed by other property owners, (3) whether granting the variance would confer a special privilege on the applicants, (4) whether the application arises from actions of the applicants, or from conditions or use on neighboring properties, (5) whether granting the application would not adversely affect the environment and be in harmony with the critical area program,

¹ § 8-1808(d)(2)(ii) of the Natural Resources Article. References to State law do not imply that the provisions of the County Code are being ignored or are not being enforced. If any difference exists between County law and State law, or if some State criteria were omitted from County law, State law would prevail. See, discussion on this subject in *Becker v. Anne Arundel County*, *supra*, 174 Md. App. at 135; 920 A.2d at 1131.

² § 8-1808(d)(4)(ii).

and (6) whether the applicants have overcome the presumption in Natural Resources Article, § 8-1808(d)(2)(ii), of the State law that the variance request should be denied.

Provided that an applicants meet the above requirements, a variance may not be granted unless six additional factors are found: (1) the variance is the minimum variance necessary to afford relief; (2) the granting of the variance will not alter the essential character of the neighborhood or district in which the lot is located; (3) the variance will not substantially impair the appropriate use or development of adjacent property; (4) the variance will not reduce forest cover in the limited development and resource conservation areas of the critical area; (5) the variance will not be contrary to acceptable clearing and replanting practices required for development in the critical area; or (6) the variance will not be detrimental to the public welfare.

The variances sought are variances from the critical area law (steep slopes) and from the zoning law (setback requirements). “[A number of requests in the *Becker* decision] were for variances from the stringent critical area law. The request for a variance from the setback, however, is a request under the more lenient general zoning requirements. As indicated above, the criteria for a general zoning variance and the criteria for a critical area variance are not the same.” *Becker v. Anne Arundel County, supra*, 174 Md. App. at 141: 920 A.2d at 1134.

Therefore, the critical area variances must be considered separately from the general zoning or setback variances.³ I will first analyze the facts in light of the requested critical area variances, and then analyze the facts in light of the zoning variance requested.

Findings - Critical Area Variance

Subsection (b)(1) - Unwarranted Hardship.

In *Becker v. Anne Arundel County*, *supra*, 174 Md. App. at 132-3; 920 A.2d at 1129, the Court of Special Appeals discussed the definition of unwarranted hardship found in § 8-1808(d)(1) of the Natural Resources Article in the State Code: “The amendment changed the definition of unwarranted hardship to mean that, ‘without a variance, an applicant would be denied reasonable and significant use of the entire parcel or lot for which the variance is requested.’” (Emphasis added.)

A garage is a typical amenity in similar communities such as Severn Forest. Denying the application would deny the applicants “reasonable and significant use of the entire parcel or lot for which the variances are requested.” The garage is located in the best location on the property considering the location of the proposed dwelling and the topography on the site. The runaround area is needed. Therefore, I find that the applicants **have met** the requirements of subsection (b)(1).

³ “We agree that the Board should have distinguished between the critical area variance and the setback variance.” *Becker v. Anne Arundel County*, *supra*, page 174 Md. App. at 141; 920 A.2d at 1134.

Subsection (b)(2) - Deprive Applicants Of Rights

I find that the applicants would be deprived of rights commonly enjoyed by other properties in similar areas as permitted in accordance with the provisions of the critical area program if the requested variances were denied. As noted above, a garage is a typical amenity in this community. Therefore, I find that the applicants **have met** the requirements of subsection (b)(2).

Subsection (b)(3) - Special Privilege

I further find that the granting of the requested critical area variance will not confer on the applicants any special privilege that would be denied by COMAR, 27.01, the County's critical area program, to other lands or structures within the County's critical area. Therefore, I find that the applicants **have met** the requirements of subsection (b)(3).

Subsection (b)(4) - Actions By Applicants Or Neighboring Property

I find that the requested critical area variance is not based on conditions or circumstances that are the result of actions by the applicants, including the commencement of development before an application for a variance was filed, and does not arise from any condition relating to land or building use on any neighboring property. Therefore, I find that the applicants **have met** the requirements of subsection (b)(4).

Subsection (b)(5) - Water Quality, Intent Of Critical Area Program

The granting of the requested critical area variance will not adversely affect water quality or adversely impact fish, wildlife or plant habitat within the

County's critical area or a bog protection area and will be in harmony with the general spirit and intent of the County's critical area program. The proposed work will be offset by mitigation that the applicants will undertake. The County and the applicants presented evidence that the proposed work will comport with this element of the law. Therefore, I find that the applicants **have met** the requirements of subsection (b)(5).

Subsection (b)(7) - § 8-1808(d)(2)(ii) Presumption

In *Becker v. Anne Arundel County*, *supra*, 174 Md. App. at 133; 920 A.2d at 1129, the Court of Special Appeals discussed the presumption found in § 8-1808(d)(2)(ii) of the Natural Resources Article: "The amendment also created a presumption that the use for which the variance was being requested was not in conformity with the purpose and intent of the critical area program."

I find that the applicants, by competent and substantial evidence, have overcome the presumption contained in the Natural Resources Article, § 8-1808(d)(2), of the State Code [which is incorporated into § 18-16-305 subsection (b)(2)] for the reasons set forth above, and because I find that the applicants would be denied reasonable and significant use of the entire parcel or lot for which the critical area variance is requested if the proposed work was not allowed.

Requirements for Zoning Variances

§ 18-16-305 sets forth the requirements for granting a zoning variance. Subsection (a) reads, in part, as follows: a variance may be granted if the Administrative Hearing Officer finds that practical difficulties or unnecessary

hardships prevent conformance with the strict letter of this article, provided the spirit of law is observed, public safety secured, and substantial justice done. A variance may be granted only if the Administrative Hearing Officer makes the following affirmative findings:

- (1) Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article; or
- (2) Because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.

The variance process for subsection (1) above is a two-step process. The first step requires a finding that special conditions or circumstances exist that are peculiar to the land or structure at issue which requires a finding that the property whereupon the structures are to be placed or use conducted is unique and unusual in a manner different from the nature of the surrounding properties. The second part of the test is whether the uniqueness and peculiarity of the property causes the zoning provisions to have a disproportionate impact upon the subject property causing the owner a practical difficulty or unnecessary hardship. “Uniqueness” requires that the subject property have an inherent characteristic not shared by other properties in the area. *Trinity Assembly of God of Baltimore City, Inc. v.*

People's Counsel for Baltimore County, 178 Md. App. 232, 941 A.2d 560 (2008); *Umerley v. People's Counsel for Baltimore County*, 108 Md. App. 497, 672 A.2d 173 (1996); *North v. St. Mary's County*, 99 Md. App. 502, 638 A.2d 1175 (1994), cert. denied, 336 Md. 224, 647 A.2d 444 (1994).

The variance process for subsection (2) - practical difficulties or unnecessary hardship - is simpler. A determination must be made that, because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship, and to enable the applicants to develop the lot.

Findings - Zoning Variance

The subject property and improvements are unique. The lot is an odd shape. Steep slopes and the buffer cover the entire property, thus requiring a variance to build the garage. Shifting the garage 10 feet to the west would create an unworkable situation regarding access and the proposed turnaround shown on County Exhibit 2. Therefore, I find, based upon the evidence, that because of the unique physical conditions, peculiar to and inherent in the subject property, as set forth above, there is no reasonable possibility of developing the lot in strict conformance with the Code.

I further find that the requested critical area and zoning variances are the minimum variances necessary to afford relief, that the granting of the variances will not alter the essential character of the neighborhood or district in which the lot is located, substantially impair the appropriate use or development of adjacent

property, reduce forest cover in the limited development and resource conservation areas of the critical area, be contrary to acceptable clearing and replanting practices required for development in the critical area, or be detrimental to the public welfare.

ORDER

PURSUANT to the application of David B. Jackson and Karina E. Jackson, petitioning for a variance to allow an accessory structure (garage) with less setbacks than required and with disturbance to slopes 15% or greater; and

PURSUANT to the notice, posting of the property, and public hearing and in accordance with the provisions of law, it is this **7th day of October, 2016,**

ORDERED, by the Administrative Hearing Officer of Anne Arundel County, that the applicants are hereby **granted**:

1. A critical area variance to the prohibition in § 17-8-201 against disturbance to **steep slopes** to disturb 1,962 square feet of steep slopes to construct the proposed garage in the location shown on County Exhibit 2; and
2. A zoning variance of ten (10) feet to the 15-foot side lot line setback requirements of § 18-4-501 to allow the garage to be constructed as close as 5 feet from the **east side lot line** as shown on County Exhibit 2.

