

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

APPLICANT: Michael S. and Joy Weber

ASSESSMENT DISTRICT: 3rd

CASE NUMBER: 2023-0139-V

COUNCILMANIC DISTRICT: 5th

HEARING DATE: October 5, 2023

PREPARED BY: Sara Anzelmo
Planner



REQUEST

The applicants are requesting variances to allow a dwelling and associated facilities with less setbacks and buffer than required and with greater coverage by structures than allowed on property located at 10 West Severn Ridge Road in Annapolis.

LOCATION AND DESCRIPTION OF SITE

The subject property consists of 12,500 square feet of land and is located with 51 feet +/- of frontage on the west side of West Severn Ridge Road, 400 feet southwest of Ritchie Highway. It is identified as Lot 2 of Parcel 21 in Grid 7 on Tax Map 46 in the Browns Pond subdivision.

The property is zoned R1 – Residential District, as adopted by the comprehensive zoning for Council District 5, effective January 29, 2012.

The site fronts the Severn River, is located within the Chesapeake Bay Critical Area overlay, and is designated as LDA – Limited Development Area. The property is not mapped as buffer modified and is subject to the standard buffer regulations. It is currently improved with a one-and-a-half-story, single-family, detached dwelling with a basement; a two-story garage/ accessory structure; a pier; and other associated facilities.

PROPOSAL

The applicants propose to demolish the existing house and to construct a new two-story dwelling with a basement, multiple decks, and associated facilities.

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. 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 activity or redevelopment activity by variance. The proposed redevelopment would necessitate a variance to

disturb approximately 2,807 square feet of the buffer. If approved, the actual amount of buffer disturbance would be determined at the time of permitting.

§ 18-4-501 provides that a principal structure in an R1 District shall be set back a minimum of 15 feet from each side lot line. The proposed dwelling would be located 8.3 feet from the south side lot line and 10.7 feet from the north side lot line, necessitating variances of seven feet and five feet, respectively.

§ 18-4-501 requires a minimum 40-foot combined side setback for principal structures. The proposed combined principal structure side setback is 19 feet, necessitating a variance of 21 feet.

§ 18-4-501 also limits the maximum coverage by structures in an R1 District to 25% (or 3,125 square feet in this particular case). The proposed coverage by structures would be 25.52% (or 3,190 square feet), necessitating a variance of 0.52%.

§ 18-2-301(b) provides that an architectural feature that does not contain floor area may extend no more than three feet into a required setback. The proposed chimney would project 7.7 feet into the required 15-foot setback, necessitating a variance of five feet to the maximum three foot projection allowance.

FINDINGS

The subject site is undersized and narrow. More specifically, the 12,500 square foot lot size is significantly smaller than the minimum 40,000 square foot area, and the 51-foot lot width is narrower than the minimum 125-foot width currently required for new lots in an R1 District. The existing critical area lot coverage is 3,118 square feet; the proposed coverage would be 3,240 square feet, which falls below the maximum 3,906 square feet (31.25%) allowed by Code.

The **Office of Inspections and Permits (Engineering Division)** provided a list of items to be addressed at permitting, but offers no objection as long as those items are addressed with the grading permit application.

The **Critical Area Commission** provided the following comment. Provided that the proposed redevelopment does not increase permanent disturbance to the Critical Area Buffer, and provided that the Administrative Hearing Officer determines that each and every one of the Critical Area variance standards are met, appropriate mitigation is required.

The **Development Division (Critical Area Team)** has no objection to this request, as it is basically a replacement in kind. Mitigation will be determined at permitting and should be located between the improvements and the shoreline.

The **Cultural Resources Division** commented that this property includes an unrecorded historic resource. Their Office will need to conduct a review for the demolition of the existing structure once the permit application is submitted. A site visit with photo-documentation may be required prior to demolition approval. Please contact the Historic Sites Planner, Darian Beverungen, pzbeve19@aacounty.org with any questions.

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

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 particular case, there are steep slopes near the shoreline, the property is subject to standard buffer requirements, and the lot is significantly undersized and narrow for the district. A portion of the existing deck is currently located within the 100-foot buffer, and the new house is being constructed in the same general location. A literal interpretation of the County's Critical Area Program would deprive the applicants of rights that are commonly enjoyed by other properties in similar areas by denying a replacement of the modest, outdated (c. 1930) cottage on this existing residentially zoned lot.

