

M.A.F. & Associates, LLC  
Matthew A. Forgen  
55 Jones Station Road, W.  
Severna Park, MD 21146  
Phone: 443-864-8589

October 3, 2023

Planner  
Department of Planning & Zoning  
2664 Riva Road  
Annapolis MD 21401

**RE: Sunrise Beach, Lot 400  
1222 Severnview Drive, Crownsville, MD 21032**

Dear Planner:

Please accept this submittal of a variance for the above referenced project. We are proposing the construction of a new single-family dwelling on a vacant critical area lot. The proposed dwelling is a 2-story structure with a height of 35'. The structure has an overall footprint of 50.83' x 42' and is setback 18' from the southern rear property line (Severnview Drive right of way), 7' from the western property line, 130' from the northern property line (waters edge) and 10.45' from the eastern side property line. This proposal will require a zoning variance of 7' to allow the dwelling to be constructed as close as 18' to the rear lot line.

Please note this is a substandard size R2 zoned property and therefore required to meet the setbacks as required in 18-2-301(f) of the County Code. For a principal structure, this section of the County Code requires a front setback of 25', a side setback of 7', and a rear setback of 25'. We are proposing a new single-family dwelling setback 18' from the rear property line, necessitating a 7' zoning variance.

Pre-file Comments:

Engineering Division advised that the applicant is proposing to rely solely on rainwater harvesting tanks for SWM. The applicant will need to show sufficient irrigation area and plan of irrigation to validate the suitability of use for these tanks. As shown, this plan does not meet the ESD requirements as it is not demonstrated that the recharge volume is provided.

Our response: We will provide a plan of irrigation with the grading permit application. We will explore additional SWM options.

It is recommended that the applicant explore utilizing permeable pavers or concrete to reduce the imperviousness requiring treatment. Alternatively, the driveway may be cross-sloped to the grass area and disconnected (N-2) that way.

Our response: We are not able to use permeable pavement for the driveway because of the required setback to a neighboring water well. The Anne Arundel County Health Department views the permeable pavement as a source of contamination and therefore requires a 50' setback to the well. We will investigate disconnecting the driveway by pitching the slope to the grass area and grading the grass area to a slope less than 5%

Explore the option of planting and dedicating the back portion of the lot as a natural conservation area. If the MDE criteria are met, this may be considered to satisfy the SWM requirement using non-structural sheet flow to the conservation area (N3). The area must be at least 50 feet wide and 20,000 SF.

Our response: We do not have the required area to use sheetflow to conservation. The area we would be able to put in an easement would be far less than the required 20,000 square feet to be counted as conservation.

Zoning Division advises applicant should be prepared to justify that variance is the minimum necessary.

Our response: This is noted and will be discussed.

We feel this zoning variance request meets the requirements of Article 18-16-305 (a) & (c) and therefore the variances should be granted. Below is the justification for granting the above noted variances.

***18-16-305(a)(1) Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article; or:***

This site is an existing, legally platted, substandard R2 lot. The lot was recorded in 1951. Steep slopes and the 100' buffer cover approximately ½ of the lot. This restricts the development area. This site is required to provide a septic system, 2 replacement septic systems and a water well for the new dwelling. This is required by the Anne Arundel County Health Department restricts the development area of the lot as well. There is limited room for the initial septic system and 2 replacement drywells because of the site characteristics. We are required to hold a setback of 25' from the septic drywells to any part of the proposed dwelling. This limits the placement of the dwelling as well. With the size of the site, steep slopes, 100' buffer and required Health Department setbacks, there is no way of building the proposed dwelling without the need for this zoning variance. These are the unique characteristics of the lot.

***18-16-305(a)(2) Because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot:***

With the unique characteristics of this site, we are not able to develop the property without the need for a variance. The setback requirements of the Anne Arundel County Health Department, the 100' buffer and steep slope buffer, the proposed house is pushed back on the lot and must encroach the rear setback. We feel the request is the minimum variance to avoid practical difficulties or unnecessary hardships.

