For Office Use Only		For Office Use Only
CASE #		ZONE
FEE PAID		CRITICAL AREA: IDA ___ LDA ___ RCA ___
DATE		BMA: Yes ___ No ___
		NO. OF SIGNS

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): Michael S. Weber and Joy Weber
(Applicant must have a financial, contractual, or proprietary interest in the property)

Property Address: 10 West Severn Ridge Road, Annapolis, MD 21409

Property Location: +/- 51 feet of frontage on the (N, S, E, [W]) side of West Severn Ridge Road (Enter Street Name);

+/- 400 feet (N, [S], E, [W]) of (Nearest intersecting street) Ritchie Highway (Enter Street Name).

12-digit Tax Account Number 03-000-02175960 Tax District (3rd) Council District (5th)

Waterfront Lot: Y[X] N[ ] Corner Lot: Y[ ] N[X] Deed Title Reference L.36228 F.319

Zoning District R-1 Lot # 2 Tax Map 0046 Block/Grid 0007 Parcel 0021

Area 0.29 Ac. (Sq Ft, or Acres) Subdivision Name Browns Pond

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

Raze & remove existing single-family dwelling and construct new dwelling. Variance to §17-8-301 to disturb within the buffer a variance to §18-2-301 for architectural feature setbacks and to §18-4-501 to setback & building coverage requirements

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	Owner's Signature
Print Name Michael S. Weber	Print Name Michael S. Weber / Joy Weber
Mailing Address 10 W. Severn Ridge Road	Mailing Address 10 W. Severn Ridge Road
City, State, Zip Annapolis, MD 21409	City, State, Zip Annapolis, MD 21409
Work Phone	Work Phone
Home Phone (814) 661-1071	Home Phone (814) 661-1071
Cell Phone	Cell Phone
Email Address michael.stewart.weber@gmail.com	Email Address michael.stewart.weber@gmail.com kenawelljoy@gmail.com

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

Application accepted by Anne Arundel County Office of Planning and Zoning: _____ Initials _____ Date

Variance to _____

August 14, 2023

Anne Arundel County, Office of Planning and Zoning
2664 Riva Road, 3rd Floor
Annapolis, MD 21401

RE: **BROWNS POND ~ LOT 2**
10 West Severn Ridge Road
Annapolis MD, 21409
Variance Application

Sir/Madam:

Attached is an application for a variance to the County Code, and the associated submittal package, for the above referenced property. In order to redevelop the subject property, the owner requires variances to the Anne Arundel County Code. The requested variances include; **Article 17, Section 8-301** for redevelopment within the buffer, **Article 18-2-301** to architectural features setbacks, as well as to **Article 18-4-501** to the setback and building coverage requirements.

The subject property is a legal building lot located on West Severn Ridge Road, along the shores of the Severn River, in Annapolis. It is currently improved with an older single-family dwelling, deck, detached garage and associated improvements. The lot is zoned R-1 and is served by well and a private septic system. The property is located within the Chesapeake Bay Critical Area with an LDA land use designation. It is encumbered with steep slopes and their associated buffer, which restricts the area allowed for redevelopment without a variance to the Code. Furthermore, the shoreline is mapped as non-buffer modified, which expands the buffer into the area of existing improvements. Primary vegetation consists of lawn area, a few mature hardwoods, and grasses and ground cover common to sloped areas in the community.

The applicant proposes to raze and remove the older existing single-family dwelling and deck to construct a modest new single-family dwelling with attached deck. Due to the unique configuration of the shoreline, the location of existing improvements, and physical conditions inherent to the property, the following variances to the Anne Arundel County Code are being requested: to **Article 17, Section 8-301** for 2,807-sf of buffer disturbance, to **Article 18, Section 4-501** of 7-ft to the required 15-ft minimum side yard setback and 22-ft to the required 40-ft combined side yard setback, to **Article 18, Section 4-501** of 1% to the required 25% maximum coverage by structures requirement, and to **Article 18, Section 2-301(b)** of 5-ft to the requirement of architectural features extending no more than 3-ft into the required setback.

The need for the requested variances arises from the unique physical conditions of the site, specifically the size and width of the property, the presence of steep slopes and location of the existing improvements, in relation to the buffer and shoreline of the Severn River. According to tax records, the existing single-family dwelling was built in the '30s and does not conform to today's standards for a single-family dwelling. It is in need of replacement to support the property owners growing family. The new dwelling is proposed in the same location as the existing and the slight expansion is modest and mimics the existing design. Furthermore, the minimum lot size for the R-1 zoning is 40,000-sf and the subject property is 31% of that requirement. The property is also only 40% of the minimum lot width for the zoning district; to require the same setbacks without relief would be unreasonable.

After the pre-file comments were received, a meeting was conducted and included the County Engineering Manager, Hala Flores, Drum, Loyka & Associates, the property owners, and the architect to discuss the stormwater design and proposed improvements. The pre-file notes specifically made mention of the proposed lot coverage and that no increase in the site impervious would be supported. While the existing lot coverage will still be less than the proposed, changes to the design did decrease the proposed coverage from the initial design. The property is allowed, by code, to have 666-sf more than what is being proposed, and the developed condition only proposes 122-sf more impervious than the existing conditions. In order to abide to this request as much as possible and provide site circulation, a deck walk was added to the scope of work. This deck requires variances to the setback requirements. The proposed stormwater management design was also revised, based on the meeting with Ms. Flores, and meets current requirements. Additional information is provided on Attachment 1, the Outfall Statement.

Denial of the requested variance would constitute an unwarranted hardship and deny the applicant's rights commonly enjoyed by other property owners. The variance request is not based on actions by the applicant, and will not confer upon the applicant any special privilege that would typically be denied by COMAR or the local Critical Area Program. With the implementation of stormwater management, the development will not have an adverse effect on water quality or negatively impact fish, wildlife, or plant habitat, and is in conformance with the general purpose and intent of the Critical Area Program. The variance is the minimum necessary to afford relief from the Critical Area legislation. The granting of the variance will not alter the character of the neighborhood, impair the use and development of adjacent properties, reduce forest cover in the RCA, nor be detrimental to the public welfare.

We believe that these requests meet all the requirements for variance, per Article 18-16-305:

Requirements for Critical Area Variances.

