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Task Details OPZ Critical Area Team

**Assigned Date**

10/03/2023

**Assigned to**

Kelly Krinetz

**Current Status**

Complete w/o Comments

**Action By**

Kelly Krinetz

**Comments**

No objection.

**End Time**

**Billable**

No

**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**

No

**Start Time**

**Hours Spent**

0.0

**Action by Department**

OPZ Critical Area

**Est. Completion Date**

Display E-mail Address in ACA

Display Comment in ACA

Task Specific Information

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**Review Notes**   **Reviewer Name**   **Reviewer Phone Number**

**Reviewer Email**



Jennifer Esposito -DNR- &lt;jennifer.esposito@maryland.gov&gt;

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**CAC Comments: Zwirlein 2023-0165-V, Grande 2023-0181-V, Frandson 2023-0159-V, Galloway 2023-0177-V, Mazer 2023-0182-V**

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Jennifer Esposito &lt;jennifer.esposito@maryland.gov&gt;

Mon, Oct 23, 2023 at 4:18 PM

To: Sadé Medina &lt;pzmedi22@aacounty.org&gt;

Good afternoon,

The Critical Area Commission has reviewed the following variances and we provide the following comments :

- **2023-165-V; Zwirlein (AA 339-23):** The applicant is requesting an after-the-fact variance to disturb the Critical Area Buffer to perfect a 336-square foot shed approximately 63-feet from the mean high water line. The property is located within the Intensely Developed Area (IDA) and is mapped as Buffer Modified. While the unpermitted replacement shed is in the same location as the original shed, this office opposes the variance request as this proposal does not meet each and every one of the Critical Area variance standards such as unwarranted hardship and that this proposal minimizes impacts to water quality and habitats. On the contrary, the unpermitted shed is more than double the size of the original shed. The applicant currently has reasonable and significant use of the lot with the existing improvements which include a dwelling, porch, patio, an accessory structure, riparian access, driveway, and walkways. If the unpermitted and larger shed were to be denied, the applicant would still have reasonable and significant use of the entire lot. Moreover, the applicant had the ability to replace the shed in-kind without the need for a variance. Replacing the existing shed with a new shed of similar size would show minimization to water quality and habitat impact. However, if the Administrative Hearing Officer finds that the applicant satisfied the burden of proof and persuasion that each and every one of the Critical Area variance standards are met, then appropriate mitigation is required. This includes mitigation at a 4:1 ratio for the unpermitted Buffer impacts and at a 3:1 ratio for the square footage of Buffer impacts approved under this variance request. Additional mitigation is required at 1:1 ratio if canopy coverage was removed as a result of the shed replacement. Moreover, given that the property is located in the IDA, the Critical Area 10% pollutant removal requirements apply to this site.
- **2023-0181-V; Grande (AA 335-23):** Appropriate mitigation is required. This includes mitigation at a 4:1 ratio for the unpermitted improvements, and at a 3:1 ratio should the variance request be approved. Additional mitigation is required at a 1:1 ratio for the square footage of tree canopy coverage removed. Further, we note that if the areas noted for gravel/pavement removal on the plan are located within the Critical Area Buffer or expanded

Buffer, then those areas should be stabilized and planted in natural vegetation.

Additionally, appropriate mitigation is required for the following variances:

- 2023-0159-V; Frandson (AA 338-23)
- 2023-0177-V; Galloway (AA 034-23)
- 2023-0182-V; Mazer (AA 336-23)

Thank you for the opportunity to provide comments. The above-comments have also been submitted through the County's online portal. Please feel free to contact me should you have any questions.



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 twitter\_logo.jpg

[dnr.maryland.gov/criticalarea](http://dnr.maryland.gov/criticalarea)

### *Jennifer Esposito*

Critical Area Commission for the  
Chesapeake & Atlantic Coastal Bays

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Annapolis, MD 21401

Office: 410-260-3468

(In office: Mon., Wed., Friday)

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**ANNE  
ARUNDEL  
COUNTY**  
**MARYLAND**  
**DEPARTMENT OF HEALTH**

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: Summer Handy, Zoning Applications  
Planning and Zoning Department, MS-6301