***18-16-305(c)(1): the variance is the minimum variance necessary to afford relief:***

This variance is the minimum variance necessary to afford relief in that the proposed dwelling is held as far back from the steep slopes to have room for the required septic and replacements. We feel this is a minimal impact to the rear setbacks.

***18-16-305(c)(2) the granting of the variance will not:***

***(i) alter the essential character of the neighborhood or district in which the lot is located:*** The approval of these variances will not alter the essential character of the neighborhood. Single-family dwellings exist on most of the lots within this subdivision.

***(ii) substantially impair the appropriate use or development of adjacent property:*** This proposed development would not impair the appropriate use or development of adjacent properties. The neighboring properties are currently developed with a single-family dwelling. This proposal does not impact these dwellings nor the ability of the owner to improve or further develop their property.

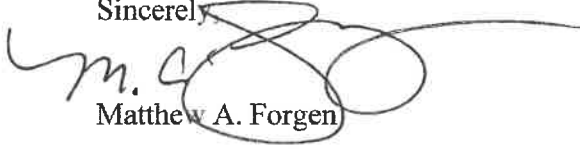
***(iii) reduce forest cover in the limited development and resource conservation areas of the critical area:*** The proposed development will not decrease forest cover within Chesapeake Bay Critical Area. We will be required to mitigate any clearing on this site by replating or providing mitigation within the critical area equal to the area cleared.

***(iv) be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area:*** The property is not located within a bog protection area and is not contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area.

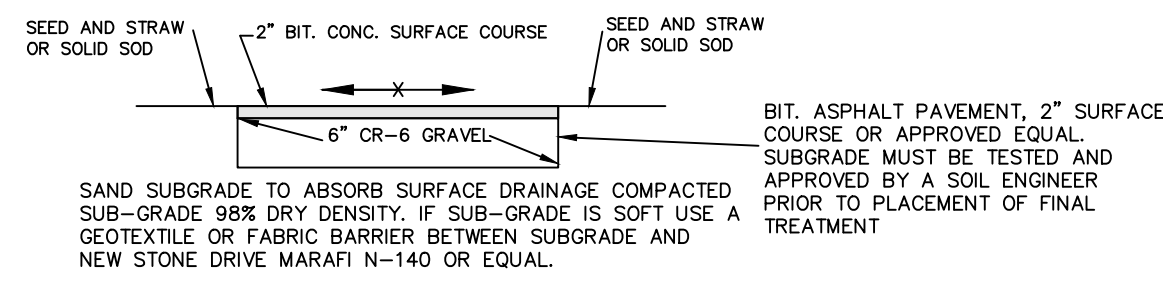
***(v) be detrimental to the public welfare:*** This development is not detrimental to the health and welfare of the community. The Health Department will require a BAT unit septic tank. These tanks are very good for the environment. Storm water management will be required with the grading permit application.

If you should have any questions regarding this submittal, please feel free to contact me at the number above.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Forgen', with a long horizontal line extending to the right from the end of the signature.