1. Unique physical conditions - Specifically topography, the small size and width of the lot, expanded buffer due to the non-BMA shoreline, and the location of the existing improvements. Denial of the requested variance would constitute an unwarranted hardship on the applicant and deprive them of the right to redevelop, and deny reasonable and significant use of the entire property.
2. Rights commonly enjoyed - The proposed improvements are similar and in character with those of surrounding properties. To deny the requested variance would deprive the applicant of rights commonly enjoyed by other properties in the area.
3. Will not confer special privilege - Granting this variance would not confer a special privilege to the applicant. Nearby properties enjoy improvements greater in scale to what is proposed for this project.
4. Not based on conditions or circumstances that are the result of actions by the applicant - Conditions and circumstances are based on the site conditions: the small size and width of the property, the presence of steep slopes, non-BMA shoreline with associated expanded buffer, and the proximity of the existing improvements, not because of actions by the applicants.
5. Will not adversely affect water quality or adversely impact fish, wildlife, or plant habitat within the County's critical area – The proposed development will not cause adverse impacts to fish, wildlife, or water quality in the Critical Area. Disturbance is minimized only to what is necessary to complete the project. Stormwater management and mitigation will occur in accordance with county regulations, and will be addressed during the permitting process. Sediment and erosion controls will be utilized to ensure that construction and grading will not adversely affect the surrounding environmental features located within the Critical Area. These precautions will ensure that water quality, fish, wildlife, and plant habitat will not be adversely affected.

Requirements for all variances.

1. Minimum necessary - The improvements are modest in size, have been sited in the same location as the existing improvements, and keep the overall property disturbance to a minimum.
2. The granting of the variance will not:
    i. alter the essential character of the neighborhood, and all proposed development will be harmonious with other properties of the surrounding area.
    ii. substantially impair the appropriate use or development of adjacent properties.

iii. reduce forest cover in the LDA, as mitigation will be provided as necessary during the permitting phase of the project.
iv. be contrary to acceptable clearing or replanting practices required for development of the Critical Area or Bog Protection Area.
v. be detrimental to the public welfare

Thank you for your attention to this matter. Please contact us if we may be of further service during your review of this variance request.

Sincerely,
Drum, Loyka & Associates, LLC

Katie Yetman

Drum, Loyka & Associates, LLC

CIVL ENGINEERS – LAND SURVEYORS

RE: BROWNS POND ~ LOT 2
10 West Severn Ridge Road
Annapolis MD, 21409
Variance Application

Outfall Statement

The subject property is located off of West Severn Ridge Road in Annapolis. The property is currently improved with a single-family dwelling and associated improvements. It is vegetatively stabilized with hardwood trees, decorative landscaping, and lawn.

The site drains southwestward toward an existing lawn area and ultimately into Severn River. The site is encumbered with steep slopes. The shoreline of the Severn River is stabilized with vegetation. There is no sign of erosion or flooding.

In the proposed condition, drainage patterns to the site outfall (direct discharge to tidal waters) will remain relatively unchanged. Environmental Site Design (ESD) is achieved to the Maximum Extent Practical (MEP) through the use of disconnection of non-rooftop runoff and micro-scale practice. The outfall is considered adequate to receive runoff from a residential lot improved with a single-family dwelling.

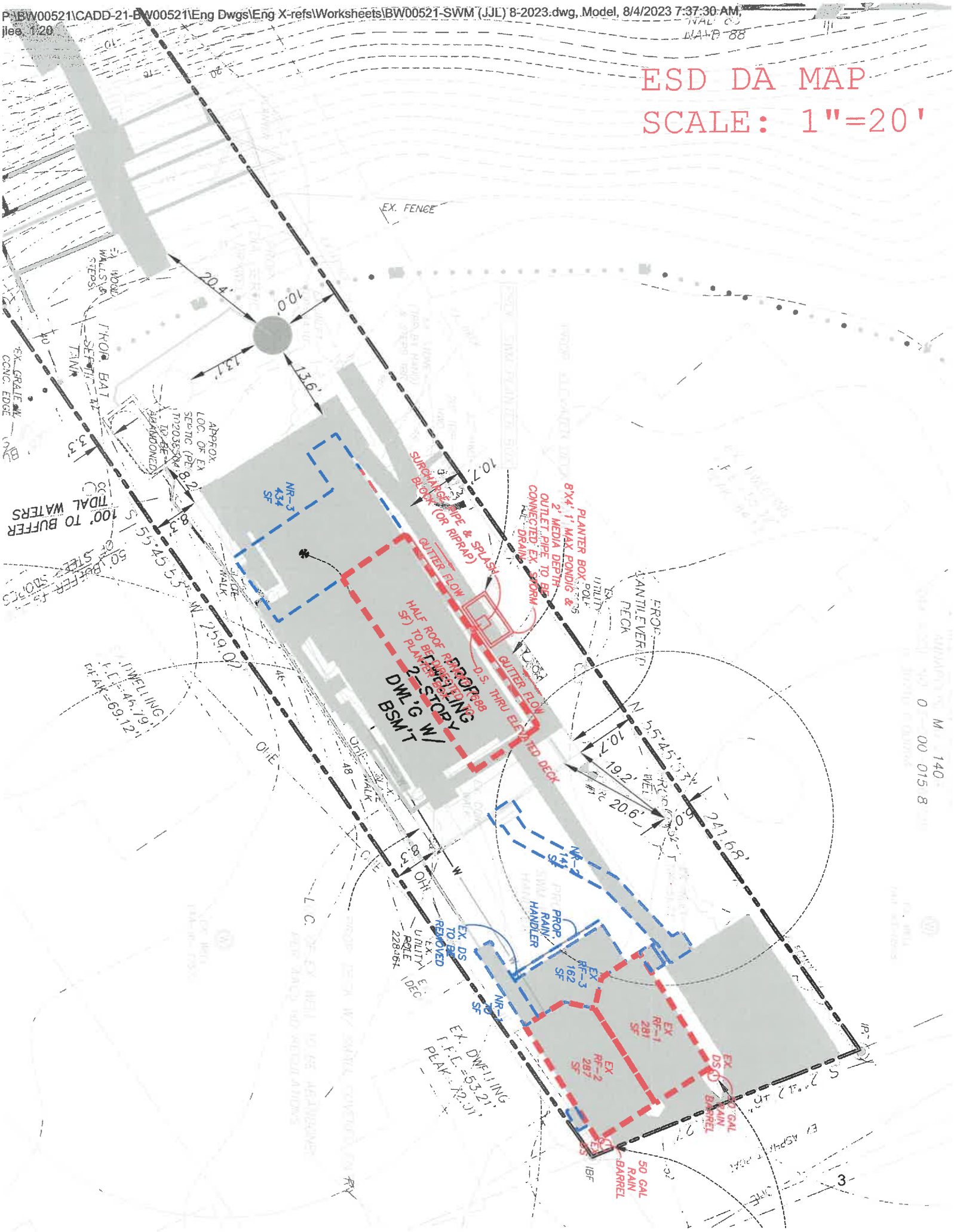
Environmental Site Design (ESD)

The site meets the redevelopment criteria. For the ESD target volume computation, the disturbed area is used, and the septic area is deducted from the computation. Water Quality Volume (WQv) is computed based on 50% of the existing impervious area. The newly created impervious coverage for the proposed development is treated for ESD volume at a 100% impervious calculation.