Furthermore, County Exhibit 2, referenced in this decision, is incorporated herein as if fully set forth and made a part of this Order. The proposed improvements shown on County Exhibit 2 shall be constructed on the subject property in the locations shown.

The foregoing variances are subject to the applicants complying with any instructions and necessary approvals from the Permit Center, the Department of Health, and/or the Critical Area Commission.



Douglas Clark Hollmann
Administrative Hearing Officer

NOTICE TO APPLICANTS

This Order does not constitute a building permit. In order for the applicants to construct the structures permitted in this decision, the applicants must apply for and obtain the necessary building permits, along with any other approvals required to perform the work described herein.

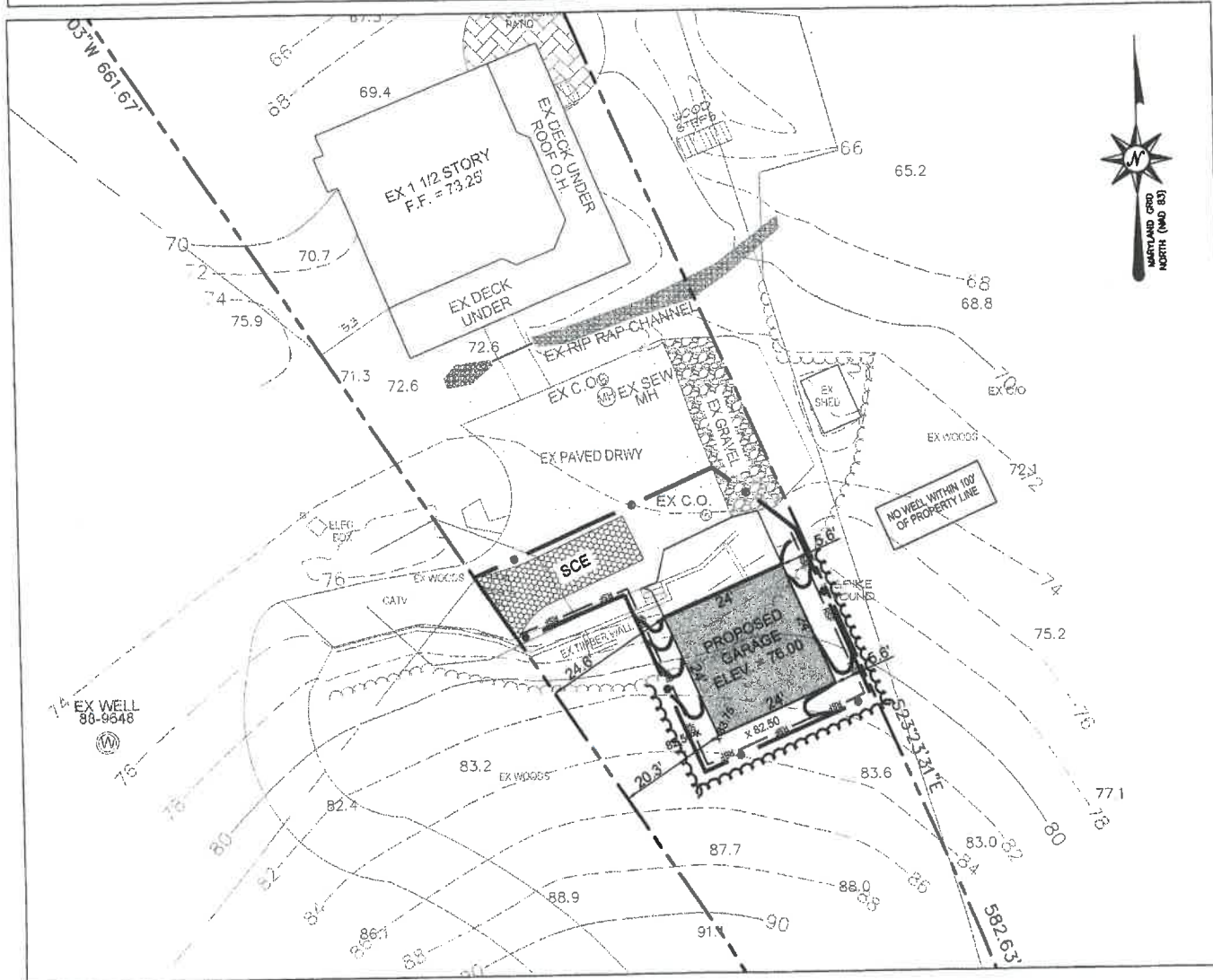
Any person, firm, corporation, or governmental agency having an interest in this Decision and aggrieved thereby may file a Notice of Appeal with the County Board of Appeals within thirty (30) days from the date of this Decision. **A permit for the activity that was the subject of this variance application will not be issued until the appeal period has elapsed.**

Further, § 18-16-405(a) provides that a variance or special exception that is not extended or tolled **expires by operation of law** unless the applicants **within 18 months** of the granting of the variance or special exception (1) obtain a building permit or (2) files an application for subdivision. Thereafter, the variance or special exception shall not expire so long as (1) construction proceeds in accordance with the permit or (2) a record plat is recorded among the land records pursuant to the application for subdivision, the applicants obtain a building permit within one year after recordation of the plat, and construction proceeds in accordance with the permit.

If this case is not appealed, exhibits must be claimed within 60 days of the date of this Order, otherwise they will be discarded.

- EX GRAVEL DRIVEWAY = 350 SQ. FT. ±
- EX PAVED DRIVEWAY = 1,983 SQ. FT. ±
- EX FLAGSTONE PATIO = 309 SQ. FT. ±
- PROPOSED GARAGE = 576 SQ. FT. ±

TOTAL EXISTING IMPERVIOUS = 5,189 SQ. FT. ±



VARIANCE PLAN

SCALE: 1" = 20'

CALL "MISS UTILITY"
 TELEPHONE 1-800-257-7777
 FOR UTILITY LOCATION AT
 LEAST 48 HOURS BEFORE
 BEGINNING CONSTRUCTION.

10/08

CO. EXHIBIT#: ↓
CASE: 2016-186-V
DATE: 09/15/16

FINDINGS AND RECOMMENDATION
OFFICE OF PLANNING AND ZONING
ANNE ARUNDEL COUNTY, MARYLAND

APPLICANT: David & Karina Jackson

ASSESSMENT DISTRICT: 2nd

CASE NUMBER: 2016-0186-V

COUNCILMANIC DISTRICT: 6th

HEARING DATE: September 15, 2016

PREPARED BY: Sara Anzelmo
Planner

REQUEST

The applicants are requesting a variance to allow an accessory structure (garage) with less setbacks than required and with disturbance to slopes of 15% or greater on property located at 1754 Severn Forest Drive in Annapolis.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 33,783¹ square feet of land and is located with 16 feet of frontage on the northwest side of Severn Forest Drive, 314 feet northeast of Dellwood Court. It is identified as Parcel 86 in Block 9 on Tax Map 45 in the Severn Forest subdivision.

The property is zoned R1 – Residential District, as adopted by the comprehensive rezoning for Councilmanic District 6 zoning maps, effective October 7, 2011.

This site is a waterfront lot located on Saltworks Creek that lies entirely within the Chesapeake Bay Critical Area overlay. The vast majority is designated as LDA – Limited Development Area, while a small sliver of the southern point is designated as RCA – Resource Conservation Area. It is also mapped as a BMA – Buffer Modification Area.

The property is currently improved with a 1 ½ story single-family detached dwelling, a driveway, a walkway, and a pier.

APPLICANT'S PROPOSAL

The applicants seek approval to construct a detached two-car garage measuring 24 feet by 24 feet.

REQUESTED VARIANCES

§ 17-8-201(a) of the Anne Arundel County Subdivision and Development Code stipulates that development in the limited development area (LDA) may not occur within slopes of 15% or greater unless development will facilitate stabilization of the slope, is to allow connection to a public utility, or is to provide direct access to the shoreline. The proposed garage will be located within an area of slopes of 15% or greater, necessitating a variance to disturb 1,962 square feet.