The granting of the variance would not confer on the applicants 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 applicants 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. The applicants have evaluated and implemented site planning alternatives and have overcome the presumption that the specific development does not conform to the general purpose and intent of the Critical Area law.

Regarding the zoning variances, it is clear that setback relief is warranted. Adhering to the 40-foot combined side setback on a lot that is approximately 50 feet wide would only allow for a 10 foot wide dwelling. The subject lot width is even narrower than the minimum lot width required in an R5 District. Therefore, a proposed house that complies with the comparable R5 or R2 seven-foot side setbacks is reasonable within that context.

With regard to the requirements for all variances, approval would not alter the essential character of the neighborhood nor would it substantially impair the appropriate use or development of adjacent property. The proposed dwelling would be in keeping with the surrounding area and would be sited similarly to other dwellings on nearby narrow lots. The variances would not reduce forest cover in the limited development area, would not be contrary to acceptable clearing and replanting practices, and would not be detrimental to the public welfare.

The proposed dwelling is not considered to be excessive, and the applicants have worked to minimize the disturbance by keeping the development primarily within the already developed areas and outside of the buffer. Only the stormwater management and a portion of the proposed deck would be located within the buffer; the house itself would be located outside of the buffer. As such, the requested buffer disturbance and principal structure setback variances are justified and are deemed to be the minimum necessary to afford relief in this case.

However, the applicant has not demonstrated any practical difficulties or unnecessary hardship or that the coverage by structures variance is necessary. While this Office recognizes that the lot is undersized for the R1 District and that the maximum coverage limitation is based on a larger

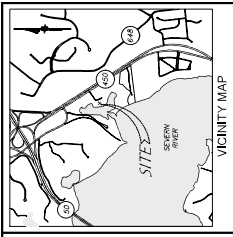
anticipated lot area, that alone does not justify a variance. The allowable 3,125 square feet of coverage by structures is ample to allow for reasonable residential use and development. With only a 65 square foot overage, the coverage by structures could be easily reduced with just a small reduction of one of the various decks (or elsewhere) in order to comply with the limitation. As such, the coverage variance is not warranted and cannot be supported.

RECOMMENDATION

Based upon the standards set forth in § 18-16-305 of the Code under which a variance may be granted, this Office recommends the following:

- ***Approval*** of a critical area variance to § 17-8-301 to allow construction of a dwelling with approximately 2,807 square feet of disturbance within the buffer.
- ***Approval*** of a zoning variance to § 18-4-501 of seven feet to the minimum 15-foot side setback requirement to allow the proposed dwelling to be constructed 8.3 feet from the south side lot line.
- ***Approval*** of a zoning variance to § 18-4-501 of five feet to the minimum 15-foot side setback requirement to allow the proposed dwelling to be constructed 10.7 feet from the north side lot line.
- ***Approval*** of a zoning variance to § 18-4-501 of 21 feet to the minimum 40-foot combined side setback requirement to allow the proposed dwelling to be constructed with only a 19-foot combined side setback.
- ***Approval*** of a zoning variance to § 18-2-301(b) of five feet to the maximum three-foot projection allowance for an architectural feature to allow the proposed chimney to be constructed 7.3 feet from the south side lot line.
- ***Denial*** of a zoning variance to § 18-4-501 of 0.52% to the maximum 25% coverage by structures limitation.

