2023-0105-V

Cancel Help

Task Details OPZ Critical Area Team **Assigned Date** 10/03/2023

Assigned to Melanie Mathews **Current Status** Complete w/ Comments Action By

Melanie Mathews

Comments The site plan is drawn according to the shoreline as shown on Plat 270 pages 21-22 which includes +/- 59' linear feet of shoreline. The West property line extension (PLE) is drawn accurately as a direct extension which is also generally parallel to the adjacent pier. The East PLE appears to veer off slightly from a perfect direct extension. With this being said, the variance request may be more in line with an increased variance request of +/- 1' per structure however this is minimal and otherwise there appears to be no significant impact on the pier structure to the East. Additionally, the platform size has been reduced and reconfigured to limit the required number of variances for this project. The request seems reasonable and meets all of the requirements of a request for variance. The critical area team has no objection to this proposal.

End Time

Billable

Time Tracking Start Date In Possession Time (hrs)

Estimated Hours

0.0

Comment Display in ACA

All ACA Users

Record Creator

Licensed Professional

Contact

Owner

Due Date 10/24/2023

Assigned to Department OPZ Critical Area

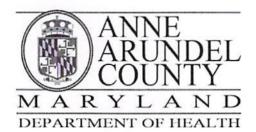
Status Date 10/04/2023 Overtime Nο **Start Time**

Hours Spent

Action by Department OPZ Critical Area Est. Completion Date

Display E-mail Address in AC/

✓ Display Comment in ACA



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:

October 24, 2023

RE:

Kenneth Sikora

266 Mountain Laurel Lane Annapolis, MD 21409

NUMBER:

2023-0105-V

SUBJECT:

Variance/Special Exception/Rezoning

The Health Department has reviewed the above referenced variance to allow a boatlift pilings (2) with less setbacks than required.

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

DEDICATION BY OWNERS

PETER A. CASTRUCCIO AND SADIE M. CASTRUCCIO, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, HEREBY ADOPT THIS PLAN OF SUBDIVISION; ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND DEDICATE THE STREETS, ALLEYS, WALKWAYS AND OTHER EASEMENTS, WIDENING STRIPS AND FLOODPLAINS, TO PUBLIC USE; SUCH LANDS TO BE DEEDED TO ANNE ARUNDEL COUNTY OR THE STATE HIGHWAY ADMINISTRATION, AS MAY BE APPROPRIATE, ON PEOULEST.

THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, LIENS, MORTGAGES, TRUSTS, EASEMENTS, OR RIGHTS-OF-WAY AFFECTING THE PROPERTY INCLUDED IN THIS PLAN OF SUBDIVISION, AND ALL PARTIES IN INTEREST THERETO HAVE HEREUNTO AFFIXED THEIR SIGNATURES INDICATING. THEIR ASSENT AND WILLINGNESS TO JOIN IN THIS PLAN OF SUBDIVISION

FURTHER, THE REQUIREMENTS OF SECTION 3-108, THE REAL PROPERTY ARTICLE, ANNOTATED CODE OF MARYLAND, 1996 REPLACEMENT VOLUME (AS SUPPLEMENTED) AND ARTICLE 26, SECTION 3-304 OF THE ANNE ARUNDEL COUNTY CODE AS FAR AS THEY RELATE TO THE MAKING OF THESE PLATS AND THE SETTING OF MARKERS (SHALL BE/HAVE BEEN) COMPLIED

Marlene Barclay
WITNESS DATE

PETER A. CASTRUCCIO DATE

(OWNER)