¹ The variance application shows 33,976 square feet of land area, while the site plan shows 33,783 square feet. This Office relied on the number presented on the site plan for the purpose of this review.

§ 18-4-501 of the Zoning Code stipulates that an accessory structure eight feet in height or greater shall be located a minimum of 15 feet² from each side lot line. The proposed garage will be located 5.6 feet from the east side lot line, necessitating a variance of 10 feet.

FINDINGS

The subject property is pie-shaped, narrow, and undersized for the R1 District. Specifically, the 33,783 square foot lot size is less than the minimum 40,000 square foot area required; and, the lot width is less than the minimum 125 foot width at the front building restriction line.

The existing critical area lot coverage is 4,352 square feet, and the applicants propose to add 576 square feet of new lot coverage for the garage and 261 square feet for the increased driveway area. Therefore, the post-construction critical area lot coverage will be 5,189 square feet, which falls below the maximum 5,445 square feet allowed under § 17-8-402 of the Code.

The applicants' letter explains that the garage is proposed in a location that will reduce its visual presence and that it will be positioned toward the lower end of the slope in order to minimize the disturbance to steep slopes. The applicant also attests that the additional driveway area is needed in order to allow for sufficient turnaround area.

A review of the County 2016 aerial photograph shows a neighborhood consisting of irregularly shaped lots encumbered by steep slopes, and variances are fairly common along both sides of Saltworks Creek. According to State tax records, the existing dwelling was constructed in 1991.

The property was the subject of two prior variance applications. Approval was granted under case #2003-0523-V to allow a dwelling addition with less setbacks and buffer than required and to allow a detached garage with less setbacks and with disturbance to slopes of 15% or greater. Approval was also granted under case #2005-0414-V to allow an extension in time for the previously approved variances. However, a review of historical County aerial photographs shows that the detached garage was never constructed.

The **Health Department** does not have an approved plan for this project, but has no objection to the variance request as long as a plan is submitted and approved by the Department.

The **Soil Conservation District** has no objection to the variance request.

The **Development Division (Critical Area Team)** commented that development on the property would be difficult without the required approvals for development in steep slopes. The proposed garage location is further from the shoreline than the existing improvements on the property and with minimal clearing proposed. The existing and proposed lot coverage amounts should be calculated separately for the LDA and the RCA and submitted at the time of building permit review. If granted, the mitigation would be based on the area of the slope disturbance at a 3:1 ratio. Additional mitigation may be assessed and a request for a Modification to Article 17-6-403 will be required at the time of building permit review.

2 § 18-2-301(f) of the Code provides reduced setbacks for the expansion of a single-family detached dwelling on a nonconforming lot that does not meet the area or width requirements of the Code. However, the Code is silent with regard to accessory structures on nonconforming lots. Therefore, the variance is based on the minimum 15-foot side setback requirement found in § 18-4-501 of the Code.

The **Critical Area Commission** does not oppose the variance request, provided that the lot is properly grandfathered. Much of the site is encumbered by steep slopes, and the proposed garage location is further from the shoreline than the existing improvements. However, it does appear that impacts could be minimized by locating the garage closer to or partially covering the existing parking area. Should the Hearing Officer find that this request meets all of the required standards, mitigation must be provided in accordance with COMAR 27.01.09.01-2. Additionally, mitigation for clearing must be provided at a 1:1 ratio.

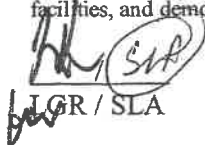
For the granting of a critical area variance, a determination must be made as to whether because of certain unique physical conditions peculiar to and inherent in the particular lot, strict implementation of the County's critical area program would result in an unwarranted hardship. In this case, the lot is pie-shaped, undersized, narrow, and encumbered by steep slopes; thus, construction of a garage of any size is impossible without relief from the Code. A literal interpretation of the County's critical area program will deprive the applicants of rights that are commonly enjoyed by other properties in similar areas by denying the right to construct a detached garage, which is a typical amenity within the surrounding neighborhood. The granting of the variances will not confer on the applicants any special privilege that would be denied by COMAR, Title 27. The variance requests are not based on conditions or circumstances that are the result of actions by the applicants and do not arise from any condition relating to land or building use on any neighboring property. The granting of the variances will not adversely affect water quality or impact fish, wildlife or plant habitat and will be in harmony with the general spirit and intent of the County's critical area program. The applicants have overcome the presumption that the specific development does not conform to the general purpose and intent of the critical area law and have evaluated and implemented site planning alternatives.

With regard to the requirements for all variances, the requests are considered to be the minimum necessary to afford relief. The proposed 24-foot by 24-foot garage is typical in size, and the variances are unavoidable due to the presence of steep slopes and the narrowness of the lot. Approval of the variances will not alter the essential character of the neighborhood, as the garage will be constructed approximately 273 feet from the road and will be integrated with the natural landscape. Approval of the variances will not substantially impair the appropriate use or development of adjacent property, as the proposed garage will be located approximately 230 feet from the closest dwelling to the east and approximately 120 feet from the closest dwelling to the west. The variances will not reduce forest cover in the limited development area or resource conservation area, will not be contrary to acceptable clearing and replanting practices, and will not be detrimental to the public welfare.

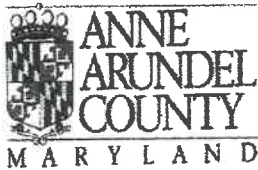
RECOMMENDATION

Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends ***approval*** of a critical area variance to § 17-8-201(a) to allow construction of a 24-foot by 24-foot detached garage and driveway with 1,962 square feet of disturbance to slopes of 15% or greater. Additionally, this Office recommends ***approval*** of a zoning variance to § 18-4-501 of 10 feet to the minimum 15 foot side setback requirement to allow the proposed garage to be constructed 5.6' from the east side lot line as shown on the site plan submitted by the applicant.

This recommendation does not constitute a building permit. In order for the applicant(s) to construct the structure(s) as proposed, the applicant(s) shall apply for and obtain the necessary building permits and obtain any other approvals required to perform the work described herein. This includes but is not limited to verifying the legal status of the lot, resolving adequacy of public facilities, and demonstrating compliance with environmental site design criteria.

 JGR / SLA

For Office Use Only
 CASE # 2016-0186-V
 FEE PAID 250-
 DATE 7/21/16



For Office Use Only
 ZONE R1
 CRITICAL AREA: IDA ___ LDA X RCA X
 BMA: Yes X No ___
 NO. OF SIGNS 2

VARIANCE APPLICATION

NOTE: This form can be downloaded to your computer and filled out utilizing Adobe Reader (or similar product). It can also be printed and filled out by hand.

Applicant(s): David and Karina Jackson
 (Applicant must have a financial, contractual, or proprietary interest in the property)

Property Address: 1754 Severn Forest Drive

Property Location: 300 ± feet of frontage on the (NW) side of Severn Forest Drive ;
(Enter Street Name)
314
650 ± feet (NE) of (Nearest intersecting street) Dellwood Ct .
(Enter Street Name)

12-digit Tax Account Number 02-000-90041137 Tax District (2) Council District (6)

Waterfront Lot: Y N Corner Lot: Y N Deed Title Reference 29605/00259

Zoning District R-1 Lot # _____ Tax Map 0045 Block/Grid 0009 Parcel 0086

Area 33,976 (Sq Ft, or Acres) Subdivision Name _____

Description of Proposed Project and Variance Requested (Brief, detail fully in letter of explanation)

Requesting two variances: (1) reduction in side yard setback and (2) construction in the steep slopes.

Construction will be a new 24x24 detached garage in steep slopes that is 5' from the east property line.

The applicant hereby certifies that he or she has a financial, contractual, or proprietary interest in the property; that he or she is authorized to make this application; that the information shown on this application is correct; and that he or she will comply with all applicable regulations of Anne Arundel County, Maryland.