Browns Pond ~ Lot 2
10 West Severn Ridge Road
Annapolis MD, 21409
Variance Application

PHOTOS OF STEEP SLOPES

ESD DA MAP
SCALE: 1"=20'



Drum, Loyka & Associates, LLC

Designer	JJL	Date	8/14/23	Checker	Date
Title	Browns Pond ~ Lot 2				Job No. BW00521
Subject	Environmental Site Design (ESD)				Sheet No.

Redevelopment Site Data:

Location:		10 West Severn Ridge Road, Annapolis, MD 21409		
Site Area:		12,500 sf	=	0.29 ac
Disturbed Area (LOD):		8,000 sf	=	0.18 ac
Septic Area:	(-)	1,422 sf	=	0.03 ac
Drainage Area (A):		6,578 sf	=	0.15 ac

Hydrologic Soil Group: HSG 'C'

HSG	Area (sf)	Percent LOD (%)
C	6,578	100

Redevelopment Criteria:

Zoning Land Use:		R-1
% Ex. Impervious Coverage within LOD:	2,405 sf / 6,578 sf =	37 %

Impervious Area to be Treated:

Existing Impervious Area within LOD:		2,405 sf
Imp. Area to be treated via Disconnection of Non-rooftop Runoff	(-)	807 sf
Net Existing Impervious Area within LOD:		1,598 sf
50% of Existing Impervious Area:	1,598 sf x 50% =	799 sf
Proposed Impervious Area within LOD:		2,548 sf
Net Impervious Area Addition:	2,548 sf - 2,405 sf =	143 sf
Net Impervious Area to be managed:	799 sf + 143 sf =	942 sf
% Impervious Area to be managed:	942 sf / 6,578 sf =	14 %
Rv:	0.05 + (0.009 x % Imp)	
	0.05 + (0.009 x 14%) =	0.18

Minimum Rev & WQv:

Minimum Recharge Volume (Rev): (S x Rv x A) / 12

;where

HSG	S	Percent LOD (%)
C	0.14	100

Rev:	(0.14 x 0.18 x 6,578 sf) / 12 =	14 cf
Minimum Water Quality Volume (WQv):	(P x Rv x A) / 12 *; where P =*	*1.00 in*
WQv:	(1.00 in x 0.18 x 6,578 sf) / 12 =	99 cf

Target Environmental Site Design (ESD):

50% of Existing Impervious Area within LOD:		799 sf
% Impervious Area for Min. WQv:	799 sf / 6,578 sf =	12 %
Rv:	0.05 + (0.009 x % Imp)	
	0.05 + (0.009 x 12%) =	0.16
P_E (Minimum WQv):		1.00 in
Q_E (Runoff depth used to size ESD):	P_E x Rv = 1.00 in x 0.16 =	0.16 in

Drum, Loyka & Associates, LLC

Designer	JJL	Date	8/14/23	Checker	Date
Title	Browns Pond ~ Lot 2				Job No. BW00521
Subject	Environmental Site Design (ESD)				Sheet No.

WQv: $(P_E \times Rv \times LOD) / 12$

(1.00 in x 0.16 x 6,578 sf) / 12 = 88 cf

Net Impervious Area Addition within LOD: 143 sf

% Impervious Area for ESDv: 143 sf / 6,578 sf = 100 %

Rv: 0.05 + (0.009 x % Imp)

0.05 + (0.009 x 100%) = 0.95

Use P_E : 2.20 in

Hydrologic Soil Group 'C'

%I	RCN*	PE = 1"	1.2"	1.4"	1.6"	1.8"	2.0"	2.2"	2.4"	2.6"
0%	74									
5%	75									
10%	76									
15%	78									
20%	79	70								
25%	80	72	70	70						
30%	81	73	72	71						
35%	82	74	73	72	70					
40%	84	77	75	73	71					
45%	85	78	76	74	71					
50%	86	78	76	74	71					
55%	86	78	76	74	71	70				
60%	88	80	78	76	73	71				
65%	90	82	80	77	75	72				
70%	91	82	80	78	75	72				
75%	92	83	81	79	75	72				
80%	93	84	82	79	76	72				
85%	94	85	82	79	76	72				
90%	95	86	83	80	77	73	70			
95%	97	88	85	82	79	75	71			
100%	98	89	86	83	80	76	72	70		

Q_E (Runoff depth used to size ESD): $P_E \times Rv$ = 2.20 in x 0.95 = 2.09 in

ESDv: $(P_E \times Rv \times LOD) / 12$

(2.20 in x 0.95 x 143 sf) / 12 = 25 cf

Required WQv & ESDv Summary:

	Area (sf)	Rev (cf)	WQv (cf)	ESDv (cf)
50% of Existing Imp. Area	799	14	88	—
Net Imp. Area Addition	143		—	25
Total	—	—	113	

113 cf > 99 cf (Min. WQv); OK

Drum, Loyka & Associates, LLC

Designer JJL Date 8/14/23 Checker _____ Date _____
Title Browns Pond ~ Lot 2 Job No. BW00521
Subject Environmental Site Design (ESD) Sheet No. _____

Non-structural Practices

N-2: Disconnection of Non-Rooftop Runoff

ESDv = (PE x Rv x DA) / 12 where: Rv = 0.05 + (0.009 x % Imp.)
Rev = (S x Rv x DA) / 12 where: S = 0.14

