

BARBARA J. PALMER e-mail: <u>bpalmer@hwlaw.com</u>

October 9, 2023

#### Via Electronic Submittal

Anne Arundel County Office of Planning and Zoning 2664 Riva Road – 3<sup>rd</sup> Floor Annapolis, Maryland 21401

Re: Mark and Suzanne Grande (the "Applicant")

Variance Application – 638 Maid Marion Hill

Annapolis, Maryland 21405 (the "Property")

Tax Acct. No. 02-720-10515471 Building Permit No. B02415466

To Whom It May Concern:

This office represents the Applicant, Mark and Suzanne Grande, regarding their application for a variance to perfect the deck constructed on their residence in the course of the replacement-in-kind of their home following a catastrophic fire in 2021. The deck was modified from the originally approved configuration during the course of construction. The modification included the removal of 370 square feet of decking, and the addition of 383 square feet of deck area, for a net gain of 13 square feet of deck area. This change, however, was made without the benefit of the approval of a revised plan and is adjacent to the steep slopes along the back side of the residence. At this time, the Applicant request this variance so as to correct the error and become fully complaint with the requirements of the County Code. The Applicant asserts that despite the fact that this is an after-the-fact request, the structure as built is reasonable and subject to approval, as the deck, as constructed, did not cause additional disturbance adjacent to the steep slopes, during the course of the reconstruction project.

The variance being requested is to Anne Arundel County Code, §17-8-201(a), for disturbance to steep slopes. As indicated in the Critical Area Report provided herewith, the required variance for the deck and the removal of the associated brick pavers exceeded the scope of the building permit—B02415466, however, the proposed development constitutes a *net decrease* of lot coverage of 2,230 square feet.

The Grande residence was totally destroyed by a fire, caused by a lightning strike on September 1, 2021. Trees adjacent to the residence were burned in the fire. No live trees were removed in the course of this construction or related to this variance request, however as a result of the disturbance, and in accordance with County requirements, the tree canopy clearing due to

the proposed activity is 1,200 square feet. A 3:1 replanting mitigation will be met upon approval of this request. As a result, the development will not reduce forest cover or be contrary to acceptable practices.

On behalf of the Applicant, we appreciate your time and attention reviewing this application. Please let me know if you require any additional information during your review, and I look forward to getting on the Administrative Hearing Officer's agenda in the near future.