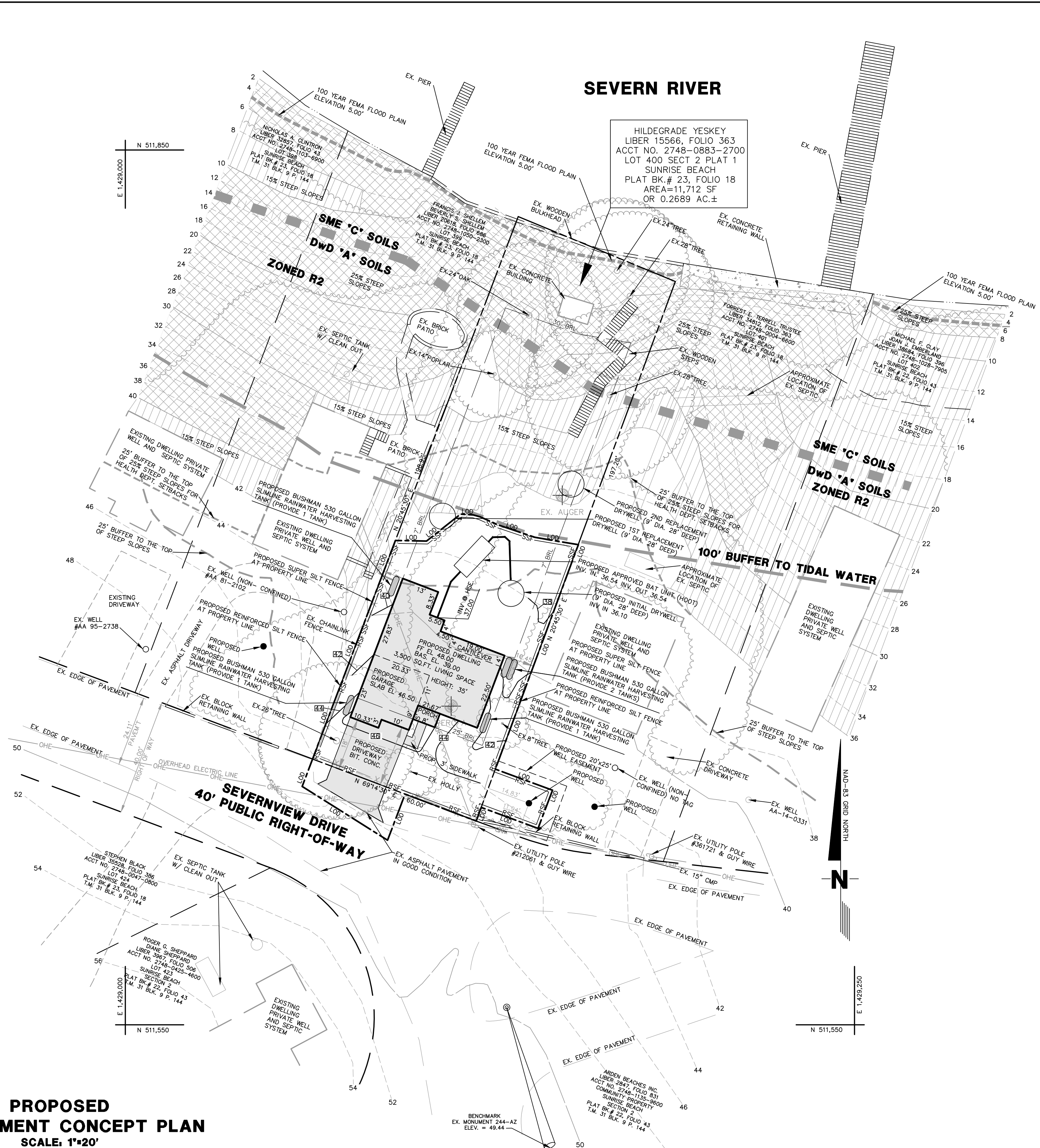
Matthew A. Forgen



**DRIVEWAY SECTION  
N.T.S.**

SAND SUBGRADE TO ABSORB SURFACE DRAINAGE COMPACTED SUB-GRADE 98% DRY DENSITY. IF SUB-GRADE IS SOFT USE A GEOTEXTILE OR FABRIC BARRIER BETWEEN SUBGRADE AND NEW STONE DRIVE. MARAFI N-140 OR EQUAL.