DA No.	DA (sf)	Surface Discription	Contrib. Length	Discon. Length	Average Slope	PE Value	ESDv (cf)	Rev (cf)
1	70	Ex. Steps & Pads	varies	varies	< 5%	1.00	6	1
2	141	Walks	varies	varies	< 5%	1.00	11	2
3	434	Steps & Imp. Deck	varies	varies	< 5%	1.00	34	5
Total	645						51	7

Rain Handler; mimicking Disconnection of Non-Rooftop Runoff

ESDv = (PE x Rv x DA) / 12 where: Rv = 0.05 + (0.009 x % Imp.)
Rev = (S x Rv x DA) / 12 where: S = 0.14

DA No.	DA (sf)	Surface Discription	Contrib. Length	Discon. Length	Average Slope	PE Value	ESDv (cf)	Rev (cf)
1	162	Ex. patio (garage)	8	8	< 5%	1.00	13	2
Total	162						13	2

Drum, Loyka & Associates, LLC

Designer JJL Date 8/14/23 Checker _____ Date _____
Title Browns Pond ~ Lot 2 Job No. BW00521
Subject Environmental Site Design (ESD) Sheet No. _____

Micro-scale Practices

M-1: Rainwater Harvesting (Rain Barrel)

Concept ESDv = (P_E x Rv x DA) / 12 *where:* P_E = *1.00* *in*
Rv = 0.05 + (0.009 x %Imp)
V 1-yr = (P x Rv x DA) / 12 *where:* *P = 2.70* in
Minimum Rev = (S x Rv xDA) / 12 *where:* *S = 0.14* *; HSG C*
Minimum WQv = (P x Rv x DA) / 12 *where:* *P = 1.00* *in; (Eastern Rainfall Zone)*

Roof No.	Roof (sf)	Imp (sf)	% Imp (%)	Rv	P_E (in)	Concept ESDv (cf)	V 1-yr (cf)	Min Rev (cf)	Min WQv (cf)
Ex-1	281	281	100.00	0.95	1.00	22	60	3	22
Ex-2	287	287	100.00	0.95	1.00	23	61	3	23
Total	568								

Rain Barrel Storage:

Roof No.	# of Barrel	Storage (gal)	Storage (cf)	Total (cf)	vs	V 1-yr (cf)	ESDv (cf)
Ex-1	1	50	7	7	<	60	7
Ex-2	1	50	7	7	<	61	7
Total		100		14			14

Drum, Loyka & Associates, LLC

Designer JJL Date 8/14/23 Checker _____ Date _____
Title Browns Pond ~ Lot 2 Job No. BW00521
Subject Environmental Site Design (ESD) Sheet No. _____

M-6: Planter Box

Concept ESDv = $(P_E \times Rv \times DA) / 12$ *where:* P_E = *15" x (Af / DA); Equation 5.2*
Af = Provided Surface Area
Rv = 0.05 + (0.009 x %Imp)

V 1-yr = $(P \times Rv \times DA) / 12$ *where:* *P = 2.70 in*
Minimum Rev = $(S \times Rv \times DA) / 12$ *where:* *S = 0.14 ; HSG C*
Minimum WQv = $(P \times Rv \times DA) / 12$ *where:* *P = 1.00 in; (Eastern Rainfall Zone)*

DA No. ESD	DA (sf)	Imp (sf)	% Imp (%)	Rv	Af (sf)	P_E (in)	Concept ESDv (cf)	V 1-yr (cf)	Min Rev (cf)	Min WQv (cf)
MB-1	578	578	100.00	0.95	32	0.83	38	124	6	46
Total	578									

Total Combined Storage within ESD Practice = Surface Storage + Media Storage

Surface Storage = Average Surface & Ponding Area x Temporary Ponding Depth
Max. Side Slope = 3:1
Temp. Ponding Depth = 0.50 ft

Media Storage = Porosity x Surface Area x Media Depth
Porosity (n) = 0.40

Layer	Depth (ft)
Planting Soil	1.25
Pea Gravel	0.25
Gravel	0.50

Typical Media Depth 2.00

DA No. ESD	Surface Area (sf)	Ponding Area (sf)	Ponding Depth (ft)	Media Depth (ft)	Surface Storage (cf)	Media Storage (cf)	Total Storage (cf)	vs	V 1-yr (cf)	ESDv (cf)
MB-1	32	32	0.50	2.00	16	26	42	<	124	42

Drum, Loyka & Associates, LLC

Designer JJL Date 8/14/23 Checker _____ Date _____

Title Browns Pond ~ Lot 2 Job No. BW00521

Subject Environmental Site Design (ESD) Sheet No. _____

ESD Practices Summary

ESD	ESD Practice	Drainage Area		ESDv	
N-2:	Disconnection of Non-Rooftop Runoff	807	sf	64	cf
M-1:	Rainwater Harvesting (Rain Barrel)	568	sf	14	cf
M-6:	Planter Box	578	sf	42	cf
			Subtotal:	120	cf

Total volume captured & treated WQv:

Total volume captured:	120	cf
Total Treated WQv & ESDv:	120	cf
Minimum WQv & ESDv:	113	cf

No Additional Stormwater Management after using ESD is necessary.

Jae Lee

From: Jae Lee
Sent: Monday, July 17, 2023 3:47 PM
To: Hala Flores
Cc: WDA; Michael Weber; Joy Weber; Robert T. McCarthy; Michael Drum; Katie Yetman
Subject: Browns Pond, Lot 2 – 10 West Severn Ridge Road - Pre-File Engineering Comments Meeting Minutes
Attachments: Browns Pond, Lot 2 – 10 West Severn Ridge Road - Pre-File Engineering Comments; BW00521-SWM (JJL) 5-2023.pdf; Engineering comments (Marked).pdf; Re: Browns Pond, Lot 2 – 10 West Severn Ridge Road - Pre-File Engineering Comments

MS Teams meeting (see attached)

Date & Time: Friday, July 14, 2023 9:30am

Attendance: Jae lee (Drum Loyka)
Hala Flores (AACo I&P)
Warren Aftahi (WDA Design)
Michael Weber
Joy Weber