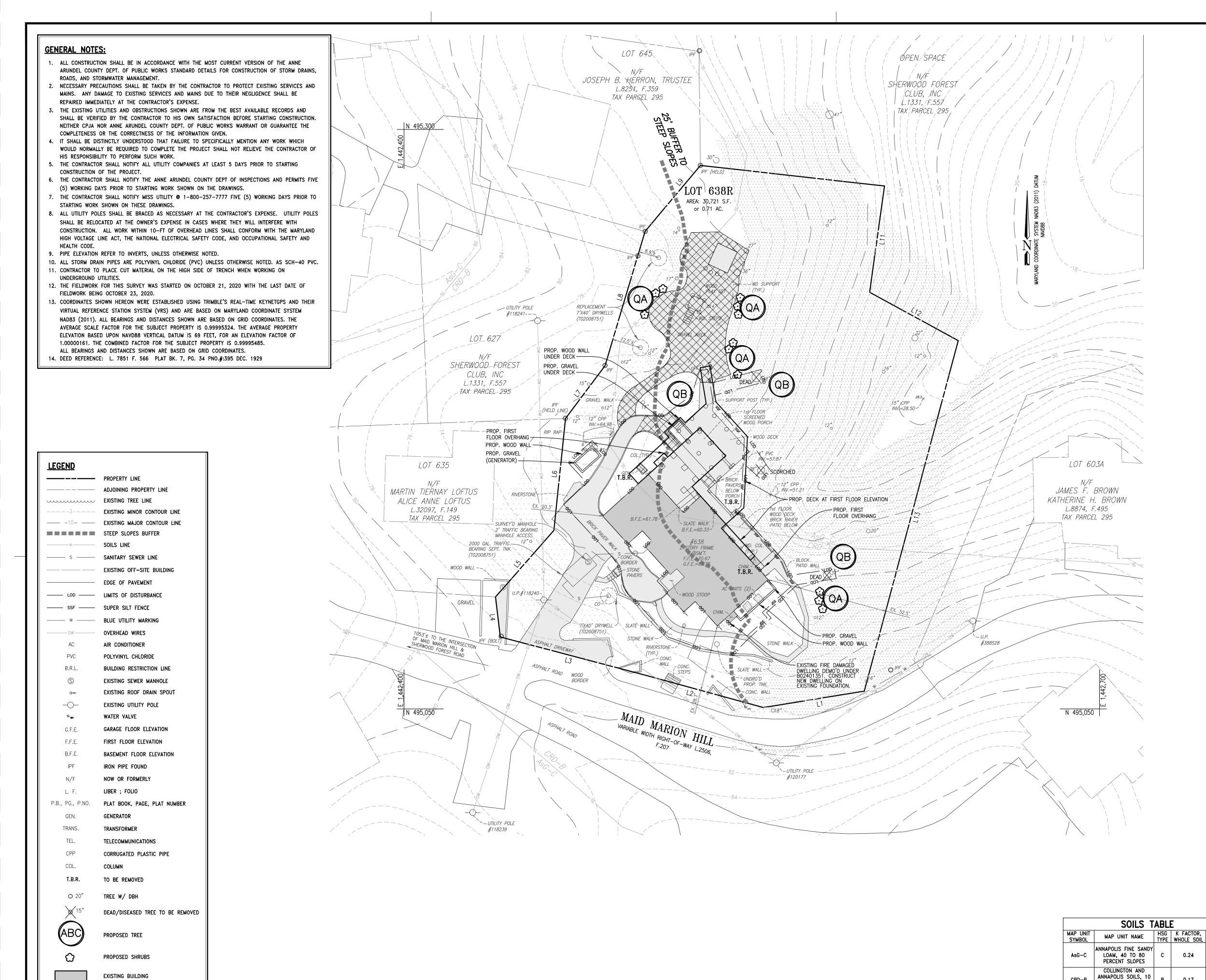
Sincerely,

HYATT & WEBER, P.A.

Barbara J. Palmer

Barbara J. Palmer

cc: Mark and Suzanne Grande



	LANDSCAPE	SCHEDULE	
SYMBOL	LATIN NAME	COMMON NAME	QUANTITY
QA	QUERCUS ALBA	WHITE OAK	4
QB	QUERCUS BOREALIS	NORTHERN RED OAK	3

SWEET SUMAC

DWARF OR GINGER SUMAC

RHUS GLABRA

RHUS COPALINA

RC

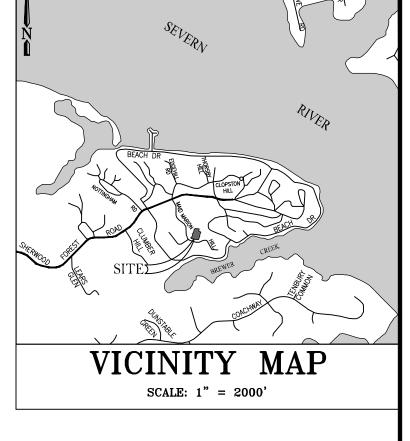
EXISTING IMPERVIOUS

STEEP SLOPES ≥ 25%

STEEP SLOPES > 15-25%

IMPERVIOUS AREA TO BE REMOVED AND

STABILIZED IMMEDIATELY WITH MULCH



**SITE TABULATIONS:** 

TOTAL SITE AREA: 30,721 SF (0.71 AC.) CRITICAL AREA DESIGNATION: LDA (LIMITED DEVELOPMENT AREA) LIMITS OF DISTURBANCE: 4,909 SF (0.11 AC.)

5,445 SF (0.13 AC.) (17.7%) ALLOWABLE C.A. LOT COVERAGE: 8,008 SF (0.18 AC.) (26.1%) **EXISTING C.A. LOT COVERAGE:** 2,036 SF

HOUSE: DRIVEWAY: 1,000 SF **GRAVEL:** 1,952 SF PORCHES: 584 SF PAVERS: 788 SF WALKWAYS: 1,436 SF STEPS: 54 SF 32 SF CONCRETE: 32 SF STONE: WALLS: 94 SF

GRANDFATHERED LOT COVERAGE: 7,752 SF (0.18 AC.) (25.2%) **{**17-8-403**}** 

PROPOSED LOT COVERAGE: 5,778 SF (0.13 AC.) (18.8%) PROP. HOUSE: 2,037 SF PROP. PORCHES: 515 SF PROP. STEPS: 11 SF PROP. GRAVEL: 190 SF EX. DRIVEWAY: 1,000 SF EX. GRAVEL: 79 SF EX. PAVERS: 439 SF EX. WALKWAYS: 1,279 SF EX. STEPS: EX. STONE: 33 EX. WALLS: 94 SF