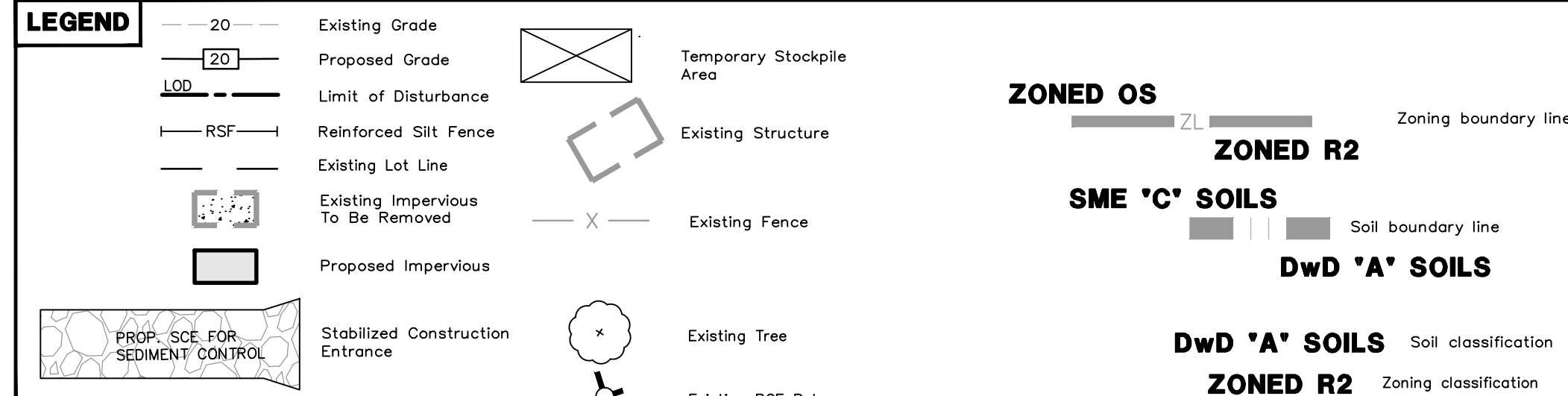
BIT ASPHALT PAVEMENT, 2\"/>



**PROPOSED  
DEVELOPMENT CONCEPT PLAN  
SCALE: 1"=20'**

**THIS PROPERTY LIES WITHIN THE BUFFER MODIFICATION AREA**

**LEGEND**



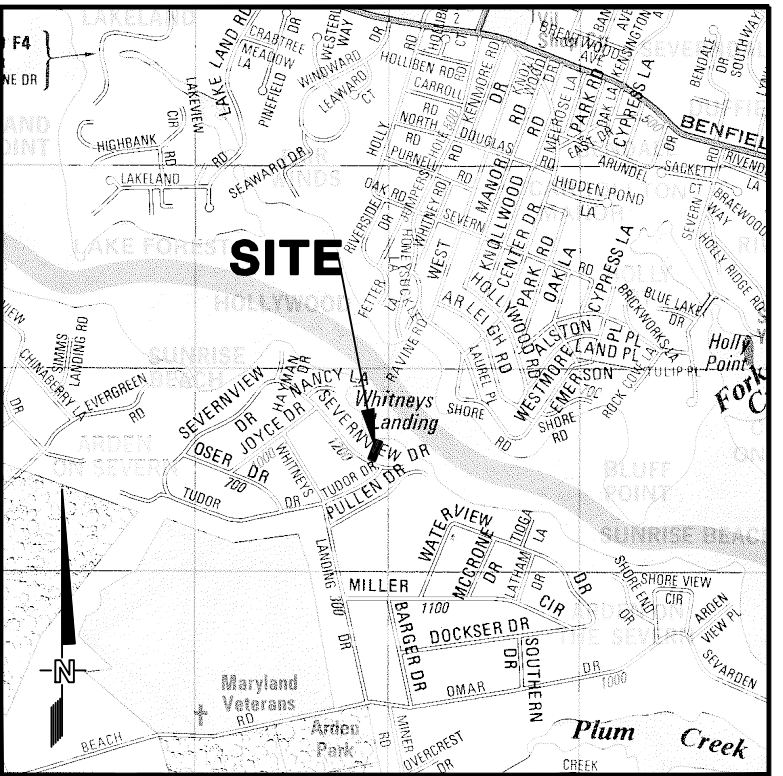
**OWNER, DEVELOPER AND APPLICANT INFORMATION**

**OWNER:**  
HILDEGARDE T. YESKEY  
1013 TUDOR DR.  
CROWNSVILLE, MD. 21032  
PHONE NUMBER: 443-707-7014  
EMAIL: touchstonebid@aol.com