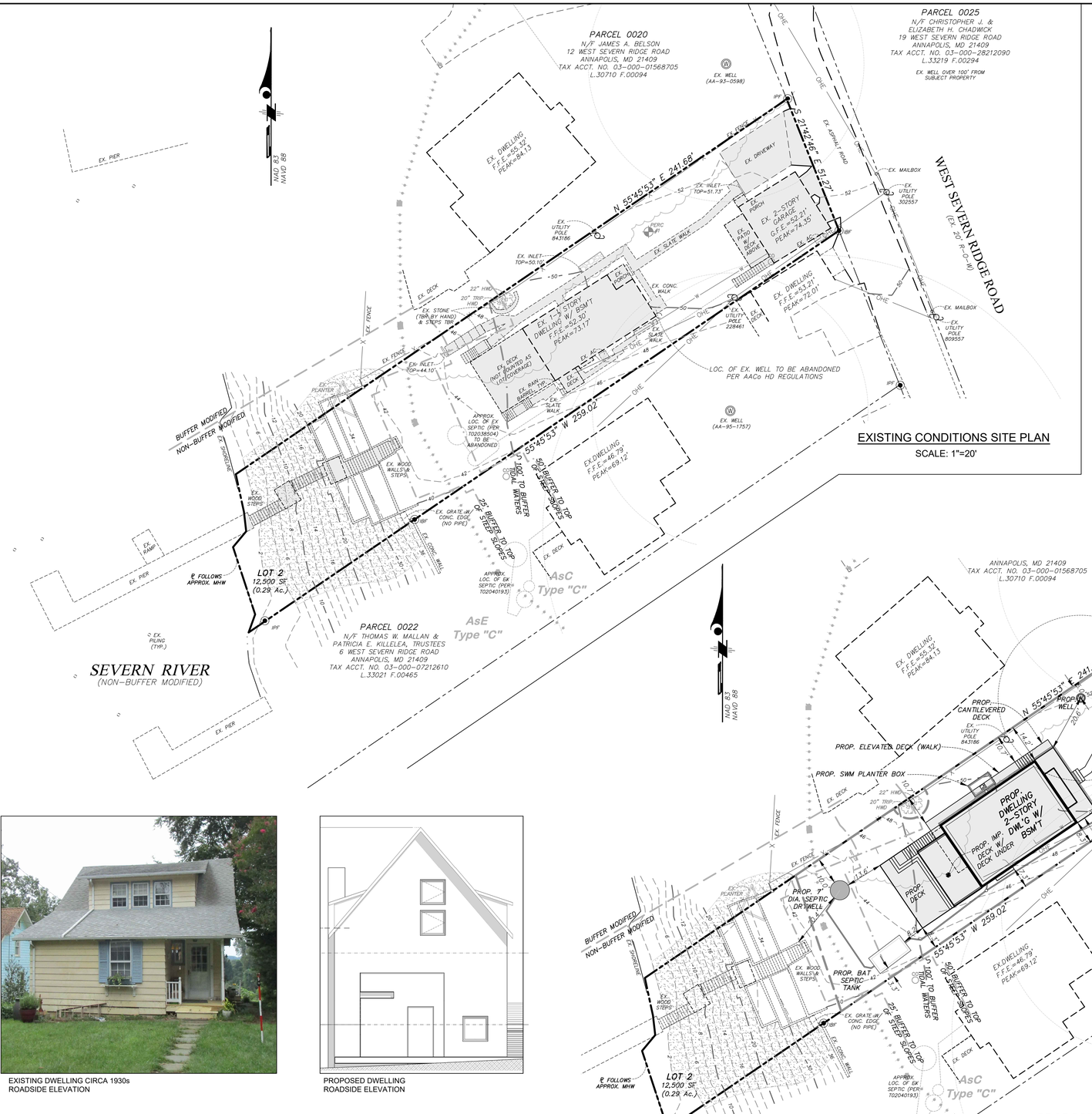
Share Screen: Please find attached PDFs.

Minutes: Pre-File Engineering Comments

- Disturbance to the steep slope buffer was explained.
- Per Hala:
  - SWM narrative to be added to the variance application letter.
  - Minimize and maintain existing lot coverage.
  - Outfall statement to be added to the letter including photographs of steep slopes.
  - Show spec of the rain handler spec on the plan if proposed. (considered non-rooftop disconnection).
  - A SWM Filter Tank is not permitted due to maintenance issues for single family. A small raised planter box can be utilized to treat runoff from the roof area.
  - As an option, a metal roof was recommended for mimicking disconnection of rooftop runoff.
  - Indicate this site meets the redevelopment criteria, Water Quality Volume (WQv; 1" runoff) to be computed based on 50% of the existing impervious area.
  - For Environmental Stie Design (ESD) target volume, use 40% of the LOD or buildable area and deduct the septic area from buildable area (discussed via email after the meeting. see attached email)
  - The alternative surface & disconnection area can be deducted from the impervious area for the ESDv target computation.
  - Permeable pavement, rain barrels, disconnection of non-rooftop runoff, and a raised planter box to be utilized to meet the ESDv required.

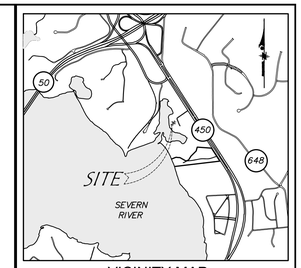
Please review and let me know if I missed anything. Thank you,
Jae

JAE J. LEE, P.E.
Senior Project Engineer
Drum, Loyka & Associates, LLC
Clock Tower Place, 1410 Forest Drive, Suite 35
Annapolis, MD 21403
Phone: (410) 280-3122 x121
jlee@drumloyka.com
www.drumloyka.com



EXISTING CONDITIONS SITE PLAN

SCALE: 1"=20'



VICINITY MAP

PROPOSED CONDITIONS SITE PLAN

SCALE: 1"=20'

LEGEND

- Existing Contour
- Existing Woods Line
- Existing Power Pole
- Existing Overhead Electric Line
- Existing Well
- 100' to Tidal Waters
- 25' to Top of Steep Slopes & Expanded Buffer
- Limit of Disturbance
- Steep Slopes 15% or Greater
- Existing and/or Proposed Improvements

SITE TABULATIONS

• Total Site Area:	12,500 S.F. (0.29 Ac.)
• Site Zoning:	R-1
• Critical Area Designation:	LDA
• Lot Coverage	
-Existing Lot Coverage:	3,118 S.F. (0.07 Ac.)
-Allowable Lot Coverage (31.25%):	3,906 S.F. (0.09 Ac.)
-Proposed Lot Coverage:	3,240 S.F. (0.07 Ac.)
• Coverage by Structures:	
-Existing Coverage by Structures:	2,548 S.F. (±20%)
-Allowable Coverage by Structures:	3,125 S.F. (25%)
-Proposed Coverage by Structures:	3,190 S.F. (±26%)
• Buffer and Expanded Buffer	
-Total Buffer Site Area:	5,761 S.F. (0.13 Ac.)
-Total Buffer Disturbance:	2,807 S.F. (0.06 Ac.)
• R-1 Zoning Setbacks for Principal Structure	
-Front:	40'
-Rear:	35'
-Sides:	15'/40'