**ZONING DISTRICT:** R2 (RESIDENTIAL ZONING DISTRICT)

3,408 SF (0.08 AC.) (11.1%) **EXISTING COVERAGE BY STRUCTURES:** MAXIMUM COVERAGE BY STRUCTURES: 9,216 SF (0.21 AC.) (30.0%) PROPOSED COVERAGE BY STRUCTURES: 2,602 SF (0.06 AC.) (8.5%)

**ZONING SETBACKS R2:** ACCESSORY STRUCTURE PRINCIPAL STRUCTURE FRONT: 30' SIDE: REAR: 25'

**EXISTING CANOPY:** MAXIMUM ALLOWABLE CLEARING: PROPOSED CLEARING: MITIGATION FOR CLEARING:

24,623 SF (0.57 AC.) (80.2%) 4,925 SF (0.11 AC.) (20.0%) 1,200 SF (0.03 AC.) (4.8%) 4 TREES & 12 SHRUBS

(1 TREE & 3 SHRUBS PER 300 SF) DEAD TREES REMOVED: MITIGATION FOR DEAD TREES: (1:1 MITIGATION)

3 TREES 3 TREES

# UTILITY STATEMENT:

UPDATES/REVISIONS:

35'

**HEIGHT:** 

THE UNDERGROUND UTILITIES SHOWN HEREON (IF ANY) HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, MAPS AS MAY BE AVAILABLE FROM MUNICIPALITIES OR UTILITY COMPANIES, AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. UNLESS OTHERWISE NOTED, THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

VARIANCE SITE PLAN 638 MAID MARION HILL TAX MAP 39, GRID 19, TAX PARCEL 295

TAX ID: 02-720-10515471 SHERWOOD FOREST, LOT 638R

SECOND (2ND) ASSESSMENT DISTRICT ANNE ARUNDEL COUNTY, MARYLAND

UNAUTHORIZED USE OR REPRODUCTION IS

YES

NO

0.17

TO 15 PERCENT

GRAPHIC SCALE

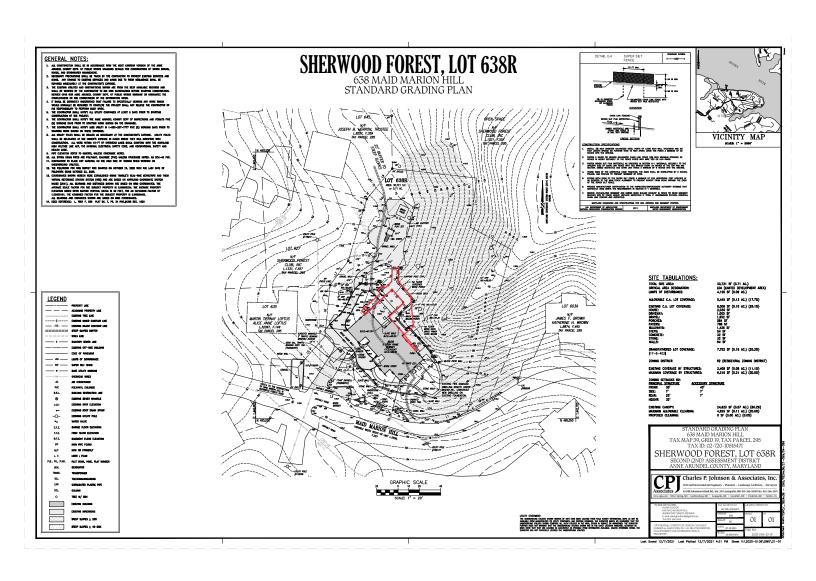
SCALE: 1" = 20'

Charles P. Johnson & Associates, Inc. Civil and Environmental Engineers  $\,\cdot\,$  Planners  $\,\cdot\,$  Landscape Architects  $\,\cdot\,$  Surveyors

45 Old Solomons Island Rd., Ste. 204 Annapolis, MD 410-266-5599 Fax: 410-266-3871 www.cpja.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

AX ACCOUNT NO. l'ANDARD GRADING PLAN N MARK GRANDE 02-720-10515471 638 MAID MARION HILL SHERWOOD FOREST, MD 21405 KVI E-mail: markgrande638@gmail.com Tel: (410) 458-2650 COPYRIGHT © LATEST DATE HEREON CHARLES P. 13.09.2023 JOHNSON & ASSOCIATES, INC. ALL RIGHTS RESERVED,

CALE AS SHOWN 2020-5136-23-01 Last Saved 9/13/2023 Last Plotted 9/13/2023 4:25 PM Sheet V:\2020-5136\DWG\90-01