Applicant's Signature [Signature] Owner's Signature [Signature]

Print Name David and Karina Jackson Print Name David and Karina Jackson

Mailing Address 626 C Admiral Dr. 201 Mailing Address 626 C Admiral Dr. 201

City, State, Zip Annapolis, MD 21401 City, State, Zip Annapolis, MD 21401

Phone 908-988-0226 Phone 908-988-0226
(Work) (Home) (Work) (Home)

Cell Phone _____ Cell Phone _____

Email Address davidbjackson916@gmail.com Email Address davidbjackson916@gmail.com

***** Below For Office Use Only *****

Application accepted by Anne Arundel County Office of Planning and Zoning: [Signature] 7/25/16
Initials Date

Variance to allow an accessory structure (garage) with less setbacks than required and with disturbance to slopes of 15% or greater

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor



CO. EXHIBIT#:
CASE: 2016-186-V
DATE: 09/15/16

Charles C. Deegan
Chairman
Katherine Charbonneau
Acting Executive Director

STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS
1804 West Street, Suite 100, Annapolis, Maryland 21401
(410) 260-3460 Fax: (410) 974-5338
www.dnr.state.md.us/criticalarea/

August 17, 2016

Ms. Lori Rhödes
Anne Arundel County
Office of Planning and Zoning
2664 Riva Road, MS 6301
Annapolis, Maryland 21401

Re: Variance Case # 2016-0186-V; Jackson, David & Karina

Dear Ms. Rhodes:

Thank you for submitting information regarding the variance request referenced above. The applicants request a variance to allow an accessory structure (garage) with less setbacks than required and with disturbance to slopes greater than 15%. The property is a 0.776 acre waterfront lot within the Limited Development Area (LDA) and Resource Conservation Area (RCA) and is grandfathered and designated as a Buffer Exempt Area (BMA). The site is improved with a single family dwelling, deck, patio, paved driveway and timber retaining wall. The applicants' proposal includes constructing a 24 ft by 24 ft garage in steep slopes of 15%, south of the existing driveway. Forest clearing in the amount of 694 square feet is required for the proposed project.

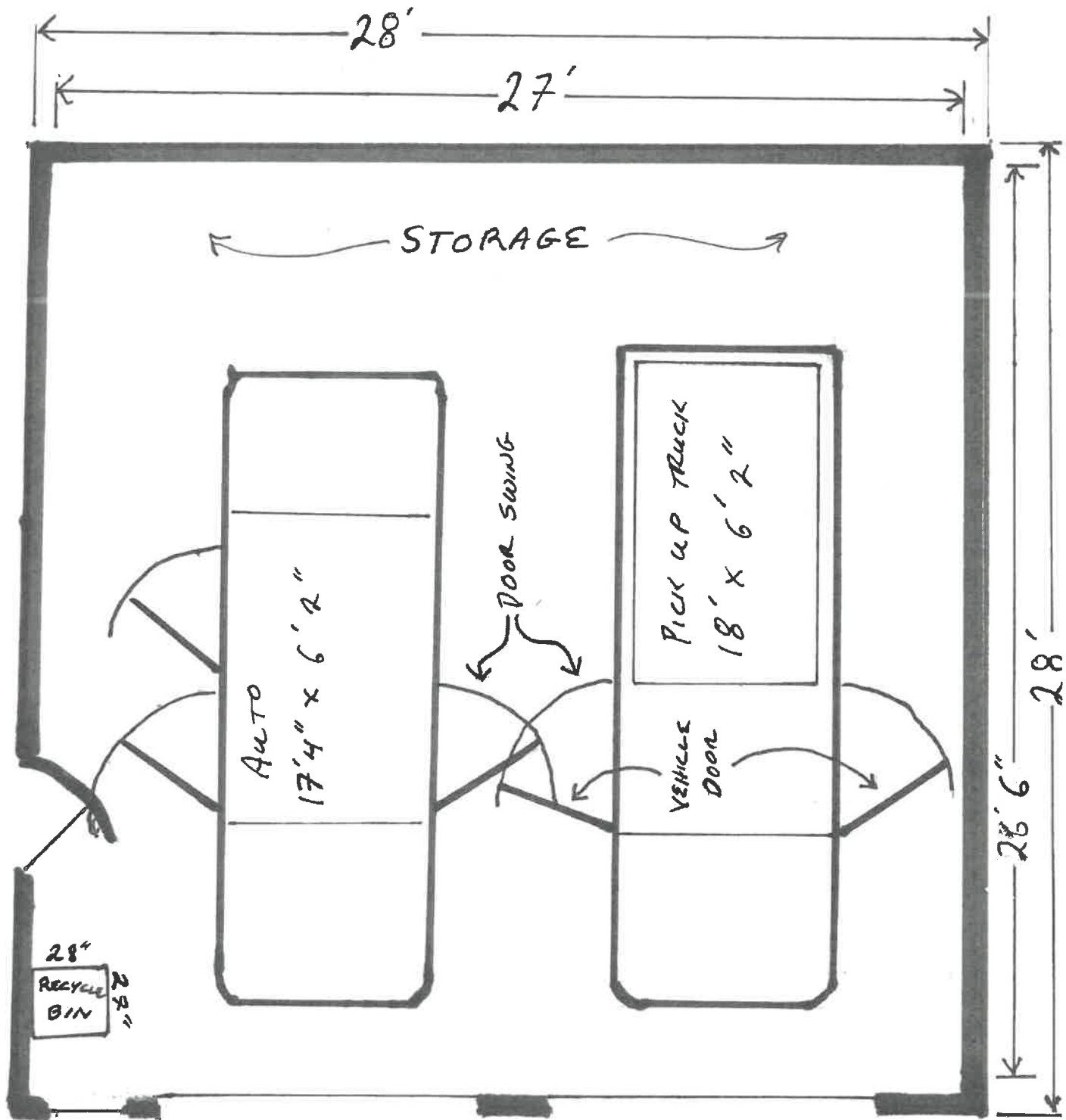
Provided that the lot is properly grandfathered, we do not oppose this variance request. Much of the site is encumbered with steep slopes, and the proposed garage location is further from the shoreline than existing improvements. However, it does appear that impacts could be minimized by locating the garage closer to or partially covering the existing parking area. Should the Hearing Officer find that this request meets all of the required standards, mitigation must be provided in accordance with COMAR 27.01.09.01-2. Additionally, mitigation for clearing must be provided at a 1:1 ratio.

Please include this letter in your file and submit it as part of the record for the variance. Please notify the Commission of the decision made in this case. If you have any questions, please contact me at (410) 260-3479.

Sincerely,

Alexandra DeWeese
Alex DeWeese
Natural Resources Planner
ADW/jjd

File: AA 527-16



JACKSON GARAGE APRIL 25, 2024

APP. EXHIBIT# 10
 CASE: 2024-0033-V
 DATE: 4/30/24



APP. EXHIBIT# 11
CASE: 2024-0033-V
DATE: 4/30/24









APP. EXHIBIT# 12
CASE: 2024-0033-V
DATE: 4/30/24

FINDINGS AND RECOMMENDATIONS
OFFICE OF PLANNING AND ZONING
ANNE ARUNDEL COUNTY, MARYLAND

APPLICANT: John M. Powell, Jr.

ASSESSMENT DISTRICT: 1st

CASE NUMBER: 2023-0174-V

COUNCILMANIC DISTRICT: 7th

HEARING DATE: April 30, 2024

PREPARED BY: Sara Anzelmo 
Planner

REQUEST

The applicant is requesting variances to allow a dwelling and associated facilities with less setbacks and buffer than required and with disturbance to slopes of 15% or greater on property located at 23 Leeland Road in Edgewater.

LOCATION AND DESCRIPTION OF SITE

The subject property consists of 2.337¹ acres of land and is located on the southwest side of Leeland Road, southeast of Slama Road. It is identified as Parcel 274 in Grid 7 on Tax Map 56.

The property is zoned R1 – Residential District, as adopted by the comprehensive zoning for Council District 7, effective October 7, 2011. The site fronts Warehouse Creek, is located within the Chesapeake Bay Critical Area overlay, and is designated as LDA – Limited Development Area. The shoreline abutting this property is not mapped as buffer modified and is subject to the standard buffer regulations. The property is currently improved with a shed and asphalt paving.

PROPOSAL

The applicant proposes to construct a two-story dwelling, measuring approximately 40’ by 45’ (1,800 square foot footprint), with an integrated two-car garage and an 8’ by 12’ rear bump-out. The height of the proposed dwelling would be 34 feet.