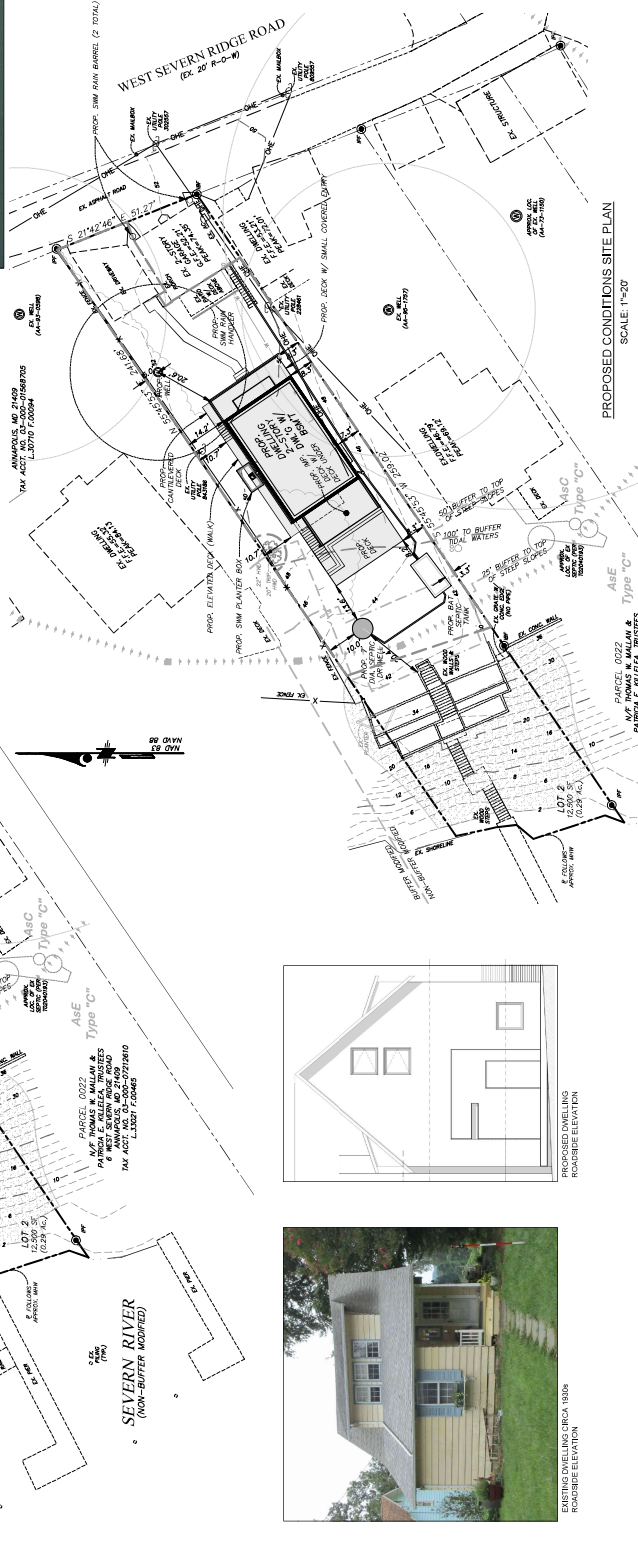
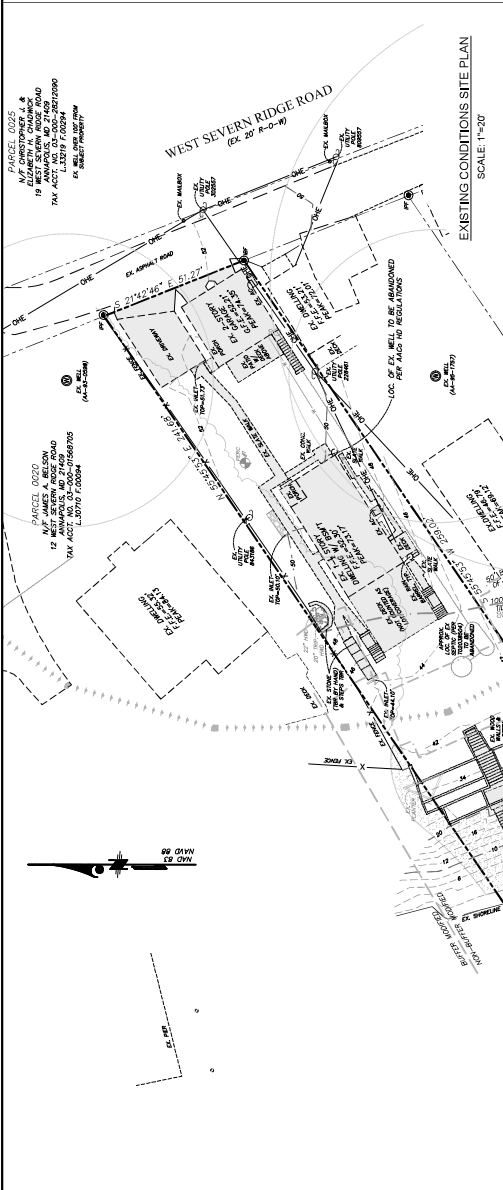
DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant to construct the structure(s) as proposed, the applicant shall apply for and obtain the necessary building permits, and obtain any other approvals required to perform the work described herein. This includes 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.