Larlene Barclay
WITNESS DATE

Sadie Mastricio Aprizato

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS CORRECT, THAT IT REPRESENTS A SURVEY OF THE PROPERTY BY THE SURVEYOR OR PREPARED UNDER THE SURVEYOR'S DIRECT SUPERVISION; AND THAT IT IS A SUBDIVISION OF ALL OF THE LANDS CONVEYED BY GILBERT BRASHEARS, JR. TO PETER A. CASTRUCCIO AND SADIE M. CASTRUCCIO BY DEED DATED APRIL 16, 1991 AND RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND (HEREINAFTER THE "LAND RECORDS") IN LIBER 5298, AT FOLIO 338; (PARCEL 96) AND ALL OF THE LANDS CONVEYED BY ALEXANDER JOHNSON AND MINNIE JOHNSON TO PETER A. AND SADIE M. CASTRUCCIO BY DEED DATED FEBRUARY 13, 1984 AND RECORDED AMONG THE LAND RECORDS IN LIBER 3698, AT FOLIO 639 (PARCEL 201) AND ALL OF THE LANDS CONVEYED BY DANIEL STEPNEY TO PETER A. AND SADIE M. CASTRUCCIO BY DEED DATED MAY 20, 1981 AND RECORDED AMONG THE LAND RECORDS IN LIBER 3408, AT FOLIO 557 (PARCEL 261) AND ALL OF THE LANDS CONVEYED BY THELMA SMITH AND ALFRED STEPNEY TO PETER A. AND SADIE M. CASTRUCCIO BY DEED DATED APRIL 15, 1986 AND RECORDED AMONG THE LAND RECORDS IN LIBER 4100, AT FOLIO 295 (PARCEL 318). THE REQUIREMENTS OF SECTION 3-108, THE REAL PROPERTY ARTICLE, ANNOTATED CODE OF MARYLAND, 1996 REPLACEMENT VOLUME (AS SUPPLEMENTED) AND ARTICLE 26, SECTION 3-304 OF THE ANNE ARUNDEL COUNTY CODE AS FAR AS THEY RELATE TO THE MAKING OF THIS PLAT AND THE SETTING OF MARKERS, HAVE BEEN COMPLIED WITH.

12April 05

MARK E. POWELL, MARYLAND PROFESSIONAL LAND SURVEYOR, #21153

PETERA CASTRUCCIO, OWNER

SADIE M. CASTRUCCIO OWNER

DEVELOPMENT FACILITATORS INC

Dia 29/45

My 29/0

AREA TABULATIONS

NGINEERS-SURVEYORS-PLANNERS

SEVERNA PARK, MD 21146 WWW.DFIENGINEERING.COM

410-647-2727 FAX 410-647-7127

CONSTRUCTION MANAGERS
4 BALTIMORE-ANNAPOLIS BLVD

 TOTAL SITE AREA
 885,119 SQ. FT.
 20.32 ACRES

 TOTAL NUMBER OF LOTS
 5 SINGLE FAMILY LOTS

 TOTAL LOT AREA
 852,698 SQ. FT.
 19.58 ACRES

 MINIMUM LOT AREA
 40,000 SQ. FT.
 0.92 ACRES

 TOTAL AREA OF RIGHT-OF-WAY DEDICATION
 32,421 FT.
 0.74 ACRES

NOTICE TO TITLE EXAMINERS

THIS PLAT HAS BEEN APPROVED FOR RECORDING ONLY AND SHALL BECOME NULL AND VOID UNLESS:

i. IF REQUIRED AN INSPECTION AGREEMENT OR A PUBLIC WORKS AGREEMENT HAS BEEN EXECUTED AND RECORDED WITHIN TWO YEARS AFTER THIS PLAT IS APPROVED;

ii. IF REQUIRED, A UTILITY AGREEMENT HAS BEEN EXECUTED AND RECORDED WITHIN TWO YEARS AFTER
THIS PLAT IS APPROVED; AND
 iii. CONSTRUCTION UNDER EACH OF THESE AGREEMENTS HAS BEEN CONTINUOUS WITHOUT INTERRUPTION

FOR MORE THAN ONE YEAR AT ALL TIMES.

A SALE OR CONTRACT OF SALE OF ANY LOTS SHOWN HEREON MAY NOT BE MADE UNTIL NECESSARY IMPROVEMENTS HAVE BEEN:

A. SATISFACTORILY COMPLETED UNDER AN INSPECTION AGREEMENT AND THE SUBDIVIDER HAS PROVIDED THE COUNTY WITH A WAIVER OF LIENS FROM ALL CONTRACTORS AND SUBCONTRACTORS OR

SATISFACTORILY GUARANTEED BY A PUBLIC WORKS AGREEMENT, IF REQUIRED, SUPPORTED BY A SURETY BOND, CERTIFIED CHECK, CASH, OR IRREVOCABLE LETTER OF CREDIT FROM A LOCAL BANK, OR OTHER SECURITY AS AUTHORIZED BY LAW; AND,

ii. IF REQUIRED, SATISFACTORILY GUARANTEED BY A UTILITY AGREEMENT SUPPORTED BY A SURETY BOND, CERTIFIED CHECK, CASH, OR IRREVOCABLE LETTER OF CREDIT FROM A LOCAL BANK, OR OTHER SECURITY AS AUTHORIZED BY LAW.