REQUESTED VARIANCES

§ 18-13-104(a) of the Anne Arundel County Zoning Code requires that there shall be a minimum 100-foot buffer landward from the mean high-water line of tidal waters, tributary streams, and tidal wetlands. § 18-13-104(b) provides for an expanded buffer where there are, among other things, steep slopes. Section 17-8-301 of the Subdivision Code states that development on properties containing buffers shall meet the requirements of Title 27 of the State Code of Maryland (COMAR). Section 27.01.01(B)(8)(ii) of COMAR states a buffer exists “to protect a stream, tidal wetland, tidal waters, or terrestrial environment from human disturbance.” Section 27.01.09 E.(1)(a)(ii) of COMAR authorizes disturbance to the buffer for a new development

¹ There is a discrepancy between the 2.337 acre lot area shown on the site plan and Critical Area Project Notification, the 2.31 acre area shown on the SDAT record, and the 2.26 acre area shown on the variance application form.

activity or redevelopment activity by variance. The proposed development would necessitate a variance to disturb an unspecified area of the expanded buffer. If approved, the actual amount of buffer disturbance would be determined at the time of permitting.

§ 17-8-201(a) of the Subdivision and Development Code provides that development in the Limited Development Area (LDA) may not occur within slopes of 15% or greater unless development will facilitate stabilization of the slope; is to allow connection to a public utility; or is to provide direct access to the shoreline. The proposed development would necessitate a variance to disturb an unspecified area of slopes of 15% or greater. If approved, the amount of slope disturbance would be determined at the time of permitting.

A review of the bulk regulations required for development within an R1 District reveals that a setback variance is not necessary.

FINDINGS

The subject site far exceeds the minimum area and width requirements for an R1 District. The proposed critical area lot coverage would be 4,259 square feet, which falls well below the maximum 15,270 square feet (15%) allowed.

The **Office of Inspections and Permits (Engineering Division)** noted that stormwater management will be addressed through rain gardens and non-rooftop disconnection. The stormwater management utility/Engineering design review approval for the site shall occur at the grading permit stage. The Department has no objection to the proposed variance.

The **Department of Health** has reviewed the on-site sewage disposal and well water supply system and has determined that the proposed request does not adversely affect these systems. The Department has no objection to the proposed variance.

The **Development Division (Critical Area Team)** noted that mitigation will be assessed with the applicable permit applications. The Team has no objection to the proposed variance.

The **Critical Area Commission** took no position on the variance request, but noted that appropriate mitigation is required.

The **Cultural Resources Section** commented that, per Article 17-6-502, their Office requires an archaeology site visit to complete this review. This site visit can be scheduled and completed during grading permit review.

For the granting of a Critical Area variance, a determination must be made as to whether, because of certain unique physical conditions peculiar to and inherent in the particular property, strict implementation of the County's Critical Area Program would result in an unwarranted hardship. In this case, the property is subject to standard buffer/expanded buffer requirements; and, there are steep slopes located sporadically throughout the lot. The location of the slopes throughout the site and the expanded buffer prevents development without some steep slope and buffer disturbance. As such, a literal interpretation of the County's Critical Area Program would deprive the applicant of rights that are commonly enjoyed by other properties in similar areas by denying construction of a dwelling on an existing residentially zoned lot.

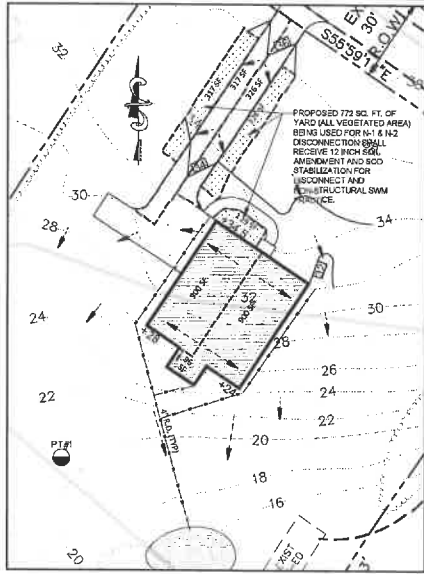
The granting of a critical area variance would not confer on the applicant a special privilege that would be denied by COMAR, Title 27. The variance request is not based on conditions or circumstances that are the result of actions by the applicant and does not arise from any condition relating to land or building use on any neighboring property. With proper mitigation and stormwater management, the granting of the variance would not adversely affect water quality or impact fish, wildlife, or plant habitat and would be in harmony with the general spirit and intent of the County's Critical Area Program. After initially receiving negative comments for a previously submitted variance proposal, the applicant has worked with the Health Department and the Engineering Division to design an alternative development proposal to address their prior concerns. As such, the applicant has evaluated and implemented site planning alternatives.

With regard to the requirements for all variances, approval would not alter the essential character of the neighborhood, substantially impair the appropriate use or development of adjacent property, reduce forest cover in the limited development area, be contrary to acceptable clearing and replanting practices, or be detrimental to the public welfare. The proposed dwelling size is not considered to be excessive, and the requested variance is deemed to be the minimum necessary to afford relief.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends **approval** of critical area variances to § 17-8-301 and § 17-8-201(a) to allow construction of a two-story single-family dwelling and associated facilities with less buffer than required and with disturbance to slopes of 15% or greater.

DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant to construct the structure(s) as proposed, the applicant shall apply for and obtain the necessary building permits, and obtain any other approvals required to perform the work described herein. This includes but is not limited to verifying the legal status of the lot, resolving adequacy of public facilities, and demonstrating compliance with environmental site design criteria.

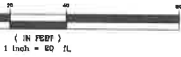


MICRO DRAINAGE AREA MAP

SCALE: 1" = 20'

LEGEND

GRAPHIC SCALE



ESDv COMPUTATIONS:

A1. ESDv DETERMINATION (SITE):

1. SITE AREA: 101,800 SQ.FT.
2. SOILS: HSG B/C
3. LOT COVER: 2,094 SQ.FT., 2.05%
4. Per: 1.0
5. Rv: $0.05 + (0.009 \times 2.05) = 0.0734$
6. De: $1.0 \times 0.0734 = 0.0734$
7. ESDv: $(101,800 \times 0.0734) / 12 = 623$ CU.FT.

A2. ESDv DETERMINATION (LDS):

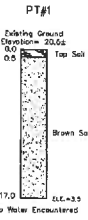
1. LDC AREA: 13,186 SQ.FT.
2. SOILS: HSG B/C
3. LOT COVER: 2,684 SQ.FT., 28.3%
4. Per: 1.5
5. Rv: $0.05 + (0.009 \times 28.3) = 0.3047$
6. De: $1.0 \times 0.3047 = 0.3047$
7. ESDv: $(13,186 \times 0.3047) / 12 = 535$ CU.FT.

A2. ESDv DETERMINATION (PEAK MANAGEMENT - 10 YEAR - RCN REDUCTION):