VICINITY MAP



EXISTING DWELLING



LEGEND

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

SITE TABULATIONS

- Site Area: 15,000 S.F. (0.34 AC.)
- Critical Area Designation: R-1
- Allowable Lot Coverage: 3,116 S.F. (0.07 AC.)
- Proposed Lot Coverage: 3,906 S.F. (0.09 AC.)
- Coverage by Structures: 2,548 S.F. (0.06 AC.)
- Allowable Coverage by Structures: 3,125 S.F. (0.07 AC.)
- Proposed Coverage by Structures: 3,125 S.F. (0.07 AC.)
- Buffer and Expanded Buffer: 2,877 S.F. (0.08 AC.)
- R-1 Zoning Setbacks for Principal Structure:
 - Front: 40'
 - Side: 15'
 - Rear: 15'

VARIANCE PLAN
BROWNS POND ~ LOT 2
10 WEST SEVERN RIDGE ROAD, ANNAPOLIS, MD 21409
TAX ACCT. NO. 03-00042175980 - PARCEL NO. T0350024
TAX MAP 0048 GRID 0007 PARCEL 0022 DISTRICT 3RD
JANE ARONDEL COUNTY MARYLAND

DATE: AUG. 10, 2023 PROJ. NO. BW0021

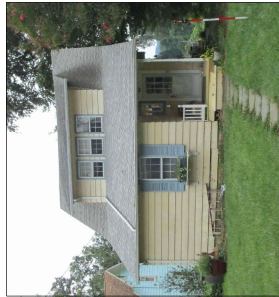
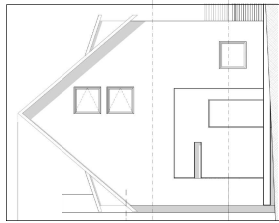
SCALE: 1"=20'

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

Drum, Loyka & Associates, LLC
CIVIL ENGINEERS - LAND SURVEYORS
1410 Forest Drive, Suite 35
Annapolis, Maryland 21403
Phone: 410-263-3123 • Fax: 410-263-9552
www.drummy.com

NO.	DATE	BY	REVISIONS TO APPROVED PLANS	DESCRIPTION

PROJECT NO.	DATE	BY	DESCRIPTION



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.

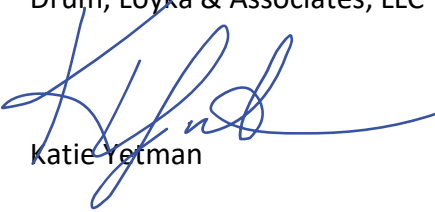
Requirements for all variances.

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

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



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
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Proposed Impervious Area within LOD:		2,548 sf
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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):

$$(S \times Rv \times A) / 12$$

;where

HSG	S	Percent LOD (%)
C	0.14	100

Rev:	$(0.14 \times 0.18 \times 6,578 \text{ sf}) / 12 =$	14 cf
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Minimum Water Quality Volume (WQv):	$(P \times Rv \times A) / 12$; where P =	1.00 in
WQv:	$(1.00 \text{ in} \times 0.18 \times 6,578 \text{ sf}) / 12 =$	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):	$P_E \times Rv = 1.00 \text{ in} \times 0.16 =$	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: $(P_E \times R_v \times LOD) / 12$
 $(1.00 \text{ in} \times 0.16 \times 6,578 \text{ sf}) / 12 = 88 \text{ cf}$

Net Impervious Area Addition within LOD: 143 sf

% Impervious Area for ESDv: $143 \text{ sf} / 6,578 \text{ sf} = 100 \%$

Rv: $0.05 + (0.009 \times \% \text{ Imp})$
 $0.05 + (0.009 \times 100\%) = 0.95$

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): $P_E \times R_v = 2.20 \text{ in} \times 0.95 = 2.09 \text{ in}$

ESDv: $(P_E \times R_v \times LOD) / 12$
 $(2.20 \text{ in} \times 0.95 \times 143 \text{ sf}) / 12 = 25 \text{ cf}$

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

$ESDv = (PE \times Rv \times DA) / 12$ where: $Rv = 0.05 + (0.009 \times \% \text{ Imp.})$
 $Rev = (S \times Rv \times DA) / 12$ 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