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

### PROJECT NOTIFICATION APPLICATION

# **GENERAL PROJECT INFORMATION**

Jurisdiction:	Anne Arun	del County			Date:	October 9, 2023
Tax Map #	Parcel #	Block #	Lot #	Section		OR RESUBMITTAL ONLY orrections
39	295	0019	638R			edesign $\Box$
			Pl6			o Change  On-Critical Area
						_
Tax ID:	02-720-1051	5471				omplete Only Page 1 eneral Project Information
	V					Cherar i roject information
				_		
Project Name	(site name su	ıbdivision nam	e or other)	Mark & S	uzanne Grande	
Project Name	(Site Haine, Su	iourvision nam	c, or outer)	Wark & 5	uzumie Grande	
Project location	on/Address	638 Maid N	Marion Hill			
					7' 21	
City Anna	apolis, Maryla	and			Zip   21	405
Local case nu	ımber					
Local case nu	imber_j					
Applicant:	Last name	Grande			First name	Mark & Suzanne
Company	N/A					
Application '	Type (check a	ll that apply):	1			
Duilding Dam				Variance	$\overline{\mathbf{X}}$	
Building Perr Buffer Manag		H		Rezoning		
Conditional U		Ħ		Site Plan	Ħ	
Consistency I		$\Box$		Special Excep	otion 🔲	
Disturbance >		Ħ		Subdivision		
Grading Perm				Other		
Local Jurisd	iction Contac	t Information	•			
Last name				First name		
Phone #			Respo	nse from Com	mission Requi	red By
Fax #				Hearing date		

# **SPECIFIC PROJECT INFORMATION**

After the fact variance for of residence destroyed by Ye Intra-Family Transfer Grandfathered Lot  Project Type (check all the Commercial Consistency Report Industrial Institutional Mixed Use Other  SITE INVENTORY (Enter IDA Area LDA Area RCA Area Total Area	y fire. es hat apply area acres Acres	s or square		Growth Allocation Buffer Exemption Are  Recreational Redevelopment Residential Shore Erosion Control Water-Dependent Fac	Yes  a  X  I	Sq Ft
Ye Intra-Family Transfer Grandfathered Lot  Project Type (check all the Commercial Consistency Report Industrial Institutional Mixed Use Other  SITE INVENTORY (Enterliable) IDA Area LDA Area RCA Area	hat apply	s or square	ŕ	Recreational Redevelopment Residential Shore Erosion Control Water-Dependent Fac	ea	Sq Ft
Intra-Family Transfer Grandfathered Lot  Project Type (check all the Commercial Consistency Report Industrial Institutional Mixed Use Other  SITE INVENTORY (Enter IDA Area LDA Area RCA Area	hat apply	s or square	ŕ	Recreational Redevelopment Residential Shore Erosion Control Water-Dependent Fac	ea	Sq Ft
Commercial Consistency Report Industrial Institutional Mixed Use Other  SITE INVENTORY (Enter	der acres Acres 0.7053	s or square	ŕ	Redevelopment Residential Shore Erosion Control Water-Dependent Fac	ility 🗍	Sq Ft
Consistency Report Industrial Institutional Mixed Use Other  SITE INVENTORY (Enter	0.7053	5	ŕ	Redevelopment Residential Shore Erosion Control Water-Dependent Fac	ility 🗍	Sq Ft
IDA Area LDA Area RCA Area	0.7053	5	ŕ		Acres	Sq Ft
LDA Area RCA Area	0.7053		Sq Ft			
LDA Area RCA Area		3		# of Lote Created	,	•
RCA Area		3		# of Lots Created		
				# of Lote Created		
Total Area	Test Committee Committee					
	0.705	3				
		Acres	Sq Ft		Acres	Sq Ft
Existing Forest/Woodland/Tre		0.57		Existing Lot Coverage	0.18	
Created Forest/Woodland/Tree	ees			New Lot Coverage	0.13	
Removed Forest/Woodland/Tr	rees	0.03		Removed Lot Coverage		2,230
		-16+ do-16+ do-		Total Lot Coverage		
VARIANCE INFORMAT	TION (C				Acres	Sq Ft
D CC D' 1	1	Acres	Sq Ft	Duffer Forest Classins	ACIES	5q I't
Buffer Disturbance				Buffer Forest Clearing Mitigation		
Non-Buffer Disturbance  Variance Type Buffer Forest Clearing HPA Impact Lot Coverage Expanded Buffer Nontidal Wetlands Setback Steep Slopes Other			B D D D G G G	Structure Acc. Structure Addition Form Seck Swelling Swelling Addition Form Form Form Form Form Form Form Form		ı

September 13, 2023

Chesapeake Bay Critical Area Report Sherwood Forest, Lot 638R

Tax Map 39, Grid 19, Parcel 295 Tax Account No. 02-720-10515471

Property Address: 638 Maid Marion Hill, Annapolis, MD 21405

Property Owner & Variance Applicant: Mark & Suzanne Grande

Critical Area Designation: LDA Zoning: R2 Lot Area: 0.7053 Ac.