1. ESDv SUMMARY AND COMPUTATIONS = 711 CU.FT.
2. SEE RCN REDUCTION COMPUTATION IN SWM REPORT.

B. ESDv COMPLIANCE:

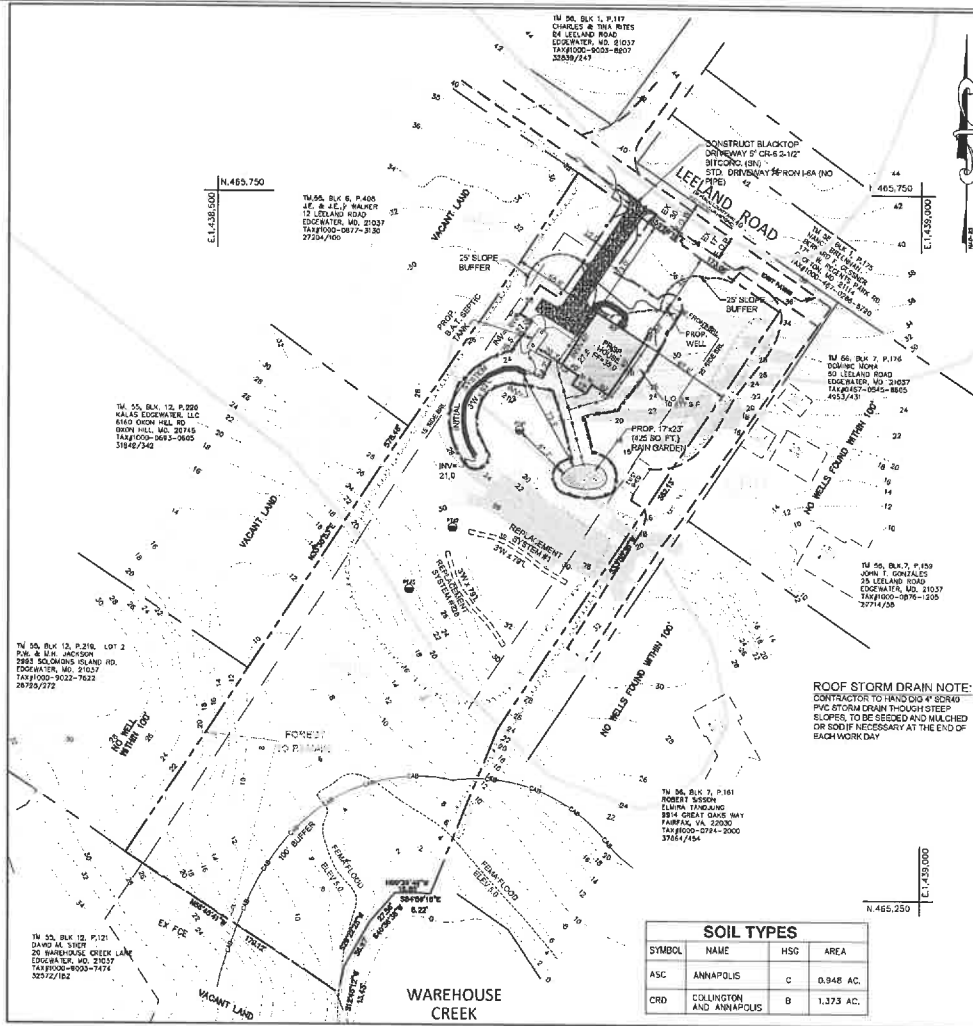
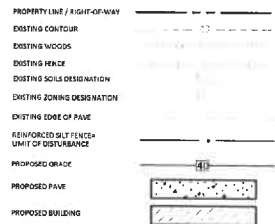
1. NEED 426 CU.FT. ESDv
2. THE ROOF OF THE SUBJECT HOUSE IS 1,896 SQ.FT.
3. 1,896 SQ. FT. OF THE ROOF AREA WILL DRAIN TO (N-7) R.G. VIA SHEET PILE FOLLOWING NATURAL DRAINAGE PATHS TO PROPOSED RAINGARDEN.
4. 542 + 445 = 975 SQ. FT. OF DRIVEWAY, WALK AND STOOP TO N-2 DISCONNECT.
5. THE TOTAL 1" ESD CREDIT FOR 1,896 SQ.FT. ROOF = $(1,896 \times 0.95) / 12 = 150$ CU.FT. THE 2.7" MAX TOTAL CREDIT FOR 1,896 SQ.FT. = 405 CU.FT.
6. THE RAINGARDEN WILL BE CONSTRUCTED WITH 32" SOILS DEPTH AND 4" SURFACE DEPTH. EACH WILL PROVIDE 1.6 CU.FT. OF TREATMENT FOR EACH SQ.FT. OF SURFACE AREA.
7. PROP#1 (17' WIDE X 25' LONG (INSIDE DIMENSIONS)) = 425 SQ.FT. = 680 CU.FT. ESD (CAPACITY) WILL TREAT ALL 1,896 SQ.FT. OF ROOF OF THE HOUSE AND PORCH. THEREFORE, THE ESD CREDIT ACHIEVED AT PROP#1 = 680 CU.FT.
8. ALSO THE 326 X 317 SQ.FT. OF DRIVEWAY AND 129 SQ.FT. WALKWAY WILL DRAIN TO THE VEGETATED FRONT YARD FOR THE N-2 ESD CREDIT. CREDIT ACHIEVED = $(326 \times 317 + 129 \times 35) / 12 = 61$ CU.FT.
9. THEREFORE, THE GRAND TOTAL OF (N-7) AND (N-2) CREDITS FOR THE SUBJECT SITE = $680 + 61 = 741$ CU.FT. WHICH COMPLETELY ADDRESSES THE REQUIRED 623 CU.FT. ESDv AND MEETS REQUIREMENTS OF 711 CU. FT. FOR PEAK MANAGEMENT - 10 YEAR - RCN REDUCTION



PERC. TEST LOG

n.t.s.

LEGEND



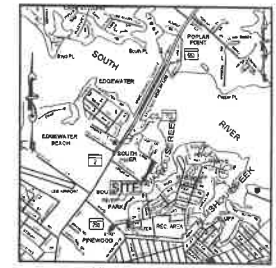
GRADING PLAN

SCALE: 1" = 40'

GRAPHIC SCALE



SOIL TYPES			
SYMBOL	NAME	HSG	AREA
ASC	ANNAPOLIS	C	0.948 AC.
CRD	COLLINGTON AND ANNAPOLIS	B	1.373 AC.



VICINITY MAP

SCALE: 1" = 2,000'

GENERAL NOTES

1. ZONING: R-1
2. SETBACKS: FRONT: 40' REAR: 30' SIDE: 10' SIDE STREET: 40'
3. PREDOMINANT SOIL TYPE: SUB. A/JA, ANNAPOLIS, "C" AND "D" "2"
4. TOTAL AREA OF SITE: 101,800 SQ. FT., 2.87 ACRES
5. PROPOSED DISTURBED AREA: 1,616 SQ. FT., 0.016 ACRES
6. A. COUNTY TOPO SHEET: BA
7. F.E.M.A. FLOOD MAP: 340000231 / ZONE X & B AT ELEV 8.0
8. HAS LOT 65 PARTLY IN THE 100 YEAR FLOOD AREA
9. HAS PLAN WAS PREPARED FROM REED DESIGNSHIP / FORMER SURVEY BY OTHERS: J.A.A. COUNTY PUBLIC RECORDS / INFORMATION OBTAIN BY THE CLIENT AND FIELD VERIFICATION BY ROCCO ENTERPRISES, LLC IN APR 2023
10. PRIVATE WATER
11. PRIVATE SEWER
12. EXISTING SUPERNOUS: 859 SQ.FT. OF 6.016 AC. (0.08)
13. PROPOSED SUPERNOUS: 3,600 SQ.FT.
14. TOTAL SUPERNOUS POST CONSTRUCTION: 4,459 SQ.FT. OR 0.076 AC. (1.2%)
15. WATER MASTER PLAN N-8. WATER SERVICE AREA 210. PLANNED PUBLIC SERVICE
16. SEWER MASTER PLAN N-8. SEWER SERVICE AREA ANNAPOLIS 204. PLANNED PUBLIC SERVICE
17. BENCHMARK: A.C.D. MON. TJA-C. N. 486.507.301, E. 1,437.808.054, ELEV. 42.92, NSD 23
18. SITE IS IN THE L.D.A. CRITICAL AREA
19. SITE IS NOT IN A ZONE OF HIGH IMPACT AREA

Variance Request
Allow disturbance of slopes 15% or greater in LDA-17-8-201 (a), also, variance to section 18-13-104 (a) to allow disturbance to the expanded buffer.

The applicant proposes to construct a new single-family detached home at 23 Leeland Road. The house will be served by a private well and septic. The site is in the L.D.A.-designated section within the unincorporated area of Anne Arundel County. The applicant is proposing disturbance to steep slopes and buffers. The existing lot has an existing stone on some portion areas occupying 500 sq. ft. The proposed coverage is 3,736 sq. ft.

CRITICAL AREA TABULATION:

Parcel Information: 2023-0174-V

Total Site Area = 101,800 Square Feet (2.87 Acres)

Total Existing Area = 2,180 Square Feet (0.020 Acres) (Including 1,896 Square Feet of Forest and Other Woody Plants (Shrubs and Undergrowth) Including Forests That Have Been Cut But Not Cleared.)

Plans Indicate Square Footage of Forest Buffer for the Following:

1. Slope > 15% SL	1. 4,600 sq. ft.
2. Slope > 5% SL	1. 4,600 sq. ft.
3. Slope > 15% SL	1. 4,600 sq. ft.
4. Slope > 5% SL	1. 4,600 sq. ft.
5. Slope > 15% SL	1. 4,600 sq. ft.
6. Slope > 5% SL	1. 4,600 sq. ft.