A BUILDING PERMIT OTHER THAN A SAMPLE PERMIT MAY NOT BE ISSUED FOR ANY CONSTRUCTION IN THIS DEVELOPMENT UNTIL THE REQUIREMENTS OF PARAGRAPH 2 ABOVE HAVE BEEN COMPLIED WITH. CERTIFICATES OF USE AND OCCUPANCY MAY NOT BE ISSUED FOR ANY BUILDING OR STRUCTURE IN THE SUBDIVISION UNLESS IMPROVEMENTS REQUIRED UNDER A UTILITY AGREEMENT HAVE BEEN COMPLETED AND BASIC IMPROVEMENTS REQUIRED UNDER A PUBLIC WORKS AGREEMENT BY ARTICLE 26, SECTION 3-314 OF THE ANNE ARUNDEL COUNTY CODE HAVE BEEN COMPLETED.

GENERAL NOTES:

1. DEVELOPMENT PLAN NOTE

 DEVELOPMENT OF THIS SUBDIVISION SHALL BE UNDERTAKEN ONLY IN ACCORDANCE WITH THE APPROVED DEVELOPMENT PLAN ON FILE IN THE OFFICE OF PLANNING AND ZONING.

2. SEPTIC AREA NOTE

THE 10,000 SQUARE FOOT SEPTIC AREAS SHOWN HEREON SHALL REMAIN UNENCUMBERED BY BUILDINGS EASEMENTS, RIGHTS-OF-WAY, AND OTHER PERMANENT OR PHYSICAL OBJECTS.

3. DRIVEWAY APRON NOTE

A PAVED DRIVEWAY APRON, CONSTRUCTED IN ACCORDANCE WITH THE ANNE ARUNDEL COUNTY DESIGN MANUAL, SHALL BE PROVIDED FOR LOTS 1-5 AS PART OF THE BUILDING PERMIT PROCESS. A CERTIFICATE OF OCCUPANCY SHALL NOT BE ISSUED UNTIL THE APRON HAS BEEN CONSTRUCTED.

4. FOREST CONSERVATION NOTE

EXCEPT FOR RIPARIAN ACCESS, THERE SHALL BE NO CLEARING, TRIMMING, CUTTING, DUMPING, STORAGE, OR STRUCTURES WITHIN THE FOREST CONSERVATION EASEMENT SHOWN ON THIS PLAT AS RECORDED WITHIN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND IN LIBER 16247 FOLIO 298 ... ALL FOREST SUBJECT TO THE FOREST CONSERVATION ACT ARE UNDER EASEMENT AND THEREFORE THIS PLAT DOES NOT HAVE TO ADDRESS THOSE REQUIREMENTS.

5. STORMWATER MANAGEMENT NOTE

STORMWATER MANAGEMENT FOR THIS PROJECT SHALL BE PROVIDED IN ACCORDANCE WITH ARTICLE 21, TITLE 3 OF THE ANNE ARUNDEL COUNTY ORDINANCE AND THE APPROVED SWM PLANS ON FILE WITH THE OFFICE OF PLANNING AND ZONING.

ALLOCATION NOTE

THIS SUBDIVISION PLAT IS SUBJECT TO THE REQUIREMENTS OF ARTICLE 25 TITLE 5 OF THE ANNE ARUNDEL COUNTY CODE AS IT RELATES TO THE ALLOCATION OF WATER AND WASTEWATER CAPACITY. FAILURE TO COMPLY WITH THE PROVISIONS OF THIS LAW MAY CAUSE THIS SUBDIVISION PLAT TO BECOME NULL AND VOID OR CAUSE THE PROPERTIES SHOWN HERON TO BE SUBJECT TO A LIEN FOR UNPAID CHARGES.

<u>CRITICAL AREA NOTES</u>

ALL CRITICAL AREA REQUIREMENTS HAVE BEEN MET WITH APPROVAL OF THIS PLAT. ALL STEEP SLOPES, EXPANDED BUFFERS, AND HIGHLY ERODIBLE LANDS ARE CONTAINED WITHIN THE FOREST CONSERVATION EASEMENTS. RIPARIAN ACCESS FOR EACH LOT MAY BE PROVIDED AS SHOWN ON THE APPROVED FINAL DEVELOPMENT AND CRITICAL AREA PLANS ON FILE WITH THE OFFICE OF PLANNING AND ZONING AND AS PERMITTED WITHIN THE RECORDED FOREST CONSERVATION EASEMENT. REFORESTATION FOR THE RIPARIAN ACCESS AREAS HAS BEEN ADDRESSED WITH THE APPROVAL OF THIS PLAT.