EXISTING DWELLING CIRCA 1930s
ROADSIDE ELEVATION

PROPOSED DWELLING
ROADSIDE ELEVATION

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DESIGNED: MMD DRAWN: KLY
ORIG. DATE: 08-28-21
MODIFIED BY/DATE:
CADD DWG #: BW00521
DLA PROJECT #: BW00521

REVISIONS TO APPROVED PLANS

No.	DATE	BY	DESCRIPTION

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

CLIENT:

MR. & MRS. MICHAEL WEBER
10 WEST SEVERN RIDGE ROAD
ANNAPOLIS, MARYLAND 21409

VARIANCE PLAN

BROWNS POND ~ LOT 2

10 WEST SEVERN RIDGE ROAD, ANNAPOLIS, MD 21409
TAX ACCT. NO. 03-000-02175960 ~ PERC NO. T02050024
TAX MAP 0046 GRID 0007 PARCEL 0021 DISTRICT 3RD
ANNE ARUNDEL COUNTY, MARYLAND

SCALE: 1"=20' | DATE: AUG. 10, 2023 | PROJ. NO: BW00521 | SHEET 1 OF 1

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 _____

Tax Map #	Parcel #	Block #	Lot #	Section
0046	0021	0007	2	

FOR RESUBMITTAL ONLY
Corrections
Redesign
No Change
Non-Critical Area

* Complete only Page 1 General Project Information

Tax ID: 03-000-02175960

Project Name (site name, subdivision name, or other): Browns Pond ~ Lot 2

Project location/Address: 10 West Severn Ridge Road

City: Annapolis, Maryland Zip: 21409

Local case number:

Applicant: Last name: Weber First name: Michael

Company:

Application Type (check all that apply):

Building Permit		Variance	X
Buffer Management Plan		Rezoning	
Conditional Use		Site Plan	
Consistency Report		Special Exception	
Disturbance > 5,000 sq ft		Subdivision	
Grading Permit		Other	

Local Jurisdiction Contact Information:

Last name: _____ First name _____

Phone # _____ Response from Commission Required By _____

Fax # _____ Hearing date _____

SPECIFIC PROJECT INFORMATION

Describe proposed use of project site:

To raze and remove the existing single-family dwelling and deck and construct a new single-family dwelling
And deck.

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

Project Type (check all that apply)

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

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft
IDA Area		
LDA Area	0.29	
RCA Area		
Total Area	0.29	

	Acres	Sq Ft
Total Disturbed Area	0.18	
# of Lots Created	0	

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees	0.05		Existing Impervious Surface	0.07	
Created Forest/Woodland/Trees	0.00		New Impervious Surface	0.01	
Removed Forest/Woodland/Trees	0.00		Removed Impervious Surface	0.01	
			Total Impervious Surface	0.07	

VARIANCE INFORMATION (Check all that apply)

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance	0.06		Buffer Forest Clearing	0.00	
Non-Buffer Disturbance	0.12		Mitigation	0.00	

Variance Type		Structure	
Buffer	X	Acc. Structure Addition	
Forest Clearing		Barn	
HPA Impact		Deck	X
Impervious Surface		Dwelling	X
Expanded Buffer	X	Dwelling Addition	
Nontidal Wetlands		Garage	
Steep Slopes		Gazebo	
Setback	X	Patio	
Other		Pool	
		Shed	
		Other	

Chesapeake Bay Critical Area Report

Browns Pond ~ Lot 2

Tax Map 46, Grid 7, Parcel 21

Tax Account No. 03-000-02175960

Property Address: 10 W Severn Ridge Road
Annapolis, Maryland 21409

August 14, 2023

Property Owner & Variance Applicant: Mr. & Mrs. Michael Weber

Critical Area Designation: LDA **Zoning:** R-1 **Lot Area:** 0.29 Ac.

Site Description

The subject property is a 0.29-acre legal building lot located on West Severn Ridge Road in the community of Browns Pond. The site is currently improved with a single-family dwelling, deck, detached garage, and associated improvements. Private septic and well service the property. The lot is zoned R-1 and is completely within the Chesapeake Bay Critical Area, with an LDA land use designation.

Description and Purpose of Variance Request

The homeowners propose to raze and remove the existing dwelling and construct a new single-family dwelling with associated improvements. The existing detached garage and living space above will remain. There are many development restrictions on the property including lot size and width, steep slopes, and expanded buffers, all of which cause limited locations available for the new dwelling and the septic systems and their replacements. Therefore, the proposed development will require the following variances to the Anne Arundel County Code: to **Article 17, Section 8-301** for 2,807-sf of buffer disturbance, to **Article 18, Section 4-501** of 7-ft to the required 15-ft minimum side yard setback and 22-ft to the required 40-ft combined side yard setback, to **Article 18, Section 4-501** of 1% to the required 25% maximum coverage by structures requirement, and to **Article 18, Section 2-301(b)** of 5-ft to the requirement of architectural features extending no more than 3-ft into the required setback.

Vegetative Coverage and Clearing

The property's primary vegetative covering is lawn area, with a few mature trees and grasses and ivy on the slopes. The existing canopy area totals roughly 2,300-sf. There will be no vegetative clearing for the project. Mitigation requirements for this property will be reviewed and addressed during the permit phase of this project.

Impervious Lot Coverage

The site currently has 3,118-sf of lot coverage. The proposed impervious lot coverage is 3,240-sf, which is less than the allowable of 3,906-sf.

Steep Slopes (slopes > 15%)

The subject property contains approximately 1,768-sf of steep slopes, which run between the existing improvements and the shoreline. None of the slopes will be disturbed for the proposed development.

Predominant Soils

The predominant soil types are Annapolis Fine Sandy Loam (AsC & AsE). These soils have a type "C" hydrologic classification, and AsE is considered a hydric soil.