**DEVELOPER/APPLICANT:**  
TOUCHSTONE BUILDING AND DEVELOPMENT INC  
MARK BATSON  
280 LONG POINT ROAD  
CROWNSVILLE, MD. 21032  
PHONE NUMBER: 443-707-7014  
EMAIL: touchstonebid@aol.com

**SEVERN RIVER**

HILDEGARDE YESKEY  
LIBER 15566, FOLIO 363  
ACCT NO. 2748-0883-2700  
LOT 400 SECT 2 PLAT 1  
SUNRISE BEACH  
PLAT BK # 23, FOLIO 18  
AREA=11,712 SF  
OR 0.2689 AC.±



**VICINITY MAP**

SCALE: 1" = 2,000'  
ADC MAP: 14, GRID: E6  
Copyright ADC The Map People  
Permitted Use Number 2081204

**SITE DATA**

PROPERTY ADDRESS:	1222 SEVERNDALE DR. CROWNSVILLE, MD. 21032
OWNER:	HILDEGARDE T. YESKEY 1013 TUDOR DR. CROWNSVILLE, MD. 21032 PHONE NUMBER: 443-707-7014 EMAIL: touchstonebid@aol.com
DEVELOPER:	MARK BATSON 280 LONG POINT ROAD CROWNSVILLE, MD. 21032 PHONE NUMBER: 443-707-7014 EMAIL: touchstonebid@aol.com
EXISTING USE:	VACANT
PROPOSED USE:	RESIDENTIAL
EXISTING ZONING:	R2
SETBACKS:	FRONT: 30', SIDE: 7', REAR: 25'
TAX MAP:	31
BLOCK:	9
PARCEL:	144
LOT:	400
ASSESSMENT DISTRICT:	SECOND
TAX ACCOUNT NUMBER:	2748-0883-2700
CRITICAL AREA:	LDA
PREDOMINANT SOIL TYPE:	Dwd 'A' SOILS
TOTAL SITE AREA:	0.2689 ACRES 11,712 SQUARE FEET
EXISTING IMPERVIOUS:	0.0016 ACRES 78 SQUARE FEET
PROPOSED IMPERVIOUS:	0.0453 ACRES 1,974 SQUARE FEET

**SITE AREA CALCULATIONS/  
CRITICAL AREA CALCULATIONS (LDAI)**

- Total site area: 11,712 s.f. or 0.2689 AC.
- Total lot coverage allowed: 31.25% or 3,660 s.f. per 17-8-402(b)(1)
- Total woods on site: 9,977 square feet or 85.19% of the site.
- Total woods permitted to be cleared: 6,534 square feet per 17-8-601(a)(1)
- Total woods to be cleared in 100' buffer: 0 square feet
- Total woods to be cleared out of 100' buffer: 4,078 square feet
- Total woods required on site: 15% or 1,757 square feet.
- Total existing lot coverage: Concrete structure: 78 s.f.
- Total proposed lot coverage: House: 1,549 s.f.  
Drive: 392 s.f.  
Walk: 33 s.f.  
Total: 1,974 s.f. = 16.85% of the site
- Total lot coverage after construction: 2,052 s.f. = 17.52% of the site
- Total afforestation required: 0 square feet
- Total clearing mitigation required: 4,078 square feet x 1 = 4,078 s.f. per 17-8-602(b)(1)

**BOG NOTE:**

THIS SITE IS DOES NOT LIE WITHIN THE BOG OR BOG DRAINAGE AREA.

**ADJACENT PROPERTY INFORMATION**

ALL ADJACENT PROPERTIES ARE ON PRIVATE WELL AND PRIVATE SEPTIC. ALL EXISTING STRUCTURE ON THE LOTS ARE TO REMAIN.