Total Forest Buffer Area = 29,320 Sq. Ft.

Disturbance to Critical Areas: THIS INCLUDES FORESTS, WETLANDS, AND ANY TYPE OF PAVED/PAVEMENT, COMPACTED SURFACES, OR OTHER IMPROVEMENTS TO BE REMOVED OR DISTURBED.

Plans Indicate Square Footage of Proposed Coverage for the Following:

1. Proposed Area: 3,736 sq. ft.	1. 3,736 sq. ft.
2. Other: 170 sq. ft.	1. 170 sq. ft.
3. Existing Structure: 4 sq. ft.	1. 4 sq. ft.
4. Other: 8 sq. ft.	1. 8 sq. ft.

Total Existing and Proposed Impervious Coverage = 4,253 SQ. FT.

PERC. TEST # PAT02050853

BUILDING PERMIT # B02 GRADING PERMIT # G0201

VARIANCE CASE # 2023-0174-V (REVISED 1-23-2024)

#	REVISIONS	APPROVED BY	DATE

PROFESSIONAL CERTIFICATION: I, ROCCO THOMAS, CERTIFY THAT THESE DOCUMENTS WERE PREPARED BY OR UNDER THE CLOSE PERSONAL SUPERVISION AND UNDER THE LAWS OF THE STATE OF MARYLAND LICENSE #0336, EXPIRATION DATE: JANUARY 31, 2024

ROCCO ENTERPRISES, LLC
SURVEY & LAND CONSULTING
LAND DEVELOPMENT & PERMIT SERVICES
187 LUBBRANO DRIVE, SUITE L2
ANNAPOLIS, MARYLAND 21401
PHONE: 410-293-1232, 410-281-8942
Email: rocco@red@gmail.com

SCALE: AS SHOWN
DATE: JANUARY, 2024
DRAWN BY: L.R.C.
CHECKED BY: R.A.T.
JOB NO: 23 LEELAND
SHEET NO: 1 OF 1

VIANCE PLAN
TAX MAP 56, BLOCK 7
PARCEL 274
GONZALES PROPERTY
23 LEELAND ROAD, EDGEWATER, 21037
TAX NO. 01-00-90037473
23RD DISTRICT, ANNE ARUNDEL COUNTY, MARYLAND

ROCKY MOUNTAIN PROFILES, INC.
100 LIBRARY DRIVE SUITE 200
ANNAPOLIS, MD 21401
PHONE 301 261-8042



Jan. 8, 2024

Anne Arundel County
Office of Planning & Zoning
2664 Riva Road
Annapolis, MD 21401

RE: 23 Leeland Road Edgewater, MD
Variance 2023-0174-V/ Revised Jan. 8, 2024

REVISED 2-9-24
LETTER OF EXPLANATION

As stated in the pre-filing dated Aug. 17, 2023 and at the Variance hearing dated Dec. 5, 2023, the subject site is known as 23 Leeland Road Edgewater, MD and as shown on A.A. Tax map 56, Grid 7, Parcel 274. The property is zoned R-1 and it is located within the L.D.A. Critical Area. The property owner is John Powell, Jr. residing at 1108 Niblick Court Arnold, MD 21012 and by Deed recorded in Liber 39714, Folio 25. The 2.31 acre site is partially wooded and clear with 15% and 25 % slopes and their respective 25' and 50' buffers and expanded buffers.

Due to site zoning restrictions there is no area available to construct a residential house without impacting steep slopes and their buffers. Based on the Variance hearing comments and neighbors concerns we placed the proposed house along the road. Leeland Road services the existing Marina to the southeast and therefore is heavily trafficked by cars and trucks. The proposed house location will be 72' from Leeland Road. Also, the primary and approved septic system will remain as originally designed and Re-approved by the Anne Arundel County Health Department on Dec. 28, 2023 with the revised site plan.

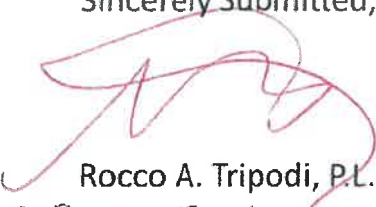
As to Critical Area data please refer to the Revised Notification Worksheet and a copy is attached hereto. As to SWM requirements, ESD to MEP as now Revised will be addressed via rooftop disconnections and raingarden with

complete SWM Comps, report and Revised Final Development Plan and response in writing to Inspections and permits comments dated Oct. 10, 2023. Also in order to minimize disturbance and to accommodate the proposed house, water well, driveway, septic system and SWM devices the total L.O.D. is ~~13,146~~ sq. ft. or 0.302AC.

Therefore, based on the above and also on the pre-filing and Variance Hearing recommendation we need to seek a Variance to zoning code section 17-8-201(a) to allow disturbance of slopes of 15% or greater within the Limited Development Critical Area and to section 18-13-104(a) to allow disturbance to the buffer and expanded buffers. Due to the site impacted by steep slopes the expanded buffer covers the entire 2.31 acre site.

In conclusion we hope the enclosed Revised information package is satisfactory for your office to proceed with the variance hearing and should you need further information please feel free to contact me.

Sincerely Submitted,



Rocco A. Tripodi, P.L.S.
FOR ROCCO ENTERPRISES LLC

Cc Mr. John Powell, Jr.

rocco enterprises, llc

land development, survey & permitting consultant & engineering

RE: 23 LEBLANC ROAD
EDgewater, MD

"VARIANCE"

CRITICAL AREA DATA/REPORT:

CRITICAL AREA (L.D.A.) NARRATIVE STATEMENT

- a) THE EXISTING SITE COMBINED 2.33 ACRES AND IS CURRENTLY VACANT WITH AN EXISTING AUXILIARY BUILDING AND IS ENCOMPASSED WITH PARTIALLY WOODED AND SLOPY TERRAIN. THE EXISTING ZONING AND USE IS RESIDENTIAL AND WILL REMAIN RESIDENTIAL.
- b) AS NOTED THE SITE IS PARTIAL WOODED AND THE PROPOSED USE AND CONSTRUCTION WILL PRESERVE THE EXISTING WOODS EXCEPT 1000 S.F. FOR PROPOSED DRIVEWAY APPROX. ENTRANCE.
- c) THE S.W.M. METHODS TO MINIMIZE IMPACT ON WATER QUALITY AND FLOW WILL BE PROVIDED BY THE USE OF (1) DRY WELLS AT EACH CORNER OF THE HOUSE TO MANAGE THE INCREASED LOT COVERAGES WITH COMPLETE ESD TO HELP COMPUTATIONS WITH GRADING & BUILDING PERMITS.
- d) EXISTING IMPERVIOUS / LOT COVERAGE 950 SQ. FT. / PROPOSED: 2844 S.F.
TOTAL EXISTING & PROPOSED: 3794 S.F.
- e) ALL EXISTING WOODLAND TO REMAIN EXCEPT 1000 S.F. FOR DRIVEWAY WILL BE MITIGATED BY TREE OF GRADING & BUILDING PERMITS.

1. SITE AREA: 2.33 ACRES OR 101,800 SQ. FT.
2. CRITICAL AREA: L.D.A.
3. MAXIMUM LOT COVERAGE ALLOWED: 15% OF 15,270 S.F.
4. PROPOSED LOT COVERAGE: 2844 S.F. PLUS EXISTING 950 S.F.
TOTAL 3794 S.F.
5. WOODLAND REQUIRED 15% OF 15,270 S.F.
6. EXISTING WOODLAND: 25,800 S.F. OR 0.429%
7. EXISTING WOODLAND TO BE REMOVED: 1000 S.F.