$ESDv = (PE \times Rv \times DA) / 12$ where: $Rv = 0.05 + (0.009 \times \% \text{ Imp.})$
 $Rev = (S \times Rv \times DA) / 12$ 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 = $(P_E \times Rv \times DA) / 12$ where: $P_E = 1.00$ in
 $Rv = 0.05 + (0.009 \times \%Imp)$
 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)

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 = $(P_E \times R_v \times DA) / 12$ where: $P_E = 15" \times (A_f / DA)$; Equation 5.2

$A_f =$ Provided Surface Area

$R_v = 0.05 + (0.009 \times \%Imp)$

V 1-yr = $(P \times R_v \times DA) / 12$ where: $P = 2.70$ in

Minimum Rev = $(S \times R_v \times DA) / 12$ where: $S = 0.14$; HSG C

Minimum WQv = $(P \times R_v \times DA) / 12$ where: $P = 1.00$ in; (Eastern Rainfall Zone)

DA No.	DA	Imp	% Imp	Rv	Af	P _E	Concept ESDv (cf)	V 1-yr (cf)	Min Rev (cf)	Min WQv (cf)
ESD	(sf)	(sf)	(%)		(sf)	(in)				
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.	Surface Area	Ponding Area	Ponding Depth	Media Depth	Surface Storage	Media Storage	Total Storage	vs	V 1-yr	ESDv
ESD	(sf)	(sf)	(ft)	(ft)	(cf)	(cf)	(cf)		(cf)	(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 (JL) 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

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.

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	<input type="checkbox"/>
Redesign	<input type="checkbox"/>
No Change	<input type="checkbox"/>
Non-Critical Area	<input type="checkbox"/>
* Complete only Page 1 General Project Information	

Tax ID

Project Name (site name, subdivision name, or other)

Project location/Address

City Zip

Local case number

Applicant: Last name First name

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: _____ 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.

Intra-Family Transfer	<input type="checkbox"/>	Yes	Growth Allocation	<input type="checkbox"/>	Yes
Grandfathered Lot	<input checked="" type="checkbox"/>		Buffer Exemption Area	<input type="checkbox"/>	

Project Type (check all that apply)

Commercial	<input type="checkbox"/>	Recreational	<input type="checkbox"/>
Consistency Report	<input type="checkbox"/>	Redevelopment	<input type="checkbox"/>
Industrial	<input type="checkbox"/>	Residential	<input checked="" type="checkbox"/>
Institutional	<input type="checkbox"/>	Shore Erosion Control	<input type="checkbox"/>
Mixed Use	<input type="checkbox"/>	Water-Dependent Facility	<input type="checkbox"/>
Other	<input type="checkbox"/>		

SITE INVENTORY (Enter acres or square feet)

	Acres	Sq Ft	Total Disturbed Area	Acres	Sq Ft
IDA Area				0.18	
LDA Area	0.29		# of Lots Created	0	
RCA Area					
Total Area	0.29				

	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

Buffer	<input checked="" type="checkbox"/>
Forest Clearing	<input type="checkbox"/>
HPA Impact	<input type="checkbox"/>
Impervious Surface	<input type="checkbox"/>
Expanded Buffer	<input checked="" type="checkbox"/>
Nontidal Wetlands	<input type="checkbox"/>
Steep Slopes	<input type="checkbox"/>
Setback	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>

Structure

Acc. Structure Addition	<input type="checkbox"/>
Barn	<input type="checkbox"/>
Deck	<input checked="" type="checkbox"/>
Dwelling	<input checked="" type="checkbox"/>
Dwelling Addition	<input type="checkbox"/>
Garage	<input type="checkbox"/>
Gazebo	<input type="checkbox"/>
Patio	<input type="checkbox"/>
Pool	<input type="checkbox"/>
Shed	<input type="checkbox"/>
Other	<input type="checkbox"/>



Mark Wedemeyer, Director

Memorandum

To: Office of Planning and Zoning

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

Date: August 29, 2023

Subject: Browns Pond, Lot 2 – 10 West Severn Ridge Road
2023-0139-V

Review - This office has reviewed the requested variance. The requested variances include Article 17, Section 8-301 for redevelopment within the buffer, Article 18-2-301 to architectural features setbacks, and Article 18-4-501 to the setback and building coverage requirements.