#### **Site Description**

The subject property is known as Sherwood Forest at 638 Maid Marion Hill, which was created by deed (Book: 7851, Page: 566) on March 31<sup>st</sup>, 1997. A revised plat was recorded in the land records of Anne Arundel County (Book: 135, Page: 16, Plat #7039) circa 1991. The property is located on the north side of Maid Marion Hill and steep slopes and with their buffers exist on site. The property is currently improved with a single-family dwelling, driveway, wood deck, and brick patio. Vegetative stabilization consists mainly of mulch, trees, and ornamental shrubs. The dwelling was destroyed by fire when it was struck by lightning on September 1, 2021, and has been reconstructed on the same foundation circa 2023. The Maid Marion Hill right-of-way is variable. The property is zoned R2, and is entirely within the Chesapeake Bay Critical Area, with an LDA land use designation. The dwelling is served with community water and private septic system.

#### **Proposed Use**

The property owners wish to disturb steep slopes to construct a deck and remove gravel and brick pavers, exceeding the scope of permit B02415466. Therefore, a variance to Article 17-8-201 of the Anne Arundel County Code is sought for disturbance to steep slopes.

#### **Vegetative Coverage**

Vegetative stabilization consists of trees, and ornamental shrubs. The area to be disturbed by the proposed work will be 4,909 S.F. (0.11 Ac.). The existing developed woodland area on-site is 24,623 S.F. (0.57 Ac.). The tree canopy clearing due to proposed activities is 1,200 S.F. (0.03 Ac.). During permit acquisition, a Buffer Management Plan will be submitted showing a robust planting schedule in accordance with COMAR's requirement for 3:1 mitigation; therefore, the development will not reduce forest cover or be contrary to acceptable clearing and replanting practices.

### Lot Coverage

The site currently has 8,008 S.F. (0.18 Ac.) of existing lot coverage. The proposed lot coverage area for this property is 5,778 S.F. (0.13 Ac.). The total allowable lot coverage is 5,445 S.F. (0.13 Ac.). The total grandfathered lot coverage is 7,752 S.F. (0.18 Ac.). The proposed development constitutes a net decrease of lot coverage of 2,230 S.F. (0.05 Ac.).

#### **Predominant Soils**

The predominant soil types in the area are Annapolis Fine Sandy Loam (AsG), 40 to 80 percent slopes, and Collington and Annapolis Soils (CRD), 10 to 15 percent slopes. The soils have hydraulic classification C and B, respectively. The soils are considered hydric and non-hydric, respectively.

### **Drainage and Rainwater Control**

Runoff from this property flows generally north towards private property. Proper sediment and erosion control devices, such as super silt fence, were implemented throughout the entire demolition and construction phases.

#### **Conclusions**

The applicant seeks a variance to the Chesapeake Bay Critical Area regulations to perfect the construction of the deck. We are requesting a variance to the Chesapeake Bay Critical Area regulations. Specifically, a variance to **Article 17-8-201** of the Anne Arundel County Code is sought for the disturbance to the buffer to sleep slopes.

The granting of the variance will not adversely affect water quality or deleteriously affect flora and fauna within the Critical Area. The proposed development will decrease lot coverage on-site.

This report is based on a site plan prepared by Charles P. Johnson & Associates dated September 13, 2023.

Real Property Data Search ( )
Search Result for ANNE ARUNDEL COUNTY

View Map V				iew GroundRent Redemption				View GroundRent Registration				
Specia	al Tax R	Recapture	e: None									
Accou	nt iden	tifier:		District - 02	Subdivisi	on - 720 A	ccount N	umber - 1	0515471			
					Qv	vner Inf	ormatio	on				
Owner	Name	:		GRANDE MA	RK			Use:		RESIDENTIAL		
				GRANDE SU				•	Residence:	NO		
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Town:	None											
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Prefer	ential L	and:		0		0						
					Tra	nsfer In	format	ion				
Seller: WELCH, RICHARD G			Date: 04/08/1997			Price: \$500,000						
Type: ARMS LENGTH IMPROVED			Deed1: /07851/ 00566			00566			Deed2:			
Seller: SHERWOOD FOREST CO INC			Date: 03/12/1991						Price: \$70,000			
Type:	ARMS L	_ENGTH	IMPROVED			: /05274/ (	00270			Deed2:		
Seller:			Date: Deed1					Price: Deed2:				
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