**SEPTIC REQUIREMENTS**

Septic Tank B&I	
Initial Drywell/Seepage Pit:	Replacement systems:
Test # 2 Total Depth 24 feet Diameter 9 feet No. of Pits 1 Pits Separated by 22 feet from edge to edge	Test # 2 Total Depth 24 feet Diameter 9 feet No. of Pits 1 Pits Separated by 22 feet from edge to edge

**ADMINISTRATIVE SITE PLAN**

**SUNRISE BEACH  
LOT 400, SECTION 2, PLAT 1  
1222 SEVERNVIEW DR. CROWNSVILLE, MD. 21032**  
TAX MAP 31 BLOCK 9 PARCEL 144 TAX ACCOUNT #2748-0883-2700 ZONING: R2  
DATE: SEPTEMBER 7, 2023  
SECOND ASSESSMENT DISTRICT ANNE ARUNDEL COUNTY, MARYLAND

PERC NUMBER: PAT02050533

**SHEET 1 of 1**

REVISIONS			
NO.	DESCRIPTION	APPROVED BY	DATE

**M.A.F. &  
ASSOCIATES, LLC**

55 JONES STATION ROAD, W.  
SEVERN PARK, MD 21146  
PHONE: 443-864-8589  
EMAIL: MFORGEN@AOL.COM

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

PROJECT NOTIFICATION APPLICATION

**GENERAL PROJECT INFORMATION**

Jurisdiction: ANNE ARUNDEL COUNTY

Date: 10.3.2023

Tax Map #	Parcel #	Block #	Lot #	Section
31	AA	9	400	2

**FOR RESUBMITTAL ONLY**

- Corrections
- Redesign
- No Change
- Non-Critical Area

\*Complete Only Page 1  
 General Project Information

Tax ID: 2748-0883-2700

Project Name (site name, subdivision name, or other) SUNRISE BEACH LOT 400  
 SECT. 2 PLAT 1

Project location/Address 1222 SEEVERVIEW DRIVE

City CROWNSVILLE MD Zip 21032

Local case number \_\_\_\_\_

Applicant: Last name YESKEY First name HILDEGARDE

Company \_\_\_\_\_

**Application Type (check all that apply):**

- Building Permit
- Buffer Management Plan
- Conditional Use
- Consistency Report
- Disturbance > 5,000 sq ft
- Grading Permit

- Variance
- Rezoning
- Site Plan
- Special Exception
- Subdivision
- 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:

CONSTRUCTION OF A SINGLE FAMILY AND ASSOCIATED SITE IMPROVEMENTS

Intra-Family Transfer  Yes  
 Grandfathered Lot

Growth Allocation  Yes  
 Buffer Exemption Area

**Project Type (check all that apply)**

Commercial   
 Consistency Report   
 Industrial   
 Institutional   
 Mixed Use   
 Other

Recreational   
 Redevelopment   
 Residential   
 Shore Erosion Control   
 Water-Dependent Facility

**SITE INVENTORY (Enter acres or square feet)**

	Acres	Sq Ft
IDA Area		0
LDA Area		11,712
RCA Area		0
Total Area		11,712

Total Disturbed Area  Acres  Sq Ft 6,384

# of Lots Created 0

	Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Trees		9,977	Existing Lot Coverage		78
Created Forest/Woodland/Trees		0	New Lot Coverage		1974
Removed Forest/Woodland/Trees		4078	Removed Lot Coverage		
			Total Lot Coverage		2052

**VARIANCE INFORMATION (Check all that apply)**

	Acres	Sq Ft		Acres	Sq Ft
Buffer Disturbance		0	Buffer Forest Clearing		0
Non-Buffer Disturbance		6384	Mitigation		4078

Variance Type

Buffer   
 Forest Clearing   
 HPA Impact   
 Lot Coverage   
 Expanded Buffer   
 Nontidal Wetlands   
 Setback   
 Steep Slopes   
 Other

Structure

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

**Sunrise Beach, Lot 400**  
**1222 Severnview Drive, Crownsville, MD 21032**

**CRITICAL AREA REPORT**

**PREPARED BY:**  
**M.A.F. & ASSOCIATES, LLC**  
**55 Jones Station Road, W.**  
**Severna Park, MD 21146**

**443-864-8589**

**October 3, 2023**

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# **Sunrise Beach, Lot 400**

**1222 Severnview Drive, Crownsville, MD 21032**

## **CRITICAL AREA REPORT**

### **INTRODUCTION**

This is a vacant lot located at 1222 Severnview Drive, Crownsville, MD 21032 in the community of Sunrise Beach. The contract purchaser, with the authorization of the property owner, is proposing to construct a new single-family dwelling and associated site improvements. The new structure is being proposed within the rear property line setback.