Drainage and Rainwater Control

There appear to be no visible stormwater management devices on site. Stormwater management and sediment and erosion control will be addressed during the permit phase of the project in accordance with Anne Arundel County design criteria.

Conclusions – Variance Standards

The need for the requested variances arises from the unique physical conditions of the site, specifically the size and width of the property, and the presence of steep slopes and location of the existing improvements in relation to the buffer and shoreline of the Severn River. According to tax records, the existing single-family dwelling was built in the '30s and does not conform to today's standards for a single-family dwelling. It is in need of replacement to support the property owners growing family. The new dwelling is proposed in the same location as the existing and the slight expansion is modest and mimics the existing design. Furthermore, the minimum lot size for the R-1 zoning is 40,000-sf and the subject property is 31% of that requirement. The property is also only 40% of the minimum lot width for the zoning district; to require the same setbacks without relief would be unreasonable. The variance request is not based on actions by the applicant, and will not confer upon the applicant any special privilege that would typically be denied by COMAR or the local Critical Area Program. The development will not have an adverse effect on water quality or negatively impact fish, wildlife, or plant habitat, and is in conformance with the general purpose and intent of the Critical Area Program. The variance is the minimum necessary to afford relief from the Critical Area legislation. The granting of the variance will not alter the character of the neighborhood, impair the use and development of adjacent properties, reduce forest cover in the LDA, nor be detrimental to the public welfare.

Reference:

Anne Arundel County Office of Planning & Zoning, 2015 Critical Area Map

Anne Arundel County Office of Planning & Zoning, 2010 Buffer Exemption Map

Anne Arundel County Office of Planning & Zoning, 2022 Land Use and Zoning Map

Federal Emergency Management Agency, 2015. Flood Insurance Rate Map

First American Real Estate Solutions, 2002, Realty Atlas: Anne Arundel County Maryland

Drum, Loyka and Associates LLC, 2023 Variance Plan

U.S. Department of Agriculture, Natural Resource Conservation Service –2015 Soil Survey of Anne Arundel County Maryland.

OFFICE OF PLANNING AND ZONING

CONFIRMATION OF PRE-FILE MEETING

DATE OF MEETING: 6/12/2023

P&Z STAFF: Sara Anzelmo, Kelly Krinetz, Hala Flores

APPLICANT/REPRESENTATIVE: Mike and Joy Weber/Katie Yetman(Drum Loyka) EMAIL: kyetman@drumloyka.com.

SITE LOCATION: 10 West Severn Ridge LOT SIZE: 12,500 sf ZONING: R1

CA DESIGNATION: LDA BMA: N/A or BUFFER: Yes APPLICATION TYPE: Critical Area Variances

Explanation from applicants' representative: "The property is a waterfront lot along the shores of the Severn River. It is zoned R1 and lies within the LDA designation of the critical area. The shoreline is mapped as non-buffer modified and steep slopes lead from the improvements down to the Severn River. The existing dwelling, which according to SDAT was built in the 1930s, will be razed and removed and a new dwelling constructed. The existing garage/accessory structure will remain. The property is substandard in both lot size and width for the zoning district. Per Article 18-2-301(f), improvements can be expanded as long as the setback is at least 25-ft from the front and rear lot lines and 7-ft from the side lot lines. However, due to the location of the existing improvements and septic in relation to the shoreline, a variance to the code appears to be needed. Specifically, a variance to Article 17-8-301(b) and/or Article 18-13-104, for development within the buffer. As shown, the septic and well layout have been approved by the health department. For stormwater management, we are showing a filter device."

The following information was provided in response to follow up questions from the Critical Area Team. "The existing deck is to be removed and a new deck will be constructed. The new deck is lined up with the northwest corner of the existing deck. The septic and deck are within the buffer/expanded buffer. The main portion of the new dwelling is located outside of the buffers."

COMMENTS

The **Zoning Administration Section** advises that Section 18-2-301(f) applies to dwelling additions only and does not apply to new dwellings on undersized lots. Therefore, a zoning setback variance is also required. The variance site plan is confusing, as it is difficult to determine what the various rectangular areas represent. The site plan should clearly label any porches and decks or any other dwelling sections that have different heights/stories. The distances to the property lines, particularly those requiring a variance, must be labeled. The applicants are reminded that, in order for the Administrative Hearing Officer to grant approval of the variances, the proposal must meet all of the Critical Area variance standards provided under Section 18-16-305.

The **Development Division's Critical Area Team** commented that the site plan needs to be better labeled and the justification revised to describe exactly what development activity is taking place within the buffer. The Team does not object to the replacement of the deck within the buffer as long as it is in-kind or smaller than the existing deck; however, the site plan needs to clarify what is existing vs. proposed.

The **Engineering Division of the Office of Inspections and Permits** provided comments via the attached letter.

INFORMATION FOR THE APPLICANT

Section 18-16-201 (b) Pre-filing meeting required. Before filing an application for a variance, special exception, or to change a zoning district, to change or remove a critical area classification, or for a variance in the critical area or bog protection area, an applicant shall meet with the Office of Planning and Zoning to review a pre-file concept plan or an administrative site plan. For single lot properties, the owner shall prepare a simple site plan as a basis for determining what can be done under the provisions of this Code to avoid the need for a variance.

*** A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas OR disturbing 5,000 square feet or more. State mandates require a developer of land provide SWM to control new development runoff from the start of the development process.

Section 18-16-301 (c) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence.

A variance to the requirements of the County's Critical Area Program may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Article 18-16-305. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the variance request.

Mark Wedemeyer, Director

Memorandum

To: Office of Planning and Zoning

From: Hala Flores, P.E., Engineer Manager, Department of Inspections and Permits

Date: May 31, 2023

Subject: Browns Pond, Lot 2 – 10 West Severn Ridge Road
Pre-file

Review - This office has reviewed the pre-file information emailed to OPZ on May 23, 2023. The submitted information did not include sufficient detail to establish that the proposed development meets the ESD requirements. The comments below will need to be addressed under the formal variance request application to allow I&P Engineering to render a determination:

It is not clear if disturbances to the steep slopes and/or its buffer is proposed with this application.

A separate existing and proposed maps/plans are required to discern the existing structures, proposed structures, structures to remain, structures to be removed, etc. This also need to be discussed in the SWM report narrative. No narrative was provided. As part of the ESD considerations, the proposed site layout selection must demonstrate minimization efforts. Since the lot is substandard in size under existing conditions, setbacks are not met, and the ability to meet the SWM regulations for ESDv are not demonstrated, imperviousness should be minimized and under no circumstance should it be intensified under the proposed conditions.