SEE ALSO SITE VARIANCE PLAN

127 Lubrano Drive • Suite L2 • Annapolis, Maryland 21401

Phone: 410-266-3125 • Cell: 443-994-4578

Email: roccoatripod@gmail.com

CRITICAL AREA COMMISSION
 FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS
 1804 WEST STREET, SUITE 100
 ANNAPOLIS, MD 21401

PROJECT NOTIFICATION APPLICATION

GENERAL PROJECT INFORMATION

Jurisdiction: _____ Date: 8/16/23

Tax Map #	Parcel #	Block #	Lot #	Section
<u>56</u>	<u>274</u>	<u>7</u>		

FOR RESUBMITTAL ONLY

Corrections

Redesign

No Change

Non-Critical Area

*Complete Only Page 1
 General Project Information

Tax ID: 61-000-9003-7473

Project Name (site name, subdivision name, or other) JOHN H. POWELL JR

Project location/Address 23 LEEWARD ROAD

City EDGEVILLE MD Zip 21031

Local case number _____

Applicant: Last name POWELL First name JOHN

Company _____

Application Type (check all that apply):

- | | |
|--|--|
| Building Permit <input type="checkbox"/> | Variance <input checked="" type="checkbox"/> |
| Buffer Management Plan <input type="checkbox"/> | Rezoning <input type="checkbox"/> |
| Conditional Use <input type="checkbox"/> | Site Plan <input type="checkbox"/> |
| Consistency Report <input type="checkbox"/> | Special Exception <input type="checkbox"/> |
| Disturbance > 5,000 sq ft <input type="checkbox"/> | Subdivision <input type="checkbox"/> |
| Grading Permit <input type="checkbox"/> | Other <input type="checkbox"/> |

Local Jurisdiction Contact Information:

Last name TEBOCK First name POCCA

Phone # 443-994-4573 Response from Commission Required By _____

Fax # 443-994-4573 Hearing date _____

SPECIFIC PROJECT INFORMATION

Describe Proposed use of project site:

FOR THE OWNER TO CONSTRUCT HIS RESIDENTIAL HOUSE

Intra-Family Transfer Yes
 Grandfathered Lot
 Growth Allocation Yes
 Buffer Exemption Area

Project Type (check all that apply)

Commercial
 Consistency Report
 Industrial
 Institutional
 Mixed Use
 Other
 Recreational
 Redevelopment
Residential
 Shore Erosion Control
 Water-Dependent Facility

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft
IDA Area		
LDA Area	2.33	101,800
RCA Area		
Total Area	2.33	101,800

Total Disturbed Area Acres Sq Ft
 # of Lots Created

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	1.05	45,800	Existing Impervious Surface	0.00	950
Created Forest/Woodland/Trees			New Impervious Surface	2.037	3794
Removed Forest/Woodland/Trees	0	0	Removed Impervious Surface		
			Total Impervious Surface		

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance			Buffer Forest Clearing		
Non-Buffer Disturbance			Mitigation		

Variance Type

Buffer
 Forest Clearing
 HPA Impact
 Impervious Surface
 Expanded Buffer
 Nontidal Wetlands
 Setback
Steep Slopes
 Other

Structure

Acc. Structure Addition
 Barn
 Deck
 Dwelling
 Dwelling Addition
 Garage
 Gazebo
 Patio
 Pool
 Shed
 Other

2023-0174-V - POWELL

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Task
J and P Engineering
Assigned to Department
Engineering
Action by Department
Engineering
Start Time

Due Date
02/19/2024
Assigned to
Habtamu Zeleke
Action By
Habtamu Zeleke
End Time

Assigned Date
02/12/2024
Status
Complete w/ Comments
Status Date
02/16/2024
Hours Spent
0.0

Billable
No

Overtime
No

Comments
1. Based on the plan provided, it appears that the property will be served by a Private well and septic.
2. Stormwater management will be addressed through Rain gardens and non-rooftop disconnection.
3. The stormwater management utility/Engineering design review approval for the site shall occur at the grading permit stage.

Time Tracking Start Date

Est. Completion Date

Determination/Recommendation – Based on the above, this office has no objection to the above request.

Display E-mail Address in ACA
No

Display Comment in ACA

In Possession Time (hrs)
Comment Display in ACA

- All ACA Users
- Record Creator
- Licensed Professional
- Contact
- Owner

Estimated Hours
0.0

Action
Updated

Workflow Calendar

Task Specific Information

Review Notes	Reviewer Name	Reviewer Phone Number
Reviewer Email		



ANNE
ARUNDEL
COUNTY


MARYLAND
DEPARTMENT OF HEALTH

J. Howard Beard Health Services Building
3 Harry S. Truman Parkway
Annapolis, Maryland 21401
Phone: 410-222-7095 Fax: 410-222-7294
Maryland Relay (TTY): 711
www.aahealth.org

Tonij Gedin, RN, DNP
Health Officer

MEMORANDUM

TO: Sadé Medina, Zoning Applications
Planning and Zoning Department, MS-6301

FROM: Brian Chew, Program Manager
Bureau of Environmental Health 

DATE: October 16, 2023

RE: John Powell
23 Leeland Road
Edgewater, MD 21037

NUMBER: 2023-0174-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling with less setbacks and buffer than required and with disturbance to slopes 15% or greater.

The Health Department has reviewed the on-site sewage disposal and well water supply system for the above referenced property. The Health Department has determined that the proposed request does not adversely affect the on-site sewage disposal and well water supply systems. The Health Department has no objection to the above referenced request .

If you have further questions or comments, please contact Brian Chew at 410-222-7413.

cc: Sterling Seay

2023-0174-V - POWELL

Cancel Help

Task OPZ Critical Area Team	Due Date 02/19/2024	Assigned Date 02/12/2024
Assigned to Department OPZ Critical Area	Assigned to Kelly Krinetz	Status Complete w/ Comments
Action by Department OPZ Critical Area	Action By Kelly Krinetz	Status Date 02/13/2024
Start Time	End Time	Hours Spent 0.0
Billable No	Overtime No	Comments No objection Mitigation will be assessed with applicable permit applications
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA No	<input type="checkbox"/> Display Comment in ACA	Comment Display in ACA <input type="checkbox"/> All ACA Users <input type="checkbox"/> Record Creator <input type="checkbox"/> Licensed Professional <input type="checkbox"/> Contact <input type="checkbox"/> Owner
Estimated Hours 0.0	Action Updated	Workflow Calendar

Task Specific Information

Review Notes	Reviewer Name	Reviewer Phone Number
Reviewer Email		



Jennifer Esposito -DNR- <jennifer.esposito@maryland.gov>

CAC Comments: 2023-0145-V Rotondo, 2023-0171-V Zygmunt, 2023-0174-V Powell

Jennifer Esposito <jennifer.esposito@maryland.gov>
To: Sadé Medina <pzmedi22@aacounty.org>
Cc: Charlotte Shearin -DNR- <charlotte.shearin@maryland.gov>

Thu, Nov 2, 2023 at 4:44 PM

Good afternoon,

The Critical Area Commission has reviewed the following variances and appropriate mitigation is required:

- 2023-0145-V; Rotondo (AA 352-23)
- 2023-0171-V; Zygmunt (AA348-23)
- 2023-0174-V: Powell (AA 340-23)

The above comments have also been submitted to the County's project-review portal.



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dnr.maryland.gov/criticalarea

Jennifer Esposito

Critical Area Commission for the
Chesapeake & Atlantic Coastal Bays
1804 West Street, Suite 100
Annapolis, MD 21401

Office: 410-260-3468

(In office: Mon., Wed., Friday)

Cell: 443-569-1361

(Teleworking: Tues., Thurs.)

jennifer.esposito@maryland.gov

2023-0174-V - POWELL

Menu Cancel Help

Task OPZ Cultural Resources	Due Date 02/19/2024	Assigned Date 02/12/2024
Assigned to Department OPZ Cultural Resources	Assigned to Stacy Poulos	Status Complete w/ Comments
Action by Department OPZ Cultural Resources	Action By Stacy Poulos	Status Date 02/16/2024
Start Time	End Time	Hours Spent 0.0
Billable No	Overtime No	Comments Per Article 17-8-502, the Cultural Resources Section requires an archaeology site visit to complete this review. This site visit can be scheduled and completed during grading permit review.
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA No	<input type="checkbox"/> Display Comment in ACA	Comment Display in ACA <input type="checkbox"/> All ACA Users <input type="checkbox"/> Record Creator <input type="checkbox"/> Licensed Professional <input type="checkbox"/> Contact <input type="checkbox"/> Owner
Estimated Hours 0.0	Action Updated	Workflow Calendar

Task Specific Information

Review Notes	Reviewer Name	Reviewer Phone Number
Reviewer Email		