*PURPOSE NOTE

THE PURPOSE OF THIS PLAT IS TO RESUBDIVIDE PARCEL 96 (CONSISTING OF ONE(1) 1 ACRE PARCEL AND ONE(1) 4 ACRE PARCEL 201, PARCEL 261 AND PARCEL 318.

9. SIMULTANEOUS RIGHT-OF-WAY DEDICATION NOTE

THE RIGHT OF WAY WIDENING AREAS SHOWN HEREON IS INTENDED TO BE DEDICATED HEREWITH BY A ROAD WIDENING STRIP AGREEMENT RECORDED IN LIBER 16409, FOLIO 0650, IF ACCOMPANYING DEED IS NOT RECORDED THIS PLAT SHALL BE NULL AND VOID.

10. STANDARD RIGHT TO DISCHARGE

PETER A. CASTRUCCIO AND SADIE M. CASTRUCCIO, THEIR REPRESENTATIVES, PERSONAL REPRESENTATIVES, AND SUCCESSORS AND ASSIGNS HEREBY GRANT(S) THE PERPETUAL RIGHT-TO-DISCHARGE THE FLOW OF WATER FROM SUCH NECESSARY DRAINAGE AND APPURTENANCES TO ADEQUATELY DRAIN THE NATURAL WATERSHED AND ADJACENT PROPERTIES INTO EXISTING WATERWAYS AND/OR NATURAL DRAINAGE COURSES AND/OR UPON THE EXISTING GROUND. SUCH DISCHARGE POINTS ARE INDICATED BY AS SHOWN ON THESE PLATS.

11. SIGHT DISTANCE CLEARING NOTE

WITH THE GRADING PERMIT FOR LOT 4, THE UNDERSTORY VEGETATION SHALL BE REMOVED FROM THE RIGHT-OF-WAY DEDICATION AREA THROUGH THE FRONTAGE OF LOT 4 TO PROVIDE ADEQUATE SIGHT DISTANCE.

APPROVED F	OR PRIVATE	E SEPTIC SYSTEM	IS AND PUBLIC	VVATER

HEALTH OFFICER, HEALTH DEPARTMENT OF ANNE ARUNDEL COUNTY, MARYLAND

RECORDED IN PLAT BOOK

4/27/05 DATE JOSEPH RUTTER PLANNING AND ZONING OFFICER DATE
ANNE ARUNDEL COUNTY OFFICE OF PLANNING AND ZONING

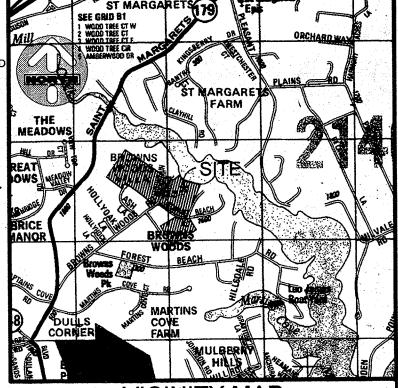
PLAT PAGE _____PLAT NUMBER

R1 SETBACK REQUIREMENTS

•										RI	EGULAR
FRONT		٠,						1.	 		40'
SIDE			10.00						 <u>.</u>	15'/40	COMBIN
REAR	3		11.0	7-1		1978	113.2		 		35'
CORNE	₹			1.7			1	4.1	 		40'
MINIMU		TOIN	HAT	B.R.L							125'
	MINIMUM WIDTH AT R.O.W.					. 14 1					. 18'
ivili dilvi	***	•			•						

GRITICAL AREA SEPTIC NOTES

Y LOTS I-5 ARE WITHIN THE CRITICAL AREA
AND WILL REQUIRE AN APPROVED NITROGEN
REDUCING PRETREATMENT UNIT WITH THE
QUI-SITE SEWAGE DISPOSAL SYSTEM.