The subject property is located on West Severn Ridge Road along the shores of the Severn River. The lot is currently improved with an older single-family dwelling, deck, detached garage, and associated improvements. The lot is served by a well and a private septic system and is located within the Chesapeake Bay Critical Area with an LDA land use designation. The lot is encumbered with steep slopes

We offer the following comments:

1. An existing and proposed drainage area map with drainage arrows and detailed grading of how drainage on the side of the proposed home will be conveyed to the back is required.
2. Provide SWM report and computations to show how the ESDv is met for the site.
3. The applicant must confirm the market availability of rain handlers or propose an acceptable roofing system that drains via sheet flow.
4. Photos and professional statements confirming the stability of the steep slopes are required.

Determination: This office has no objections to the subject variance request as long as the comments above are addressed with the grading permit application.

2023-0139-V

Menu Cancel Help

Task
Critical Area Commission
Assigned to Department
Maryland Critical Area
Commission
Action by Department
OPZ Zoning Administration
Start Time

Due Date
09/07/2023
Assigned to
Jennifer Esposito

Assigned Date
08/17/2023
Status
Complete w/ Comments

Action By
Sara Anzelmo
End Time

Status Date
09/28/2023
Hours Spent
0.0

Billable
No

Overtime
No

Comments
Provided that the proposed redevelopment does not increase permanent disturbance to the Critical Area Buffer, and provided that the Administrative Hearing Officer determines that each and every one of the Critical Area variance standards are met, appropriate mitigation is required.

Time Tracking Start Date
Display E-mail Address in ACA
No

Est. Completion Date
 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 Phone Number

2023-0139-V

Menu Cancel Help

Task

OPZ Critical Area Team

Assigned to Department

OPZ Critical Area

Action by Department

OPZ Critical Area

Start Time

Billable

No

Time Tracking Start Date

Display E-mail Address in ACA

No

Due Date

09/07/2023

Assigned to

Kelly Krinetz

Action By

Kelly Krinetz

End Time

Overtime

No

Est. Completion Date

Display Comment in ACA

Assigned Date

08/17/2023

Status

Complete w/ Comments

Status Date

09/01/2023

Hours Spent

0.0

Comments

I have no objection to this request as it is basically a replacement in kind.

Mitigation will be determined at permit and should be located between the improvements and the shoreline.

In Possession Time (hrs)

Comment Display in ACA

All ACA Users

Record Creator

Licensed Professional

Contact

Owner

Workflow Calendar

Estimated Hours

0.0

Action

Updated

Task Specific Information

Review Notes

Reviewer Phone Number

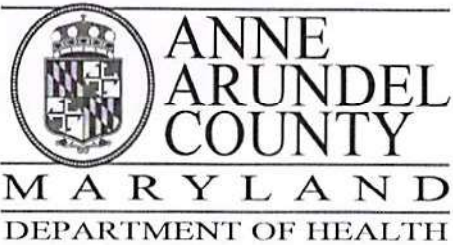
2023-0139-V

Menu	Cancel	Help	
Task OPZ Cultural Resources	Due Date 09/07/2023	Assigned Date 08/17/2023	
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 09/07/2023	
Start Time	End Time	Hours Spent 0.0	
Billable No	Overtime No	Comments This property includes an unrecorded historic resource. Our office will need to conduct our review for the demolition of the existing structure once the permit application is submitted. A site visit with photo-documentation may be required prior to demolition approval. Please contact the Historic Sites Planner, Darian Beverungen, pzbeve19@aacounty.org with any questions.	
Time Tracking Start Date	Est. Completion Date	In Possession Time (hrs)	
Display E-mail Address in ACA No	<input checked="" type="checkbox"/> Display Comment in ACA	Comment Display in ACA	
		<input checked="" type="checkbox"/> 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 0.0	Action Updated	Workflow Calendar	

Task Specific Information

Review Notes

Reviewer Phone Number




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

Tonii 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: August 23, 2023

RE: Michael Weber
10 West Severn Ridge Road
Annapolis, MD 21409

NUMBER: 2023-0139-V

SUBJECT: Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a dwelling and associated facilities with less setbacks and buffer then required and with greater coverage by structures than allowed.

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



Address Points: 10 SEVERN RIDGE RD W,
21409

11

12

10

6

4

2

45

05

45

45