### **VICINITY MAP**

Included in this report and shown on the attached plan is a vicinity map designating the location of the subject site. Also included in the report are a vicinity map and a portion of the Critical Area Map with the site located.

### **NARRATIVE**

#### **EXISTING CONDITIONS**

The lot is a vacant, residential, waterfront lot. The lot is mostly wooded. The property slopes gradually to the 100' buffer line. From the 100' buffer to the waters edge consists of 15% and 25% steep slopes.

The wooded area is 9,977 square feet. The wooded area consists of pitch mixed hardwood understory, several large trees. No rare, threatened or endangered species were noted.

The site slopes gradually from the road to the 100' buffer. From the 100' buffer to the waters edge is greater than 15% grade. There is no way of developing the site without encroaching the rear setback because of the need for septic drywells that push all site improvements back towards the right of way. The only wildlife seen was small birds and squirrels.

## **PROPOSED DEVELOPMENT**

The owner is proposing the construction of a new single-family dwelling on a vacant critical area lot. The proposed dwelling is a 2-story structure with a height of 35'. The structure has an overall footprint of 50.83' x 42' and is setback 18' from the southern rear property line (Severnview Drive right of way), 7' from the western property line, 130' from the northern property line (waters edge) and 10.45' from the eastern side property line. This proposal will require a zoning variance of 7' to allow the dwelling to be constructed as close as 18' to the rear lot line.

## **STORMWATER MANAGEMENT**

There is stormwater management will be addressed with the required grading permit. During construction, sediment and erosion control measures will be employed.

## **IMPACT MINIMIZATION**

Based on the layout of the proposed improvements, we feel that this development will have a minimal impact on the environment.

## **HABITAT PROTECTION AREAS**

The Habitat Protection Areas onsite include the shallow water habitat, the 100' buffer to the shoreline, as well as the buffer to the steep slopes. The 100' buffer to the shoreline, the need for a septic system and 2 replacement systems on the water side of the lot, prohibits this construction without a zoning variance being granted.

## **AFTER CONSTRUCTION CONDITIONS AND SITE CALCULATIONS**

The proposed conditions of the site include the construction of a garage addition. The site calculations are as follows:

Total site area	11,712 sf
Existing woodland	9,977 sf
Proposed clearing	4,078 sf
Proposed planting	to be determined
Existing lot coverage	78 sf
Allowed lot coverage	3,660 sf
Proposed lot coverage	1,974 sf

Reforestation, stormwater management and impervious coverage in the buffer will be addressed with the grading permit.

## **CONCLUSIONS**

The lot in question is a legal lot located in an established community. It is not possible to construct the proposed dwelling without the need for a zoning setback variance.

As proposed, the development of the lot does not have an adverse impact on the plant or wildlife habitat of the Critical Area. This proposed dwelling will not adversely impact adjacent properties.