 $\frac{\text{VICINITY MAP}}{1" = 2,000'}$

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CRITICAL AREA COMPUTATIONS

20.32 ACRES TOTAL SITE AREA NET SITE AREA (MINUS ROW DEDICATION) 19.58 ACRES **EXISTING ZONING** 18.03 ACRES TOTAL CRITICAL AREA LDA (LIMITED DEVELOPMENT AREA) 17.38 ACRES 0.65 ACRES RCA (RESOURCE CONSERVATION AREA) EXISTING WOODLAND WITHIN CRITICAL AREA 15.46 ACRES EXISTING WOODLAND OUTSIDE CRITICAL AREA 1.55 ACRES EX. IMPERVIOUS SURFACE TO BE REMOVED 0.41 ACRES

GARAGE BUILDING (4,550 SF/0.10 AC.)
GARAGE PARKING AREA (12,600 SF/0.29 AC.)
EXISTING STRUCTURE A (225 SF/0.005 AC.)
EXISTING STRUCTURE B (575 SF/0.01 AC.)

PROPOSED LOT AREA

LOT 1

LDA (3.89 ACRES)

RCA (0.35 ACRES)

LOT 2

LDA (5.07 ACRES)

RCA (0.17 ACRES)

LOT 3 (ALL WITHIN LDA)

LOT 4 (ALL WITHIN LDA)

LOT 5

19.58 ACRES

4.24 ACRES

5.24 ACRES

2.02 ACRES

2.03 ACRES

5.74 ACRES

LDA (4.06 ACRES) RCA (0.13 ACRES) 1.55 ACRES OUTSIDE CRITICAL AREA

IMPERVIOUS LIMITATIONS
LDA (17.38 ACRES @ 15%=2.61 ACRES)

RCA (0.65 ACRES @ 15%=0.1 ACRES) NO NEW IMPERVIOUS SURFACE PROPOSED WITHIN RCA MAXIMUM PERMITTED IMPERVIOUS

LOT 1 0.636 ACRES LOT 2 0.786 ACRES LOT 3 0.303 ACRES LOT 4 0.351 ACRES LOT 5 0.629 ACRES

CLEARING LIMITATIONS

EXISTING WOODLAND WITHIN CRITICAL AREA

WOODLAND WITHIN FOREST CONSERVATION EASEMENT

FOREST CONSERVATION PROPERTY #1

**FOREST CONSERVATION PROPERTY #2

FOREST CONSERVATION PROPERTY #3

TOTAL FOREST CONSERVATION PROPERTY

632,849 S.F. (14.52 AC.)

** NOTE: 1.55 ACRES OF FOREST CONSERVATION PROPERTY #2
IS OUTSIDE OF THE CRITICAL AREA.
12.97 ACRES OF THE TOTAL FOREST CONSERVATION PROPERTY IS
WITHIN THE CRITICAL AREA.

ALLOWABLE CLEARING WITHIN CRITICAL AREA:

ALLOWABLE CLEARING WITHIN CRITICAL AREA:

15.46 AC. – 12.97 AC. = 2.49 AC

ALLOWABLE CLEARING WITHIN FOREST CONSERVATION

PROPERTY FOR RIPARIAN ACCESS:

LOT 1 500 SQUARE FEET
LOT 2 570 SQUARE FEET
LOT 3 825 SQUARE FEET
LOT 4 675 SQUARE FEET
LOT 5 300 SQUARE FEET
TOTAL 2,870 SQUARE FEET (0.06 AC.)

TOTAL ALLOWABLE CLEARING WITH THIS PLAT: 2.49 AC. + 0.06 AC. = 2.55 AC.

THE REFORESTATION REQUIREMENTS FOR THE TOTAL 2.55 AC. OF CLEARING ALLOWED BY THIS PLAT HAVE BEEN MET BY OFFSITE MITIGATION BASED UPON EQUAL AREA REPLACEMENT. THE OFFSITE MITIGATION HAS BEEN SATISFIED IN THE PATUXENT GREENWAY REFORESTATION PROJECT BY AGREEMENT DATED MAY 9, 2005.

PLAT ONE OF TWO

MILL CREEK LANDING

*MINOR SUBDIVISION# 2004-105

TAX MAP 46 BLOCK 9 PARCEL 96,201,261,318 SCALE: AS SHOWN APRIL 2005

ZONING: R1

ZIP CODE: 21401

3RD ASSESSMENT DISTRICT
ANNE ARUNDEL COUNTY, MARYLAND