FROM: Brian Chew, Program Manager   
Bureau of Environmental Health

DATE: 10/20/2023

RE: Clifton W. Galloway  
1020 Nabbs Creek Rd.  
Glen Burnie, MD 21060

CASE  
NUMBER: 2023-0177-V

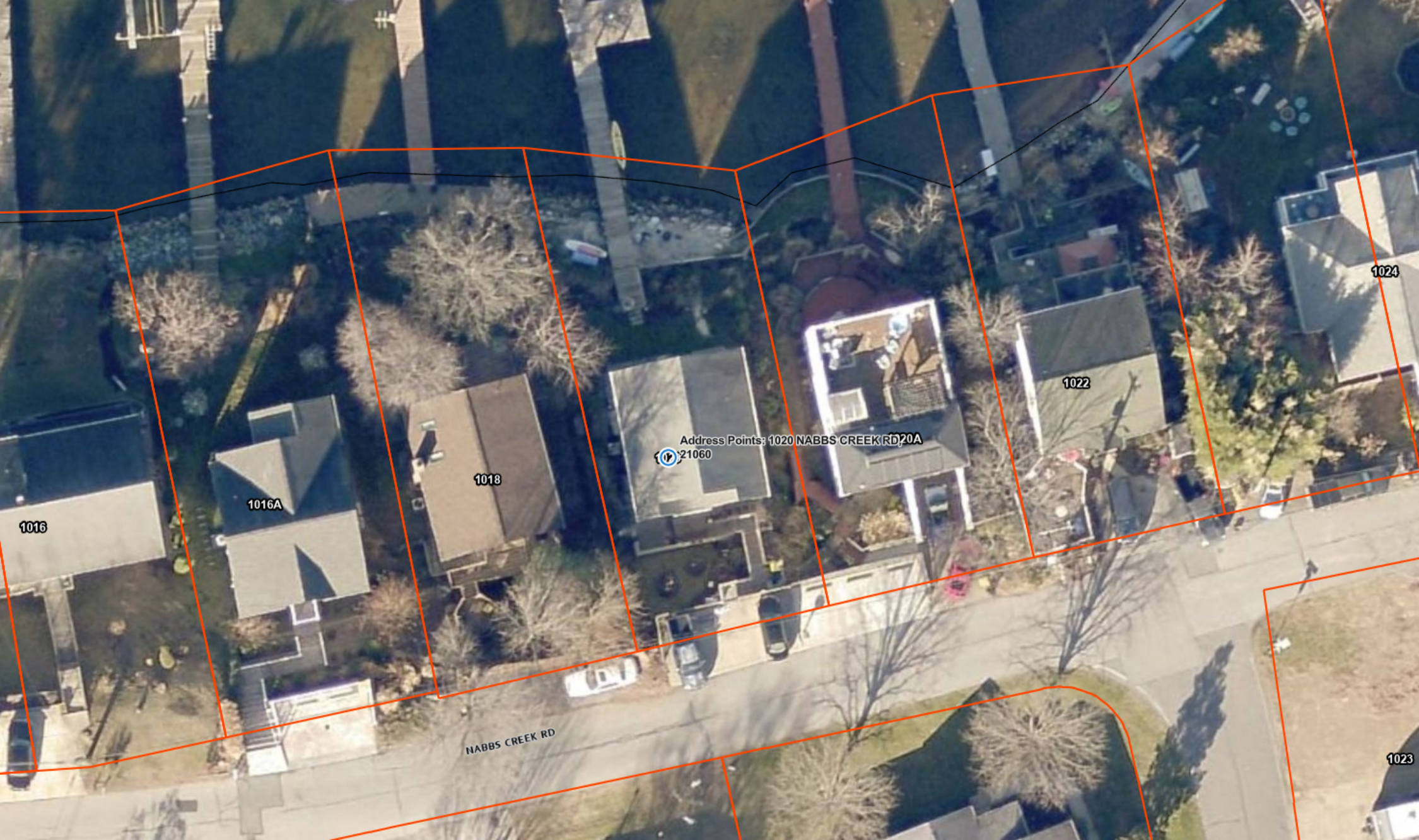
SUBJECT: Variance/Special Exception/Rezoning

The Health Department has received the above referenced variance request to allow a dwelling addition (5x5) with less setbacks than required and with disturbance to slopes of 15% or greater. The Health Department offers the following comments:

The Health Department has reviewed the above referenced request. The property is served by public water and sewer facilities. The Health Department has no objection to the above referenced request.

If you have further questions or comments, please contact Jasmine Baldwin at 410-222-1348.

cc: Sterling Seay



1016

1016A

1018

Address Points: 1020 NABBS CREEK RD, 20A  
21060

1022

1024

NABBS CREEK RD

1023