

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

APPLICANT: Richard Turman

ASSESSMENT DISTRICT: 2

CASE NUMBER: 2023-0135-V

COUNCILMANIC DISTRICT: 6

HEARING DATE: October 3, 2023

PREPARED BY: Joan A. Jenkins 
Planner II

REQUEST

The applicant is requesting variances to allow a pier and boat lift pilings with less setbacks than required on property located at 694 N. Riverside Drive in Crownsville.

LOCATION AND DESCRIPTION OF SITE

The subject site consists of 5,000 square feet of land, more or less, and is located with frontage on the west side of N. Riverside Drive at Willow Trail. The property is identified as Lots 45 and 46 of Section A Block 83 on Parcel 391 in Grid 17 on Tax Map 31 in the Herald Harbor subdivision. The property has been zoned R5-Residential District since the adoption of comprehensive rezoning for Sixth Council District October 7, 2011.

This is a waterfront property on Valentine Creek within the Chesapeake Bay Critical Area designated as IDA - Intensely Developed Area. The site is in a mapped buffer modification area.

The site is developed with a dwelling and a pier with pilings. The property is served by public water and private septic.

APPLICANTS' PROPOSAL

The applicant proposes to remove the existing pier and pilings and construct a pier (new structures 6' x 60' main pier section, 3' x 32' finger pier, 6' x 8' walkway; replacement 6' x 15' landward walkway) with six boat lift pilings.

REQUESTED VARIANCES

§ 18-2-404 (b) of the Anne Arundel County Zoning Code requires a pier or mooring piling to be set back a minimum of fifteen feet from a lot line extended, whereas the applicant has proposed a pier as close as 8' from the northeast side property line extended and boat lift pilings for two boat lifts. Pilings for the northeast side boat lift are proposed at 2', 3', and 13.5' necessitating variances of 13', 12', and 2 feet, respectively. Two pilings for the southwest side boat lift are both proposed at 6' from the property line extended, requiring variances of 9' for each piling.

The 32-foot finger pier is proposed as close as 8 feet from the northeastern property line extension requiring a variance of 7 feet.

FINDINGS

This Office finds that the subject property has approximately 44 feet of frontage at the water's edge and is on a concave portion of shoreline. The limited water area within the converging property line extensions into the cove that are based on a point of cove creates a practical difficulty in complying with the requirements of the Code for a pier and pilings. Denial of a variance would cause hardship in the redevelopment of this waterfront property.

A review of the County aerial photo from 2023 shows that properties along this shoreline are all developed with piers. Most piers appear to have at least one slip while some have more and the structures may or may not be meeting setback requirements or have had a variance granted. While each property must stand on its own merit, this Office found pier related setback variances on each of the abutting properties. The property to the south at 700 Willow Tree was granted a variance under case 2002-0200-V for a mooring piling within the setback and the property to the north at 692 N. Riverside Dr. was granted a variance under case 1999-0134-V for a pier and pilings within the setback.

The **Anne Arundel County Department of Health** has reviewed the on-site sewage disposal system on the property and has determined that the proposal does not affect it. The Health Department has no objection to the request

The **Development Division (Critical Area Team)** commented no objection to the request.

Approval of the variances would not alter the essential character of the neighborhood as nearby properties are already developed with their own piers. Approval of the variance for the northern side will not impair the appropriate use or development of neighboring properties, however, approval of the variance to allow boat lift pilings on the south side may interfere with the ability of the neighboring property to the south to navigate to their existing boat lift on the north side of their pier. The variances would not be detrimental to the public welfare. The requested variances for the pier and pilings are considered to be the minimum necessary to afford relief.

RECOMMENDATION

Based upon the standards set forth in Section 18-16-305 of the Anne Arundel County Code under which a variance may be granted, this Office recommends ***approval*** of the variance of 13', 12', and 2' to allow the northeastern boat lift pilings to be located as close as 2', 3' and 13.5' from the northeast property line extended; recommends ***denial*** of variances of nine feet to allow two boat lift pilings to be located six feet from the southwestern extended property line and ***approval*** of a variance of seven feet to allow the pier extension to be located as close as eight feet from the northeastern extended property line as shown on the attached site plan.

DISCLAIMER: 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

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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.

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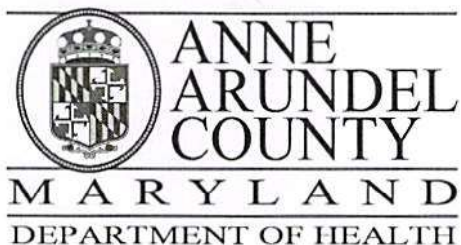
Menu Cancel Help

Task	Due Date	Assigned Date
OPZ Critical Area Team	09/06/2023	08/16/2023
Assigned to Department	Assigned to	Status
OPZ Critical Area	Kelly Krinetz	Complete w/ Comments
Action by Department	Action By	Status Date
OPZ Critical Area	Kelly Krinetz	09/01/2023
Start Time	End Time	Hours Spent
		0.0
Billable	Overtime	Comments
No	No	No objection.
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)
Display E-mail Address in ACA <input checked="" type="checkbox"/>	Display Comment in ACA <input checked="" type="checkbox"/>	Comment Display in ACA <input checked="" type="checkbox"/>
No	All ACA Users	All ACA Users
	<input checked="" type="checkbox"/> Record Creator	<input checked="" type="checkbox"/> Licensed Professional
	<input checked="" type="checkbox"/> Contact	<input checked="" type="checkbox"/> Owner
Estimated Hours	Action	Workflow Calendar
0.0	Updated	

Task Specific Information

Review Notes

Reviewer Phone Number



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3 Harry S. Truman Parkway
Annapolis, Maryland 21401
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Maryland Relay (TTY): 711
www.aahealth.org

Tonii Gedin, RN, DNP
Acting Health Officer

MEMORANDUM

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

FROM: Brian Chew, Program Manager
Bureau of Environmental Health

A handwritten signature in blue ink, appearing to be "BC", written over the name "Brian Chew" in the FROM field.

DATE: August 16, 2023

RE: Richard & Maureen Turman
694 North Riverside Drive
Crownsville, MD 21032

NUMBER: 2023-0135-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a pier with less setbacks than required.

The Health Department has reviewed the on-site sewage disposal. The Health Department has determined that the proposed request does not adversely affect the on-site sewage disposal. 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



Legend

- Foundation
- Addressing
 -
- Parcels
 - ▭ (orange outline)
- Parcels - Annapolis City
 - ▭ (purple outline)
- Planning
 - ▭ (white outline)



0 50 100 ft

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. DO NOT USE FOR NAVIGATION.

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