The information provided in the ESDv computations, ie. Drainage area numbers, roof numbers, DA numbers do not correspond to the information on the plan. We are unable to verify or match the computations with the plans.

Drainage area maps were not provided for the proposed SWM practices.

The site outfall was not identified on the plan. An outfall statement is required. A condition assessment of the steep slopes by a geotechnical engineer is required as part of the site outfall analysis. Include a condition assessment report and photographs. The soil edibility index must be added to the plan. Highly and potentially highly erodible soils must be considered for enhanced stabilization during construction.

Rain handler is proposed for the existing patio w/deck above. This is not considered alternative surface ESD. Rather this is non rooftop disconnection nonstructural practice. The contributory roof and the disconnection areas were not delineated on the plan to verify that the MDE disconnection criteria is met.

A SWM filter tank was proposed. Proprietorship SWM devices are not permitted for single family residential dwellings.

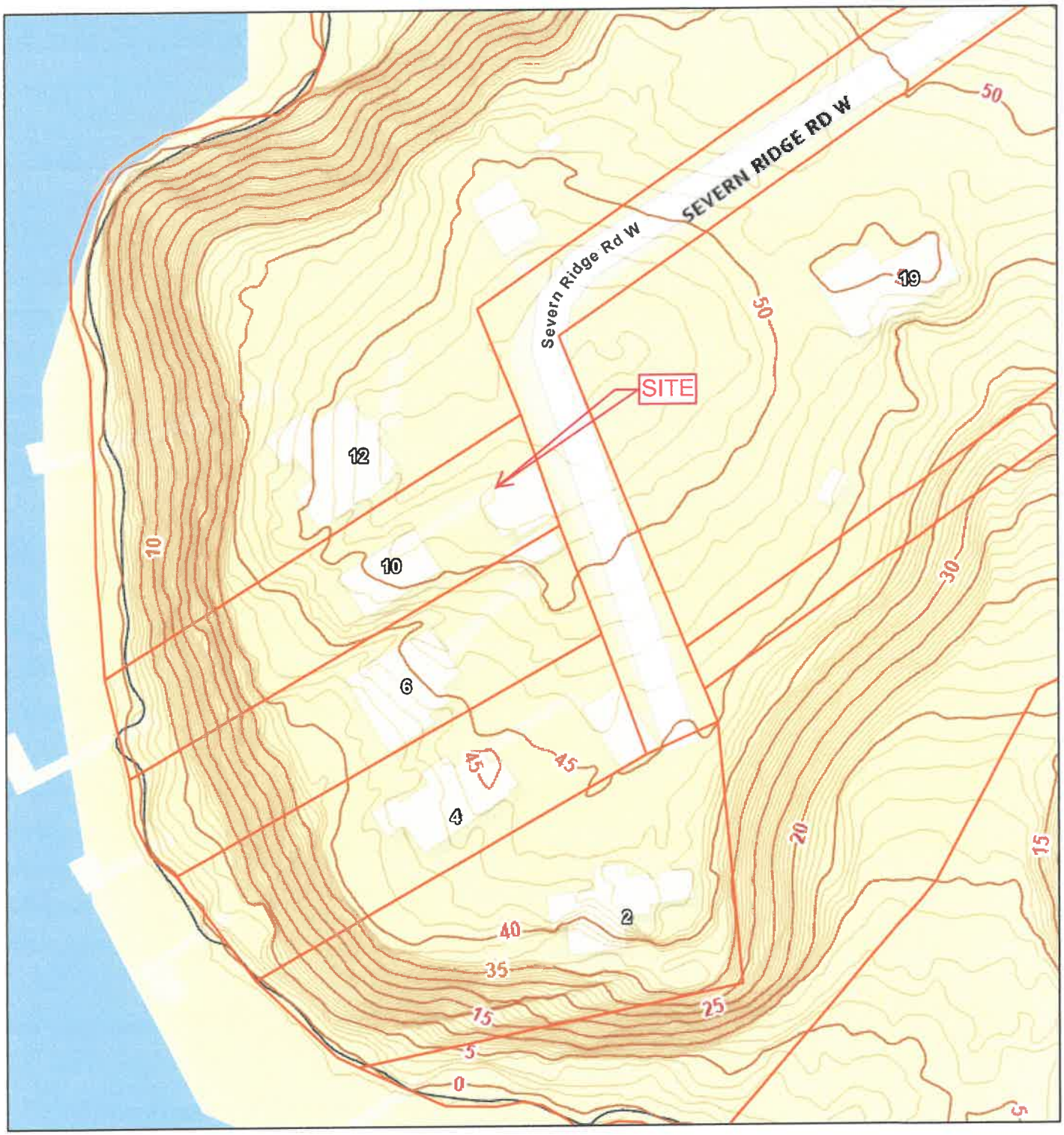
It is not clear how the existing driveway and garage are treated. Disconnection areas must be highlighted clearly and may not overlap, intersect with impervious surfaces, or include excessive contributory pervious or impervious lengths of flow beyond what is permitted by MDE.

Sufficient watering areas (outside of the steep slopes) must exist for proposed rain barrels (rainwater harvesting).

ESD design: In accordance with Chapter 5 of the MDE manual, site fingerprinting development process must be followed. This involves conservation and protection of sensitive resources (steep slopes) and locating site improvements at a sufficient distance to protect these conservation areas. The existing condition plan must show all existing natural and environmental resources and include all areas to be protected. This includes the steep slopes and their buffers (25 feet from top of steep slope). Refer to SWM practice and procedure manual 7.17.7 (setbacks and clearances for infiltration and filtration devices). The device must be located a minimum of 20 ft. from the structure or the intersection of the structure foundation footing with the phreatic line from the overflow depth of the device, whichever is greater. The phreatic line from the overflow depth of the device must be plotted on a cross-section that shows a minimum 20 ft. clearance from the building and top of steep slopes

Setback requirements: The submitted plan must show clearly with dimensions the setback provided from the proposed Stormwater practices to the proposed house, the adjacent property lines, the top of the 15% steep slope, the proposed well, etc.

Anne Arundel County Engineering Record Drawing and Monuments



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Index

Intermediate

Local Road Label

County Boundary

Address Points

Parcels

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Anne Arundel County