## **PLANS**

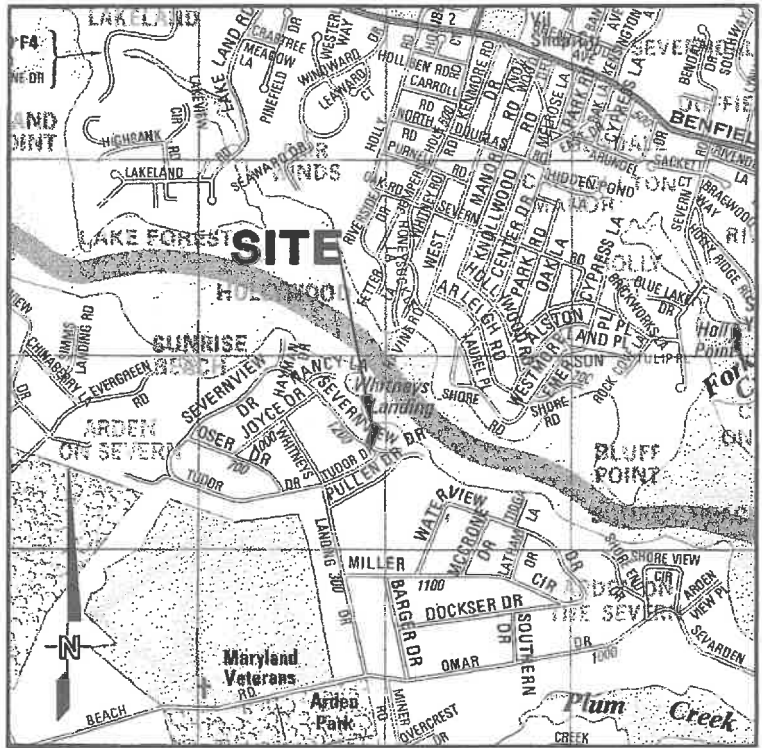
A plan showing the site and the proposed improvements is attached to this report.

## **ADDITIONAL INFORMATION**

A Notification of Project Application for the Critical Area Commission is included in this package.

The fieldwork was conducted on September 20, 2023.

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## VICINITY MAP

SCALE: 1" = 2,000'

ADC MAP: 14, GRID: E6

Copyright ADC The Map People

Permitted Use Number 20811204

# CRITICAL AREA MAP



## Legend

### Parcels



### Critical Areas

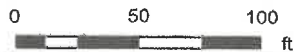
- IDA - Intensely Developed Area
- IDA - Intensely Developed Area
- LDA - Limited Development Area
- RCA - Resource Conservation Area

### Labels

- State Road Label
- Interstate US Road Label
- Local Road Label
- Fire Police Label
- Streams Label

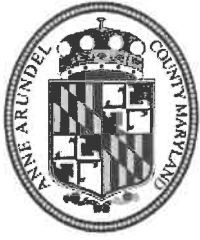
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Esri, NASA, NGA, USGS, FEMA



THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes 1020 NABBS CREEK ROAD, CROWNSVILLE, MD 21032



# OFFICE OF PLANNING AND ZONING

## CONFIRMATION OF PRE-FILE MEETING

DATE OF MEETING Sept 2023

P&Z STAFF Rob Konowal, Hala Flores

APPLICANT/REPRESENTATIVE Matt Forgen EMAIL \_\_\_\_\_

SITE LOCATION 1222 Severnview Drive 2748-0883-2700 LOT SIZE 11,940 sf ZONING R2

CA DESIGNATION LDA BMA  or BUFFER \_\_\_\_\_ APPLICATION TYPE Setback Variance

The applicant proposes to construct a new single-family dwelling on a vacant critical area lot. Due to the substandard size R2 zoned property, the applicant requests a zoning variance to 18-16-305(s)(1) for the rear lot setback. Steep slopes and a 100-foot buffer cover approximately ½ of the lot, which restricts development. The site is required to provide a septic system and well. Rear lot line setback - required 25 feet, provided 18 feet, a variance of seven feet

Related to Permit B02398512476

### COMMENTS

**Engineering Division** advised that the applicant is proposing to rely solely on rainwater harvesting tanks for SWM. The applicant will need to show sufficient irrigation area and plan of irrigation to validate the suitability of use for these tanks. As shown, this plan does not meet the ESD requirements as it is not demonstrated that the recharge volume is provided.

It is recommended that the applicant explore utilizing permeable pavers or concrete to reduce the imperviousness requiring treatment. Alternatively, the driveway may be cross-sloped to the grass area and disconnected (N-2) that way.

Explore the option of planting and dedicating the back portion of the lot as a natural conservation area. If the MDE criteria are met, this may be considered to satisfy the SWM requirement using non-structural sheet flow to the conservation area (N3). The area must be at least 50 feet wide and 20,000 SF.

**Zoning Division** advises applicant should be prepared to justify that variance is the minimum necessary.

### 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.